

Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD NG MARIKINA



GSO – MARIKINA CITY
Document Tracking System



04-0036713

ORDINANCE No. 143
Series of 2004

ORDINANCE ADOPTING THE MARIKINA CITY FOOD
FORTIFICATION CODE

Introduced by: Councilor JOSE FABIAN I. CADIZ, M.D.

WHEREAS, one of the most prevalent nutritional disorders in our country including the City of Marikina is micronutrient malnutrition, otherwise known as “hidden hunger”, which refers to the deficiency of vitamin A, iron and iodine;

WHEREAS, among the hardest-hit group of micronutrient malnutrition are the pre-school children below six (6) years old and mothers of reproductive age;

WHEREAS, various socio-civic and non-government organizations, including the Rotary International had launched various programs and projects that aims to improve the nutritional status of our marginalized and underprivileged brothers and sisters;

WHEREAS, recognizing the urgent need to eliminate the micronutrient malnutrition problems that threaten the lives of millions of our countrymen, Republic Act No. 8976 otherwise known as the “Food Fortification Act” was passed into law on November 7, 2000;

WHEREAS, food fortification, the most cost-effective and sustainable strategy to address micronutrient malnutrition, is the process of adding essential nutrient to widely consumed foodstuffs to increase the individual’s recommended dietary nutrients;

WHEREAS, there is a need to pass an ordinance to make the provisions of the national law germane to the local setting;

NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF MARIKINA, in session duly assembled, that:

RULE I

GENERAL PROVISIONS

SECTION 1. This ordinance shall be known as the “Marikina City Food Fortification Code”.

SECTION 2. Declaration of Policies:

Section 15 of Article II of the 1987 Constitution provides that:

“x x x The State shall protect and promote the right to health of the people and instill health consciousness among them x x x”

The City Government recognizes that nutritional deficiency problems in the City based on nutrition surveys, include deficiencies in energy, iron, vitamin A, iodine, thiamin and riboflavin. To a minor extent, diet is also deficient in ascorbic acid, calcium and folate.

The City Government further recognizes that food fortification is vital where there is a demonstrated need to increase the intake of an essential nutrient by one or more population groups, as manifested in dietary, biochemical or clinical evidences of deficiency. Food fortification is considered important in the promotion of optimal health and to compensate for the loss of nutrient due to processing and/or storage of food.

SECTION 3. For the purpose of this ordinance, the following terms shall be understood to mean:

- a) Micronutrient – an essential nutrient required by the body in very small quantities; recommended intakes are in milligrams or micrograms
- b) Nutrient – any chemical substance needed by the body for one or more of these functions: to provide heat or energy, to build and repair tissues, and to regulate life processes. Although nutrients are found chiefly in foods, some can be synthesized in the laboratory like vitamin and mineral supplements or in the body through biosynthesis.
- c) Fortification – the addition of nutrients to processed foods or food products at levels above the natural state. As an approach to control micronutrient deficiency, food fortification is the addition of a micronutrient, deficient in the diet, to a food, which is widely consumed by specific at-risk groups.
- d) Fortificant - a substance, in chemical or natural form, added to food to increase its nutrient value.
- e) Cooking Oil – edible oil derived from vegetable sources intended for human consumption, including its use in food preparation or in processing other food products.
- f) Glutinous Rice – a special type of rice whose grains are white and opaque in appearance. It coagulates into a sticky mass when cooked.
- g) Refined Sugar – raw sugar that has undergone processing to produce white, crystalline sugar used for household consumption and as an ingredient for processed food including white refined sugar derived from sugar beets and sugar containing flavoring or coloring matter wherein sugar content is over 65% by dry weight.
- h) Processed Food or Food Products – food that has been subjected to some degree of processing like milling, drying, concentrating, canning, or addition of some ingredients which changes partially or completely the physio-chemical and/or sensory characteristics of the food's raw material.
- i) Staple Food – basic food normally consumed by the general population on daily basis (e.g. rice, flour, sugar, oil , etc.)

ℓ

- j) Nutrition Facts – a statement or information on food labels indicating the nutrient(s) and the quality of said nutrient found or added in the processed foods or food products.
- k) Nutrition labeling – a system of describing processed foods or food products on the basis of their selected nutrient content. It aims to provide accurate nutrition information about each food. This is printed in the food labels as “Nutrition Facts”.
- l) Sangkap Pinoy Seal Program – a strategy to encourage manufacturers to fortify processed foods or food products with essential nutrients at levels approved by the Department of Health. The fundamental concept of the program is to authorize manufacturers to use the DOH seal of acceptance for processed foods or food products, after these products passed a set of defined criteria. The seal is a guide used by consumers in selecting nutritious foods.
- m) Marikina City Food Fortification Compliance Program (MCFFCP) – the proper identification and registration of all food service establishments, restaurants and manufacturing using and selling fortified food products.
- n) Manufacturers – the refinery in case of refined sugar or cooking oil, the miller in case of flour, or rice, or the importer in case of imported processed foods or food products, or the processor in case of the other processed food products.
- o) Importer – any person, natural or juridical, that brings in food/food products from other countries for its own use or for wholesale/retail distribution to other food establishment or outlets. An importer may also be a manufacturer.
- p) Marikina City Nutrition Council (MCNC) – refers to the policy and coordinating body who shall serve as advisory body on food fortification.

SECTION 4. Coverage. The Marikina City Food Fortification Program shall cover all imported or locally processed foods or food products for sale or distribution for human consumption in the City of Marikina. The said program shall consist of two system, to wit:

- a) Mandatory Food Fortification – refers to specific food products enumerated under Section 5 of this ordinance and those that may be required by the National Nutrition Council.
- b) Voluntary Food Fortification – refers to other food products which are not required to be fortified, but food processor are encouraged to undertake food fortification on their own volition to enhance their nutrition content of their food products.

RULE II

MARIKINA CITY FOOD FORTIFICATION PROGRAM

SECTION 5. It shall be mandatory to all manufacturers, producers, importers, traders, retailers, repackers operating within the City of Marikina to distribute and sell fortified food products on the following staple foods, as follows:

l

- a) All rice, except brown rice and locally produced glutinous rice, to be fortified with iron
- b) Wheat flour to be fortified with vitamin A and Iron
- c) Refined sugar for human consumption to be fortified with vitamin A
- d) Cooking oil for human consumption to be fortified with vitamin A
- e) Food grade salt to be fortified with iodine

SECTION 6. All restaurants and food service establishments operating within the City of Marikina are required to use the mandatory fortified staple foods on their products.

RULE III

LABELLING OF FORTIFIED PRODUCTS

SECTION 7. The label of fortified staple food products offered for sale in the market shall include statement of the fortificant added and the amount present within the shelf life of the product.

RULE IV

FOOD FORTIFICATION IN EDUCATIONAL INSTITUTIONS

SECTION 8. All canteens and food service establishments operating inside the premises of any school in the City of Marikina shall be required to sell a portion of their processed products with DOH seal of Sangkap Pinoy Seal Program. Their products should be displayed prominently within the place of their establishment.

IMPLEMENTATION, MONITORING & REVIEW

SECTION 8. The City Health Office shall perform the following responsibilities;

- a) To ensure the efficient implementation of this ordinance in coordination with other offices of the city government.
- b) To conduct promotional campaign and advocacy activities on the use of fortified processed foods or food products through its Marikina City Food Fortification Seal Program (MCFFSP)
- c) Conduct monitoring/checking that foods mandated to be fortified, such as rice, refined sugar, wheat flour and cooking oil are properly fortified and labeled.
- d) To identify food service establishment, restaurants and manufacturing using fortified food products.

SECTION 9. Marikina City Nutrition Council (MCNC) – The Marikina City Nutrition Council shall perform among other things, as follows:

- a) To serve as the policy-making and coordinating body on food fortification.
- b) To coordinate with and seek assistance from private sectors and non-government organizations for the promotion of fortification program of the city government.
- c) To conduct a periodic review on the proper and prompt enforcement and implementation of the provisions of this Code

RULE V

PENALTY CLAUSE

SECTION 10. Non-compliance by manufacturers, producers, importers, traders, retailers, repackers of food products as well as restaurants and food service establishments of the food fortification guidelines as set on this ordinance shall be penalized as follows:

FIRST OFFENSE: A fine of One Thousand Pesos (Php1,000.00) in addition to confiscation and forfeiture of his commercial goods/articles.

SECOND OFFENSE: A fine of One Thousand Five Hundred Pesos (Php1,500.00) plus confiscation and forfeiture of his commercial goods/articles and temporary closure of his establishment upon recommendation by the City Health Officer to the Business Permit and Licensing Office (BPLO).

THIRD OFFENSE: A fine of Two Thousand Pesos (Php2,000.00) plus confiscation and forfeiture of his commercial goods/articles and permanent closure of his establishment upon recommendation by the City Health Officer to the Business Permit and Licensing Office (BPLO). His business permit shall automatically be cancelled and revoked.

RULE VI

EFFECTIVITY

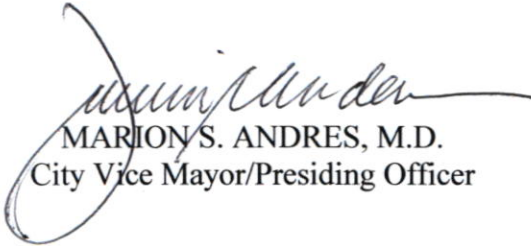
SECTION 11. This ordinance shall take effect on November 7, 2004.

APPROVED by the SANGGUNIANG PANLUNGSOD OF MARIKINA this 20th day of October, 2004.

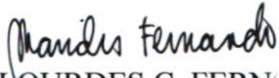
I HEREBY CERTIFY TO THE
PASSAGE OF THE FOREGOING
ORDINANCE, WHICH WAS DULY
APPROVED BY THE CITY COUNCIL OF
MARIKINA DURING ITS 17TH REGULAR
SESSION HELD ON OCTOBER 20, 2004.


LOLITA E. DE LEON
City Council Secretary

ATTESTED & CERTIFIED
TO BE DULY APPROVED:


MARION S. ANDRES, M.D.
City Vice Mayor/Presiding Officer

APPROVED on 11-22-04


MA. LOURDES C. FERNANDO
City Mayor