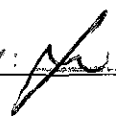


FIFTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

SENATE  
OFFICE OF THE CLERK

10 OCT 11 PM 2:27

SENATE  
S.B. No. 2561

RECEIVED BY: 

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Introduced by Senator Loren Legarda

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#### EXPLANATORY NOTE

Under the Constitution, it is the State policy to protect and promote the right to health and instill health consciousness among the people. The Philippine Plan of Action for Nutrition for 2008-2010, the country's blueprint for achieving nutritional adequacy, declares a vision of Filipinos as well-nourished, healthy, intelligent, and socially and economically productive people with high sense of human dignity.

The results of a nationwide mapping released by the National Nutrition Council has revealed, however, that securing a most basic human need—food—remains a challenge to our people in 49 provinces (63.6%), in varying degrees. A total of 38 provinces were classified as Vulnerable, eight provinces as Very Vulnerable, and three provinces as Very Very Vulnerable to food insecurity.

A priority area for intervention and resource allocation to address food insecurity must particularly target children, who will be most affected adversely, because they are the most vulnerable components of society. Statistics from the Department of Health show that an estimated 50% of pupils are anemic, two out of ten children are iodine-deficient and four out 100 pre-schoolers have night blindness, even as 17 school children go blind every day due to Vitamin A deficiency. The same report reveals that a majority of school children suffered from dental caries (84.3%); intestinal parasitism (75%); malnutrition (44.9%); and various infections of the ear (17.2%) and skin (52%).

This bill proposes a system-wide plan to implement a nutrition and health program for children in the schools and barangay day care centers, consisting of a complementary feeding program. This intervention is urgent, as undernutrition is largely preventable and the World Bank has reported of exceptionally high development returns to a number of direct nutrition interventions. Also, success in addressing undernutrition is essential to meeting the Millennium Development Goals, which the Philippines is working to achieve by 2015.

For these considerations, the passage of this bill is earnestly sought.

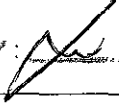
  
**LOREN LEGARDA**  
Senator

FIFTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

SENATE  
OFFICE OF THE SECRETARY

10 OCT 11 P2:27

SENATE  
S.B. No. 2561

RECEIVED BY: 

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Introduced by Senator Loren Legarda

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AN ACT  
PROVIDING FOR A MANDATORY NATIONWIDE CHILD NUTRITION  
PROGRAM IN ALL PUBLIC ELEMENTARY SCHOOLS AND BARANGAY DAY  
CARE CENTERS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of the Representatives of the Philippines in  
Congress assembled:*

1           **SECTION 1. *Short Title.*** - This Act shall be known as the "Child Nutrition  
2 Law of 2010."

3

4           **SEC. 2. *Declaration of Policy.*** - It is the declared policy of the State to  
5 promote the rights of children to survival, development and special protection with  
6 full recognition of the nature of childhood and its special needs, and to support the  
7 nutritional needs of children to enhance their learning capacities in compulsory  
8 basic education. To this end, the State shall institutionalize a mandatory child  
9 nutrition program in all and public elementary schools and barangay day care  
10 centers that is comprehensive, integrative and sustainable on a national basis.

11

12           **SEC. 3. *Objectives.*** - The objectives of the mandatory child nutrition program  
13 are:

14           1. To identify the portion of the schoolchildren population that is  
15 malnourished, with characterization of feeding habits, food preparation  
16 and water supply;

17           2. To achieve improved child attendance and survival rates in day care  
18 centers and schools by ensuring that adequate health and nutrition  
19 programs are accessible to young children throughout the early childhood  
20 years;

- 1           3. To integrate basic knowledge of good nutrition, including family nutrition  
2           practices in school curricula;
- 3           4. To enhance the physical, social, emotional, cognitive, psychological,  
4           spiritual and language development of young children;
- 5           5. To enhance the role of public elementary schools and barangay day care  
6           centers as surrogate caregivers of children;
- 7           6. To facilitate the learning process through healthy body and physical  
8           environment;
- 9           7. To ensure that young children are adequately prepared for the formal  
10          learning system and that both public elementary schools and barangay  
11          day care centers are responsive to the developmental needs of these  
12          children; and
- 13          8. To establish an efficient system for early identification, prevention,  
14          referral and intervention for developmental disorders and disabilities in  
15          early childhood.

16  
17           **SEC. 4. Program Framework.** - The mandatory child nutrition program shall  
18 be provided for children enrolled or studying in public elementary schools and  
19 barangay day care centers regardless of age with the consent of parents. The  
20 program shall include:

- 21           1. Complementary feeding to ensure access to food supplements which will  
22           improve nutritional status. This activity may also be used as a venue for  
23           other nutrition-related activities such as micronutrient supplementation,  
24           weighing and growth monitoring, deworming of children, promotion of  
25           improved hygiene practices including handwashing, and emergency  
26           feeding during and after disasters. Health and nutrition counseling and  
27           education, and treatment of severe undernutrition with ready-to-use  
28           therapeutic foods may also form an integral part of this activity and health  
29           personnel may be tapped as resource persons.
- 30           2. Dietary diversification/backyard gardening to assure availability of  
31           nutritious food in the local areas. Enhancing community resources  
32           accessible to local households and managed by the community will be an  
33           effective strategy to address lack of nutritious food therein.

1           The accompanying benchmarks under the mandatory child nutrition  
2 program shall be determined by the Department of Health in consultation with the  
3 Department of Education and the barangay having jurisdiction over the barangay  
4 day care center or the public elementary school.

5  
6           **SEC. 5. Wholistic Approach.** - Every agency of the national and local  
7 governments shall cooperate and extend full support and cooperation and make  
8 available such materials, data and other resources as may be necessary to ensure the  
9 successful implementation of this Act. In particular:

10           The Department of Health, in consultation with the Department of Education,  
11 the Department of Agriculture and the appropriate barangay, shall review the plans,  
12 programs and implementation of the school or day care complementary feeding  
13 program, with the purpose of identifying:

- 14           1. Ways and means of increasing the volume of complementary feeding  
15           with particular attention to local food components;
- 16           2. Priority areas of the country where greater attention is needed in terms of  
17           a higher density of undernourished school children; and
- 18           3. The groups of school children most likely to benefit from complementary  
19           feeding.

20           The Department Social Welfare and Development shall assist in monitoring  
21 the weight and health of children participating in the school complementary feeding  
22 program. The Department of Agriculture and the National Food Authority shall also  
23 make available warehouse, trucking and facilities.

24           The Department of Interior and Local Government shall help enlist the  
25 support of local government units in the accomplishment of program objectives.

26           The National Economic and Development Authority shall assist in the  
27 determination of official development assistance sources to expand the inputs into  
28 the school complementary feeding program.

29           The Department of Budget and Management shall help prepare work and  
30 financial plans covering the food assistance program, particularly the peso  
31 counterpart requirement involved in the freight, insurance, storage and other  
32 requirements for effective food handling and distribution.

1           The Department of Trade and Industry shall look for cost-effective sources for  
2 components of the program, including but not limited to foodstuffs, vaccines and  
3 dietary supplements.

4  
5           **SEC. 6. Selection of Priority Areas.** - The Department of Health, in  
6 consultation with the Department of Education and the Department of Social  
7 Welfare and Development, shall select at least five (5) regions for each year based on  
8 the criteria provided herein in order to achieve a national coverage for a period of  
9 three (3) years. All barangays within the selected region shall establish their  
10 respective mandatory child nutrition program within a period of six (6) months.

11           The following criteria shall be considered in the selection of priority regions:

12           1. Low level of participation of 3-5 year old population in existing day care  
13 and pre-school services; and

14           2. Number of provinces and cities with high incidence of poverty, low birth  
15 weight, infant and under-five (5) mortality, malnutrition, maternal mortality, low  
16 participation rate in Grade I, and high drop-out rate among Grade I pupils.

17  
18           **SEC. 7. Self-Starting Barangays.** - A self-selection alternative is available for  
19 barangays not selected as priority site for a given year but which can afford to  
20 institutionalize a mandatory child nutrition program in its locality.

21  
22           **SEC. 8. Funds for the Mandatory Child Nutrition Program.** - The funds for  
23 the establishment, maintenance and operation of the mandatory child nutrition  
24 program shall be appropriated from the following sources:

25           1. Ten percent (10%) of the recorded income of the general fund accruing  
26 from interest on deposit accounts and performance bonds and any forfeited  
27 amounts therefrom. Performance bonds and deposits filed or posted by private  
28 persons or entities with agencies of the government shall be deposited with an  
29 authorized government depository bank as trust liabilities and under the name of  
30 the agency concerned.

31           2. Ten percent (10%) of the total amount specifically identified and authorized  
32 intelligence and confidential funds as provided for in the budgets of departments,  
33 bureaus, offices or agencies of the national government, which shall be prorated  
34 among them.

1           3. Fifteen percent (15%) of the total amount automatically appropriated for  
2 debt service compounding both interest payment and principal amortization  
3 thereon.

4  
5           **SEC. 9. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations  
6 and other issuances or parts thereof which are inconsistent with the provisions of  
7 this Act are hereby repealed or modified accordingly.

8  
9           **SEC. 10. *Separability Clause.*** - In the event that any provision of this Act is  
10 declared unconstitutional, the validity of the other provisions shall not be affected  
11 by such declaration.

12  
13           **SEC. 11. *Effectivity.*** - This Act shall take effect fifteen (15) days following its  
14 publication in at least two (2) newspapers of general circulation.

15  
16           Approved,