



HOUSE OF REPRESENTATIVES

H. No. 5618

BY REPRESENTATIVES DEL MAR, COJUANGCO (K.), ARNAIZ, TEVES, RODRIGUEZ (R.), RODRIGUEZ (M.), COLMENARES, ZARATE, ANGARA-CASTILLO, UY (J.), ARAGONES, QUIMBO, UNGAB, MERCADO-REVILLA, CO, BATOCABE, MAGSAYSAY, PRIMICIAS-AGABAS, APOSTOL, BELMONTE (J.), MARCOS, ONG, SAHALI, OAMINAL, GO (A.F.), UMALI (C.), LACSON-NOEL, JALOSJOS, SALIMBANGON, DE VENECIA, YU, BANAL, ROMUALDO, BELLO (S.), ANGPING, FERNANDEZ, PACQUIAO, ROMUALDEZ, ARBISON, BULUT-BEGTANG, CABILAO, DEL ROSARIO (A.G.), ACOSTA-ALBA, BONOAN, DIMAPORO (I.), BERNOS, CORTUNA, LANETE, BRAVO (M.), PLAZA, CAGAS, ZAMORA (M.), ARENAS, TEJADA, ZAMORA (R.), HICAP, TY, GO (A.C.), ESCUDERO, FLORES, VILLAR, UNABIA, GARIN (S.), NAVA (J.), LAGMAN, NOEL, ABU, ILAGAN, SUANSING, PICHAY, CUA, PIAMONTE, BATAOIL, PAQUIZ, ATIENZA, DEFENSOR, MANALO, COSALAN, COLLANTES, YAP (A.), LAGDAMEO (A.), ALMONTE, DELOSO-MONTALLA AND DELA CRUZ, PER COMMITTEE REPORT NO. 644

AN ACT INSTITUTIONALIZING THE NATIONAL SCHOOL FEEDING PROGRAM FOR PUBLIC KINDERGARTEN AND ELEMENTARY PUPILS AND APPROPRIATING FUNDS THEREFOR

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

- 1 SECTION 1. *Short Title.* -- This Act shall be known as the "National
- 2 School Feeding Program (NSFP) Act".

1 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the
2 State to promote the rights of children to survival, development, and special
3 protection with full recognition on the nature of childhood and its special
4 needs.

5 Recognizing the direct correlation between good nutrition and the
6 propensity of children to develop into physically and mentally healthy
7 individuals, the State shall endeavor to promote and fortify proper nutrition
8 among school children, especially those belonging to low-income households,
9 in order to safeguard them from the ill effects of malnutrition and to enhance
10 as well their learning capacities.

11 SEC. 3. *Definition of Terms.* – As used in this Act:

12 (a) *Fortified food* refers to food with deliberately increased content of
13 essential micronutrient, i.e. vitamins and minerals (including trace elements)
14 irrespective of whether or not the nutrients were originally in the food before
15 processing, so as to improve the nutritional quality of the food supply and to
16 provide a public health benefit with minimal risk to health;

17 (b) *Fresh milk* refers to pasteurized fresh milk with limited shelf life,
18 usually seven (7) to ten (10) days, and requiring refrigeration;

19 (c) *Fresh milk-based food* refers to food product containing fresh milk
20 blended with powdered milk;

21 (d) *National Household Targeting System for Poverty Reduction*
22 *(NHTS-PR)* or *Listahanan* refers to an information management system that
23 identifies who and where the poor are in the country and serves as a reference
24 in identifying potential beneficiaries of social protection program; and

25 (e) *Powdered milk* refers to a manufactured dairy product made by
26 evaporating milk into powder form purposely to preserve it and to have a far
27 longer shelf life than liquid milk due to its low moisture content.

28 SEC. 4. *Objectives.* – The National School Feeding Program (NSFP)
29 shall pursue the following objectives:

1 (a) Ensure that adequate health and nutrition programs are accessible
2 to school children throughout their early childhood years;

3 (b) Achieve improved survival rates attendance in public kindergarten
4 and elementary schools;

5 (c) Enhance the physical, social, cognitive, psychological, and
6 language development of young children;

7 (d) Mitigate malnourishment among school children, thus, ensuring
8 that they will be adequately prepared for the formal learning system; and

9 (e) Establish an efficient system for early identification, prevention,
10 referral, and intervention of developmental disorders and disabilities in early
11 childhood.

12 SEC. 5. *Establishment of the NSFP.* – The NSFP is hereby established
13 as an alternative approach of providing free supplementary meals, including
14 fresh milk-based food products, through a program menu that shall be
15 designed by the Department of Education (DepED) particularly for children
16 studying in public kindergarten and elementary schools nationwide.

17 SEC. 6. *Implementation and Interagency Coordination.* – The
18 DepED is hereby authorized to lead in the administration and implementation
19 of the NSFP.

20 In coordination with the DepED, the following national government
21 agencies shall be tasked to make available such resources as may be necessary
22 to ensure the successful implementation of the NSFP:

23 (a) The Department of Agriculture (DA) and the National Food
24 Authority (NFA) shall tap farmers associations and cooperatives in the locality
25 for possible sources of food supplies and shall share with the DepED any
26 available resources and facilities that may be used for the NSFP;

27 (b) The Department of the Interior and Local Government (DILG)
28 shall help enlist the support of local government units (LGUs) as DepED

1 partners in the operation of the NSFP, including the possibility of utilizing the
2 services of barangay nutrition scholars and barangay health workers;

3 (c) The Department of Social Welfare and Development (DSWD) shall
4 support the DepED by ensuring the availability of data on poor households
5 based on the NHTS-PR or Listahanan;

6 (d) The Department of Trade and Industry (DTI), the DA, the
7 Department of Health (DOH) and the Food and Drug Administration (FDA)
8 shall help the DepED look for cost-effective sources of foodstuff, vaccines,
9 and vitamin supplements;

10 (e) The National Economic and Development Authority (NEDA) shall
11 support the DepED in the determination of official development assistance
12 sources to expand the inputs needed in the NSFP;

13 (f) The National Dairy Authority (NDA) shall support the DepED in
14 the procurement of fresh milk-based food products and in coordinating with
15 local cooperatives and dairy corporations for the availability of milk supplies
16 needed; and

17 (g) The National Nutrition Council (NNC), in coordination with the
18 Food and Nutrition Research Institute (FNRI), shall provide the menu
19 consisting of a combination of foods that meet the recommended energy and
20 nutrient intake of children.

21 The DepED, the participating national government agencies, and other
22 concerned stakeholders shall execute a Memorandum of Agreement specifying
23 the necessary arrangements relative to the operation of the NSFP.

24 *SEC. 7. Mechanics of the NSFP.* – In addition to its
25 interdepartmental coordinative and consultative tasks during the operation
26 of the NSFP, the DepED shall oversee the following activities:

27 (a) Administer the NSFP, in coordination with concerned government
28 institutions, for a minimum of one hundred twenty (120) feeding days per

1 school year to be done five (5) days a week with one (1) feeding activity per
2 school day;

3 (b) Conduct orientation-training activities utilizing its core of trainers
4 to all DepED health and nutrition unit personnel at the regional and division
5 levels so as to generate their support to the NSFP's objectives and mechanics.
6 DepED personnel trained at the schools division level shall be responsible for
7 training the staff at the district and municipal levels while those trained at the
8 district and municipal levels shall be responsible for training the implementers
9 and feeding coordinators at the school level;

10 (c) Conduct orientation meetings with parents and pupils utilizing the
11 DepED feeding coordinators for proper information dissemination on the
12 NSFP's objectives and mechanics and in the process generate stakeholders'
13 support for the program;

14 (d) Conduct simultaneous health examinations, including deworming
15 and vaccination activities, to participating pupils during the orientation
16 meeting set for parents and pupils. The school's medical staff or the medical
17 staff of a public health center in the community shall take charge and provide
18 proper treatment or referral to a hospital for pupils who are found to have
19 defects or ailments. Classroom advisers, who are required to undergo proper
20 training to be conducted by the barangay nutrition scholars and barangay
21 health workers, shall note their observations regarding the pupils' health
22 condition, including the measurement of the pupils' height and weight before
23 the start of the feeding program and every month thereafter for the entire
24 duration of the feeding program;

25 (e) Make available the necessary food supplies such as:

26 (1) Fresh milk-based and fortified foods; and

27 (2) Vitamin supplements in such dosages and for such duration as the
28 DOH may determine most beneficial to the child's health and nutritional
29 well-being; and

1 (f) Ensure that the beneficiary school children eat their meals and
2 drink their milk inside the classroom only, and shall thus be prohibited from
3 taking their ration home.

4 SEC. 8. *Procurement, Storage and Handling System.* – The
5 procurement, storage and handling of appropriate food supplies shall be
6 spearheaded by the DepED, in coordination with the NNC, the FNRI and other
7 concerned government agencies. The DepED shall seek the help of the DA in
8 tapping the services of local farmers associations and cooperatives for the
9 procurement of locally produced food supplies and shall encourage contracts
10 with farmers associations and cooperatives in accordance with existing
11 procurement laws.

12 In the procurement program, priority shall be given to the utilization of
13 locally produced fresh milk and locally available food supplies, utilizing as
14 well the products of the Gulayan sa Paaralan Project (GPP) of the DepED and
15 the products of community gardens as part of convergence efforts to increase
16 food supplies at the local level.

17 The DepED shall issue the guidelines necessary for the effective
18 implementation of the procurement, storage and handling system.

19 SEC. 9. *Priority LGUs.* – In case of shortage of funds, priority in the
20 implementation of the NSFP shall be given to municipalities and cities which
21 are determined and identified by the NNC or by any competent government
22 agency to have high malnutrition rates.

23 SEC. 10. *Participation of LGUs.* – The Secretary of Education shall
24 initiate partnerships with LGU officials to encourage them to contribute
25 available resources to the feeding program in public schools within the LGUs'
26 respective area of jurisdiction.

27 SEC. 11. *Participation of Parent-Teacher Associations (PTAs).* – The
28 DepED shall promote the involvement of parents through the PTAs in the

1 planning, implementation, monitoring, and evaluation of the school feeding
2 program.

3 SEC. 12. *Monitoring and Evaluation System.* – The DepED shall
4 establish a monitoring and evaluation system for the nationwide
5 implementation of the NSFP, which shall incorporate periodic reports from the
6 schools division and regional offices. The report shall provide, among others,
7 the needed information that may determine whether or not the program has
8 achieved its objectives, including the identification of issues and constraints as
9 well as the corresponding appropriate recommendations.

10 SEC. 13. *Tax Exemption.* – Any donation or bequest made to the
11 DepED for the NSFP shall be exempt from donor's tax and the same shall be
12 considered as allowable deduction from the gross income of the donor, in
13 accordance with the provisions of the National Internal Revenue Code of
14 1997, as amended: *Provided,* That the donation is duly approved by the
15 Secretary of Education upon the recommendation of the Executive Director of
16 the NNC, in case of food products, and the Secretary of Health, in case of
17 vaccine and vitamin products.

18 SEC. 14. *Appropriations.* – The amount necessary to cover the initial
19 implementation of this Act shall be charged against the appropriation of the
20 DepED for school-based feeding program under the current General
21 Appropriations Act. Thereafter, such sums as may be necessary for the
22 continued implementation of this Act shall be included in the annual General
23 Appropriations Act.

24 SEC. 15. *Implementing Rules and Regulations.* – Within ninety (90)
25 days from the approval of this Act, the Secretary of Education, in consultation
26 with the heads of other participating government agencies, shall formulate the
27 rules and regulations implementing the provisions of this Act. The
28 implementing rules and regulations issued pursuant to this section shall take

1 effect thirty (30) days after its publication in two (2) national newspapers of
2 general circulation.

3 SEC. 16. *Separability Clause.* – If any provision of this Act is held
4 invalid or unconstitutional, the other provisions not so declared shall remain in
5 force and effect.

6 SEC. 17. *Repealing Clause.* – All laws, decrees, orders and rules and
7 regulations contrary to or inconsistent with the provisions of this Act are
8 hereby repealed or amended accordingly.

9 SEC. 18. *Effectivity.* – This Act shall take effect fifteen (15) days
10 after its publication in the *Official Gazette* or in a newspaper of general
11 circulation.

Approved,

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