



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
20th City Council

PO20CC-508

86th Regular Session

ORDINANCE NO. SP- **2846**, S-2019

AN ORDINANCE ENACTING THE "QUEZON CITY HEALTHY DIET IN SCHOOLS ORDINANCE" PROHIBITING THE SELLING AND PROMOTION OF UNHEALTHY FOODS SUCH AS FOODS WITH TRANS FATS AND SUGARY DRINKS TO PREPARATORY, ELEMENTARY AND HIGH SCHOOLS STUDENTS INSIDE AND WITHIN ONE HUNDRED (100) METER PERIMETER OF PUBLIC AND PRIVATE SCHOOLS IN QUEZON CITY AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF, CREATING THE SCHOOL HEALTH COUNCIL AND PROVIDING FUNDS THEREFOR.

Introduced by Councilor *IRENE R. BELMONTE*.

Co-Introduced by Councilors *Julienne Alyson Rae V. Medalla, Diorella Maria G. Sotto, Lena Marie P. Juico, Elizabeth A. Delarmente, Victor V. Ferrer, Jr., Oliviere T. Belmonte, Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Ramon P. Medalla, Ranulfo Z. Ludovica, Estrella C. Valmocina, Gian Carlo G. Sotto, Kate Abigael G. Coseteng, Jose Mario Don S. De Leon, Franz S. Pumaren, Eufemio C. Lagumbay, Raquel S. Malañgen, Ivy Xenia L. Lagman, Marra C. Suntay, Karl Edgar C. Castelo, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Marivic Co-Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Donato C. Matias, Eric Z. Medina, Alfredo S. Roxas and Noe Lorenzo B. Dela Fuente III.*

WHEREAS, having an unhealthy diet and lack of physical activity are the leading global risks to health, according to the World Health Organization (WHO);

WHEREAS, to have a healthy diet, the WHO prescribes limiting intake of free sugars to less than ten percent (10%), and trans fats to less than one percent (1%) of total energy intake. The WHO further prescribes eliminating artificially produced trans fats or partially hydrogenated oil as it has no known health benefit, and have proven health risks;

WHEREAS, WHO stated that, by eating at least four hundred (400) grams or five (5) portions of fruits and vegetables per day reduces the risk of non-communicable diseases and helps ensure an adequate daily intake of dietary fiber;

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WHEREAS, the Quezon City Government recognizes the promotion of health and welfare of our children as one of the primary concerns of the city;

WHEREAS, the Quezon City Government recognizes that healthy eating behavior is formed at a young age, and that its benefits are carried to adulthood;

WHEREAS, the selling of unhealthy food containing more than the prescribed intake of sugar, trans fats, and salt for children encourages poor health choices that would have long-lasting effects;

WHEREAS, in 2017 there were a number of public consultations held within Quezon City that were actively partaken by School Principals, Canteen Owners/Operators, Vendors, Parents and Students;

WHEREAS, to address this problem, Ordinance No. SP-2579, S-2017 was enacted penalizing the selling and promotion of junk foods and sugary drinks within one hundred (100) meters perimeter of the school premises in Quezon City;

WHEREAS, the real intent behind the ordinance is to provide healthy options and promote healthy eating habits amongst our children;

WHEREAS, the Department of Education (DepEd) issued the Policy and Guidelines on Healthy Food and Beverage Choices in Schools and in DepEd Offices (DO 13, S. 2017) for the promotion and development of healthy eating habits among the youth and DepEd employees by making available healthy, nutritious, and affordable menu choices, and for setting food standards;

WHEREAS, there has been confusions and disagreements surrounding the implementation of the above-mentioned ordinance of which were significantly raised through position papers from Association of Principals, GPTA and meetings held with PCCTA;

WHEREAS, a Joint Consultative Meeting was conducted by the Committee on Health, Committee on Education and Committee on Trade Commerce and Industry last July 31, 2018 to address the issues surrounding the implementation of the ordinance;

WHEREAS, to clarify the intent of the Council, and conform with the Policy of the DepEd on Healthy Food and Beverage Choices in Schools, Ordinance No. SP-2579, S-2017 needs to be repealed. ↗

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NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE – This Ordinance shall be known as the “The Quezon City Healthy Diet in Schools Ordinance.”

SECTION 2. SCOPE – This ordinance shall cover all private and public preparatory, elementary, high schools in Quezon City, inside the school premises and within the One Hundred (100) meter perimeter outside the school.

SECTION 3. DEFINITION OF TERMS – For purposes of this Ordinance the following terms shall be defined as:

SCHOOL PREMISES – Any place within the school and within a one hundred (100)-meter perimeter from the school.

PERIMETER - shall be measured from the fence and / or boundary of the school.

PREPARATORY SCHOOL – shall include day care, kindergarten, nursery and similar school level.

HIGH SCHOOL – shall include children enrolled in junior and senior high school that are below eighteen (18) years of age.

FREE SUGARS – all monosaccharide’s and disaccharides added to food and drinks by the manufacturer, cook or consumer, including sugars naturally present in honey, syrups, fruit juices and fruit concentrates.

HEALTHY DIET – balance in food intake which: (a) achieves energy balance and healthy weight; (b) limits energy intake from total fats, and shifts fat consumption away from saturated fats to unsaturated fats and towards the elimination of trans fatty acids; (c) increases consumption of fruits and vegetables, legumes, whole grains, and nuts; (d) limits the intake of free sugars; and (e) limits salt (sodium) consumption from all sources.

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JUNK FOOD – foods that are not made of indigenous, natural, fortified food products. This also include foods that are low in nutritional content and high in calories, salt and fats such as but not limited to “Sitsirya”, instant noodles, street foods and those that shall be determined by the Joint Task Force. Foods that are pre-packed and re-packed regardless if it’s fortified or not and those that are sold with no nutritional label.

SUGARY DRINKS / BEVERAGE – any liquid substance made for drinking that are carbon-based or with carbon dioxide gas and/or categorized as soft drinks, sugar-based, synthetic or artificially flavored juices with high sugar content. This could also include drinks such as but not limited to “palamig”, soda, energy drink, fruit punches, and those that shall be determined by the School Health Council.

PROMOTION - any act of giving junk foods and sugary drinks as a mode of promoting, publicity, encouraging the buying of, giving samples, marketing, advertising, sponsoring and any other act of similar nature. This also includes placing of promotion materials such as posters, billboards, banners and the likes outside the school within the 100 meters perimeter that promotes unhealthy/junk food and sugary drinks.

UNHEALTHY DIET – Food intake high in saturated or trans-fat or sodium or sugar which is considered to be a major risk factor for chronic diseases such as cardiovascular diseases, cancer, diabetes, and other conditions linked to obesity.

BUSINESS PERMIT - permits issued by the government agencies that allow individuals, partnerships and corporations to conduct business within the government’s geographical jurisdiction. It is the authorization to start a business issued by the local government.

SECTION 4. PROHIBITED ACTS - It is unlawful for any person engaged in selling and promoting food within the premises as defined herein to sell and/or promote any unhealthy junk food and sugary drinks to all students covered.

SECTION 5. LIST OF ALLOWED AND PROHIBITED FOOD AND DRINKS -

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A. The LIST OF HEALTHY FOOD AND DRINKS to be sold within the school premises shall be patterned after the DO 13, S- 2017 – POLICY AND GUIDELINES ON HEALTHY FOOD AND BEVERAGE CHOICES IN SCHOOLS AND IN DEPED OFFICES, to wit:

Canteen-cooked foods, common Filipino snack foods or those without Nutrition Facts may be enumerated under a Food List classified as GREEN, YELLOW, and RED. Sample Food Lists are in Tables 4, 5, and 6.

i. The GREEN category includes foods and drinks that should ALWAYS be available in the canteen. These foods and drinks are the best choices for a healthy school canteen as they contain a wide range of nutrients and are generally low in saturated and trans fat, sugar, and salt. This includes, but is not limited to the following foods and drinks:

Table 4. List of Foods and Drinks under the GREEN category

Food	Examples
Drinks	Milk (unsweetened) Safe and clean water (nothing added) Fresh Buko Water (unsweetened)
Energy-giving (Go)	Milled Rice Brown Rice or Iron-fortified Rice Corn Oatmeal Whole wheat bread Cassava (kamoteng kahoy) Boiled Sweet potato (kamote) Boiled Saging na saba Corn, Binatog Boiled peanuts Suman Puto
Body-building (Grow)	Fishes Shellfish Small shrimps Lean meats Chicken without skin Nuts Egg
Body-regulating	Fresh fruits, preferably those in season

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(Glow)	Green, leafy, and yellow vegetables
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i. The **YELLOW** category includes foods and drinks that should be served carefully. These foods and drinks contain some nutrients but at the same time also contain large amounts of saturated or trans fats and/or sugar and/or salt. If eaten in large amounts, these foods and drinks may contribute to excess calories. These may be served once or twice a week only (Tuesdays and Thursdays), in smaller servings, and should be less prominent in the canteen menu. Every opportunity shall be taken to make these foods healthier by following the instructions enumerated under Section V.A.1.k.iii. This includes, but is not limited to the following foods and drinks:

Table 5. List of Foods and Drinks under the **YELLOW** category

Food	Examples
Drinks	100% Fresh fruit juices
Energy-giving (Go)	Fried rice Bread (using white refined flour) Biscuits Banana cue, Camote Cue, Turon, Manuya Pancakes Waffles Champorado Pancit Arroz caldo Sandwiches (cheese, egg, chicken filling, etc.) Butter, Margarine, Mayonnaise (use sparingly)
Body-building (Grow)	Processed foods such as meats/fish, hotdogs, sausage, burger patties, chicken nuggets, tocino, tapa, etc. (still subject to evaluation of saturated or trans fat and sodium as reflected in their Nutrition Facts)
Body-regulating (Glow)	Stir-fried Vegetables

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B. List of Food and Drinks not Allowed to be Sold inside the school premises:

Table 6. List of Food and Drinks under the RED category

Food	Examples
Drinks	Soft drinks, alcoholic drinks, sports waters, sports drinks, flavoured mineral water, energy drinks, sweetened waters, powdered juice drinks Any product containing caffeine (for school canteens) Any processed fruit/vegetable juice with added sugar of more than 20 grams or 4 teaspoons per serving
Energy-giving (Go)	Any jelly, ice crushes, and slushies Any ice cream/ Ice drops/ Ice candies Cakes and slices, donuts, sweet biscuits and pastries, and other sweet bakery products All types including chocolates, hard/chewy candies, chewing gums, marshmallows, lollipops, yema, etc. French fries, bicho-bicho, etc. Instant noodles All types of heavily salted snacks such as chips or chichiría
Body-building (Grow)	Chicharon Chicken skin Bacon Deep-fried foods including fish balls, kikiams, etc
Body-regulating (Glow)	Fruits canned in heavy syrup Sweetened fruits or vegetables or deep-fried

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c. The LIST OF FOOD AND DRINKS not to be sold OUTSIDE the school premises AND WITHIN THE 100 METER PERIMETER shall be patterned after the DO 13, S. 2017 – POLICY AND GUIDELINES ON HEALTHY FOOD AND BEVERAGE CHOICES IN SCHOOLS AND IN DEPED OFFICE - red category only, to wit:

Table 6. List of Food and Drinks under the RED category

Food	Examples
Drinks	Soft drinks, alcoholic drinks, sports waters, sports drinks, flavoured mineral water, energy drinks, sweetened waters, powdered juice drinks Any product containing caffeine (for school canteens) Any processed fruit/vegetable juice with added sugar of more than 20 grams or 4 teaspoons per serving
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Body-building (Grow)	Chicharon Chicken skin Bacon Deep-fried foods including fish balls, kikriams, etc.
Body-regulating (Glow)	Fruits canned in heavy syrup Sweetened fruits or vegetables or deep-fried

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SECTION 6. PROMOTION OF HEALTHY BAON – The school shall conduct an information and education campaign for parents and guardians on healthy food choices, to encourage healthy packed meals or baons.

SECTION 7. GRACE PERIOD – A thirty (30) day grace period shall be given to concerned canteen and/or store owners and operators as well as establishment owners engaged in selling food within school premises and outside the schools and within the 100-meter perimeter to prepare and to completely comply with this ordinance. Failure to comply shall not result to confiscation of the goods prohibited but shall be penalized as prescribed in Section 13 of this Ordinance.

SECTION 8. CREATION OF SCHOOL HEALTH COUNCIL – The School Health Council is hereby created which shall be composed of the following:

- Chairperson - The City Mayor shall serve as
Chairperson of the Council*
- Vice-Chairperson - The City Vice Mayor shall serve as
Vice Chairperson of the Council*
- Members - Department of Public Order and
Safety Head*
 - Market Development and Administration
Department Head*
 - Division of City Schools Superintendent*
 - City Health Department's Nutrition Officer*
 - The City Council's Chairperson of the
Committee on Health*
 - The City Council's Chairperson of the
Committee on Barangay Affairs*
 - The City Council's Chairperson of the
Committee on Trade, Commerce
and Industry*
 - The City Council's Liga ng mga
Barangay President*



SECTION 9. FUNCTION OF THE SCHOOL HEALTH COUNCIL - The School Health Council shall be the primary body that shall ensure the proper implementation of this ordinance. The Council is authorized to issue policies, guidelines and rules which shall be in accordance with this ordinance and it's implementing rules to ensure that this ordinance is properly implemented and in order to address other concerns that may arise in the course of its implementation.

Further, the Council shall convene regularly as may be determined by the members and shall submit report and update the City Council on the implementation of this ordinance.

The Council may, from time to time, call upon the participation of other government agencies or local government officials in its deliberation especially when such agency is directly or indirectly concerned with the implementation of the ordinance.

The Council shall also be responsible for the accreditation and final approval of the foods and drinks to be sold inside the schools.

The Council shall also serve as the Adjudication Board for purposes of inquiry and complaints with regard to the Violation Receipt.

SECTION 10. INFORMATION, EDUCATION AND COMMUNICATION - The School Health Council shall, within three (3) months from the enactment of this Ordinance, develop and roll out an information, education, and communication campaign on this ordinance.

SECTION 11. TECHNICAL ASSISTANCE TO SCHOOLS ON EVALUATION OF FOODS AND DRINKS - The School Health Council is responsible for extending technical assistance to schools in evaluating foods and drinks in their school canteens. The School Health Council shall conduct regular capacity building trainings and seminars for schools within Quezon City to equip them with the technical capacity to evaluate food within their school premises.

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SECTION 12. APPROPRIATION – The amount of Two Million Pesos (Php2,000.000.00) is hereby appropriated to be taken from the General Fund. The allocation shall be coursed through the Division of City Schools and disbursement be approved by the School Health Council.

SECTION 13. FINES AND PENALTIES – Violations of this Ordinance and its implementing Rules and Regulations shall be subject to the following fines and penalties:

- First Offense - Fine of One Thousand Pesos (Php1,000.00)*

- Second Offense - Fine of Two Thousand Pesos (Php2,000.00)*

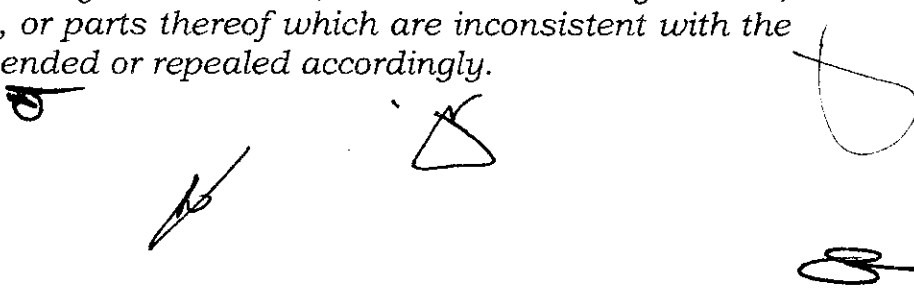
- Third Offense - Fine of Five Thousand Pesos (Php5,000.00) and shall be a ground for revocation of their existing Business Permit.*

SECTION 14. ORDINANCE VIOLATION NOTICE/RECEIPT SYSTEM – The School Health Council shall form guidelines for the issuance of the OVN / OVR.

Violators of this Ordinance shall be informed of their violation and penalty associated with such violation by means of an Ordinance Violation Notice/Receipts issued by deputized members of the School Health Council.

SECTION 15. IMPLEMENTING RULES AND REGULATIONS WITHIN SCHOOL PREMISES – Within sixty (60) days from the approval of this ordinance, the School Health Council shall formulate the Implementing Rules and Regulation.

SECTION 16. REPEALING CLAUSE – Ordinance No. SP-2579, Series of 2017 and all existing Ordinances, Rules and Regulations, Memorandum, Circulars, or parts thereof which are inconsistent with the foregoing are hereby amended or repealed accordingly.




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SECTION 17. SEPARABILITY CLAUSE – If any part of provisions of this Ordinance is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in full force and effect.

SECTION 18. EFFECTIVITY CLAUSE – This Ordinance shall become effective fifteen (15) days following the completion of its publication in the local newspaper of general circulation within the city.

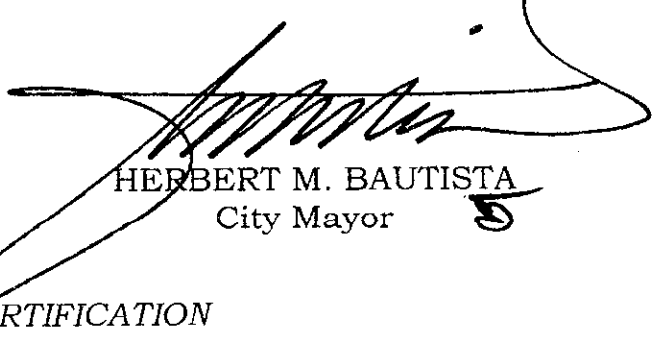
ENACTED: March 4, 2019.


MA. JOSEFINA G. BELMONTE
City Vice Mayor
Presiding Officer

ATTESTED:


Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

APPROVED: 14 JUN 2019


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on March 4, 2019 and was PASSED on Third/Final Reading on March 11, 2019.


Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III