



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 53

12TH CITY COUNCIL

Begun and held in the City Council on Thursday,
the twenty-fifth day of May, Two Thousand Twenty-Three

ORDINANCE NO. 8965

AN ORDINANCE ADOPTING AND IMPLEMENTING THE INSTITUTIONALIZED NATIONAL FEEDING PROGRAM PURSUANT TO REPUBLIC ACT NO. 11037, ALSO KNOWN AS "MASUSTANSYANG PAGKAIN PARA SA BATANG PILIPINO ACT" IN THE CITY OF MANILA

PRINCIPAL AUTHORS: **HON. LOUISITO N. CHUA**, HON. LUCIANO M. VELOSO, HON. MACARIO M. LACSON and HON. SALVADOR PHILIP H. LACUNA
CO-AUTHORS: HON. BENNY FOG T. ABANTE III, HON. ARLENE MAILE I. ATIENZA, HON. KRYSTLE MARIE C. BACANI, HON. DON JUAN "DJ" BAGATSING, HON. RUBEN F. BUENAVENTURA, HON. CARLOS C. CASTAÑEDA, HON. NIÑO M. DELA CRUZ, HON. ROBERTO S. ESPIRITU II, HON. JESUS E. FAJARDO, JR., HON. PAMELA "Fa" G. FUGOSO-PASCUAL, HON. JAYBEE S. HIZON, HON. MARTIN V. ISIDRO, JR., HON. RODOLFO N. LACSAMANA, HON. MOISES T. LIM, HON. NUMERO G. LIM, HON. JOHANNA MAUREEN C. NIETO-RODRIGUEZ, HON. ELMER M. PAR, HON. SCIENCE A. REYES, HON. ROMA PAULA S. ROBLES-DALUZ, HON. DARWIN B. SIA, HON. JOEL "JTV" VILLANUEVA, HON. RAYMUNDO R. YUPANGCO, HON. TIMOTHY OLIVER I. ZARCAL and HON. ERNESTO C. ISIP, JR., Majority Floor Leader




EXPLANATORY NOTE

Relative to the 1987 Constitution, Article II, Section 15, states that, "*The State shall protect and promote the right to health of the people and instill health consciousness among them*". Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", Chapter II, Section 17 (b) (4) provides the basic services and facilities which includes program and projects on child and youth welfare, family and community welfare, women's welfare, welfare of the elderly and disabled persons; community-based rehabilitation programs for vagrants, beggars, street children, scavengers, juvenile delinquents, and victim of drugs abuse, livelihood and other pro-poor projects, nutrition services, and family planning services.

Further, Republic Act No. 11037, entitled: "An Act Institutionalizing a National Feeding Program for Undernourished Children in Public Day Care, Kindergarten and Elementary Schools to Combat Hunger and Undernutrition Among Filipino Children and Appropriating Funds Therefor" recognizes the demonstrated relationship between food and nutrition, and the capacity of students to develop and learn, the State commits to establish a comprehensive national feeding program that will address the problem of undernutrition among Filipino children. Studies show that infants and young children are the most susceptible to malnutrition, which has affected thousands of children and, if not prevented, will stunt their growth and weaken their resistance to infections, resulting in needless human deaths due to high infant and child mortality rates.

In order to achieve a nutritionally improved city with inhabitants who are well-nourished, healthy, intelligent, socially, economically, and politically productive, the City of Manila must adopt and implement the provision of R.A. 11037 (Masustansyang Pagkain para sa Batang Pilipino), which is necessary to intensify the City's campaign against malnutrition.



HON. LOUISITO N. CHUA
Councilor, Fourth District
Manila

Be it ordained by the City Council of Manila, in session assembled, *THAT*:

SECTION 1. Title. – This Ordinance shall be known as “**Masustansyang Pagkain para sa Batang Pilipino Ordinance**”.

SEC. 2. Definition of Terms. – As used in this Ordinance, the following terms shall be construed to mean as follows:

- a. **Cycle Menu** – refers to standardized menus prepared by the National Government Agencies (NGAs), in coordination with the National Nutrition Council (NNC) and the Food and Nutrition Research Institute (FNRI), which shall be contextualized and drawn up, among others, according to age range, location and/or type of school, and local cultural and/or religious eating preferences: Provided, That such menu shall have as many varieties and selections as may be necessary taking into account its availability in the place or locality where the daycare center or school is located.
- b. **Fortified Meal** – refers to a meal with deliberately increased content of essential micronutrients so as to improve the nutritional quality of the food and provide the level of calories and protein as prescribed by the NNC which shall consist of at least one-third (1/3) of the daily requirement based on the Philippine Dietary Reference Intake (PDRI).
- c. **Health Examination** – refers to the examination conducted by NGAs, in coordination with the Department of Health (DOH) and Local Government Units (LGUs) concerned on the overall condition of the program beneficiary which shall, among others, include the program beneficiary's height, weight and other ailments, defects or deformities that may need special care or treatment.
- d. **National Government Agencies (NGAs)** – refers to the Department of Education (DepED) and the Department of Social Welfare and Development (DSWD) which shall be the lead agencies in the implementation of the program for public kindergarten and elementary schools and public day care centers, respectively.
- e. **Undernourished Child** – refers to a child who has been supplied with less than the minimum amount of foods essential for sound health and growth. For the purpose of this Ordinance, it shall include children who are suffering from chronic hunger and malnutrition, as well as those who are considered as wasted, severely wasted or stunted under the World Health Organization Child Growth Standards.

SEC. 3. Manila City Local Feeding Program. – The Manila City Local Feeding Program shall be established in line with the National Feeding Program as provided for R.A. 11037 to address undernutrition among Filipino children which shall have the following components and coverage:

- a. **Supplemental Feeding Program for Day Care Children** – The Manila Department of Social Welfare (MDSW) shall implement a supplemental feeding program for undernourished children with ages three (3) to five (5) years. The program shall be administered in a day care centers or in any other facility which can be used for such purpose: Provided, That the program shall include provision of at least one (1) fortified meal for a period of not less than one hundred twenty (120) days in a year: Provided, further, That in the preparation of fortified meals, the MDSW shall work in collaboration with recognized parents' organizations.

- b. **School-Based Feeding Program** – The local DepED shall implement a school-based feeding program for undernourished public school children from kindergarten to grade six (6): Provided, That the program shall include the provision of at least one (1) fortified meal to all undernourished public elementary school children for a period of not less than one hundred twenty (120) days in a year.
- c. **Milk Feeding Program** – The city government shall endeavor for the incorporation of fresh milk and fresh milk-based food products in the fortified meals and cycle menu in accordance with Republic Act No. 8976, otherwise known as the “Philippine Food Fortification Act of 2000”.
- d. **Micronutrient Supplements** – The City Health Department shall provide micronutrient supplements to the program beneficiaries including the use of iodized salt in accordance with Republic Act No. 8172, otherwise known as the “An Act for Salt Iodization Nationwide (ASIN)”.
- e. **Health Examination, Vaccination and Deworming** – The Manila Health Department (MHD), in coordination with the local DepED and MDSW, shall conduct simultaneous health examination including, but not limited to deworming and vaccination, as the case may be, to program beneficiaries.
- f. **Gulayan sa Paaralan** – The city government shall encourage barangays and schools to devote a portion of their land or space for the cultivation of vegetables and other nutrient-rich plants. Parents shall also be encouraged to maintain a similar program in their own backyard.
- g. **Water, Sanitation, and Hygiene (WASH)** – The city government, particularly the MHD, local DepED and MDSW, shall established and maintain water and sanitation facilities, promote good hygiene and safe food preparation in all early child care centers and schools located within the City of Manila especially in areas devoted for the preparation of fortified meals under the program.
- h. **Integrated Nutrition Education, Behavioral Transformation and Social Mobilization** – The program shall be complemented by a public health, nutrition and values transformation campaign to promote a holistic and integrated approach to health and nutrition education. Orientation-training on the objectives and mechanics of the program shall be held among the personnel of city government, parent volunteers and the parent-teachers association (PTAs) to generate support for the program. The city government shall also endeavor to mobilize community organizations to continue nutrition education outside of the school.

SEC. 4. Local Government Assistance to the National Feeding Program. – In accordance with Section 7 of R.A. 11037, the City Government shall assist the NGAs in the efficient and effective implementation of the program and shall be authorized to use a portion of the Special Education Fund (SEF) and/or their twenty percent (20%) development fund as provided for in Republic Act No. 7160, otherwise known as the “Local Government Code of 1991”, as amended to augment the appropriations available under the General Appropriations Act (GAA).



SEC. 5. Private Sector Participation. – The city government shall encourage the participation of the private sector in the program which shall include, among others, PTAs, private corporations, peoples and non-governmental organizations and such other groups or organization both foreign and local, that may want to be partner in whole or in part with the implementation of the program.

SEC. 6. Monitoring and Annual Report. – The Manila Department of Social Welfare (MDSW), in coordination with the NGAs, the National Nutrition Council and other stakeholders, shall regularly monitor, review and assess the impact and effectivity of the program, as well as ensure compliance with standards and guidelines of the program for food safety, quality, accountability, community participation and the procurement and liquidation processes adopted. The MDSW shall submit an annual report, at the end every year, to the Sangguniang Panlungsod for this purpose.

SEC. 7. Appropriations. – The amount necessary to carry out the initial implementation of this Ordinance shall be sourced from the current appropriations of the lead implementing agencies. Thereafter, such sums as may be necessary for the continuous implementation of this Ordinance shall be included in the annual budget under the respective offices.


SEC. 8. Separability Clause. – If any part or provision of this Ordinance is held or declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

SEC. 9. Repealing Clause. – All other local laws, decrees, orders, issuances, rules and regulations which are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SEC. 10. Effectivity Clause. – This Ordinance shall take effect fifteen (15) days after its publication in at least two (2) newspapers of local circulation.

This Ordinance was finally enacted by the City Council of Manila on May 25, 2023.

PRESIDED BY:


JOHN MARVIN C. "Yul Servo" NIETO
Vice-Mayor and Presiding Officer
City Council, Manila

ATTESTED:


LUCH R. GEMPIS, JR.
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON

AUG 24 2023


MARIA SHEILAH "Honey" H. LACUNA-PANGAN, MD, FPDS
Mayor
City of Manila

ATTESTED:


ATTY. MARLON M. LACSON
City Government Department Head III
(Secretary to the Mayor)

RRB: acl/jok/cpf/ebs/hpr/eys