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OFFICE OF THE SECRETARY

9 MAY 13 P3:42

SENATE

S.B. No. **3238**

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Introduced by Senator Ramon Bong Revilla, Jr.

EXPLANATORY NOTE

Scientific evidence shows that consumption of saturated fat, trans fat, and dietary cholesterol raises low-density lipoprotein (LDL) or "bad cholesterol" levels, which increases the risk of heart diseases.* According to the Department of Health, for the year 2004, around 70,861 Filipinos died of heart diseases. That makes heart diseases the leading cause of mortality in the Philippines.

Basically, trans fat is made when manufacturers add hydrogen to vegetable oil--a process called hydrogenation. Hydrogenation increases the shelf life and flavor stability of foods containing these fats. Trans fat can be found in vegetable shortenings, some margarines, crackers, cookies, snack foods, and other foods made with or fried in partially hydrogenated oils. Unlike other fats, the majority of trans fat is formed when food manufacturers turn liquid oils into solid fats like shortening and hard margarine. A small amount of trans fat is found naturally, primarily in some animal-based foods.

With trans fat added to the Nutrition Facts panel, you will know for the first time how much of all three--saturated fat, trans fat, and cholesterol--are in the foods you choose. Identifying saturated fat, trans fat, and cholesterol on the food label gives you information you need to make food choices that help reduce the risk of heart diseases. This revised label will be of particular interest to people concerned about high blood cholesterol and heart disease.

Immediate passage of this bill is highly needed.


RAMON BONG REVILLA, JR.
Senator

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**AN ACT ESTABLISHING TRANS FAT LABELING REQUIREMENTS ON
FOOD PRODUCT LABELS AND BANNING HARMFUL TRANS FATS IN FOOD**

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

SECTION 1. Title. – This Act shall be known as “The Trans Fat Labeling Act”.

SECTION. 2. Declaration of Policy. – The State recognizes the need to establish labeling requirement for food products on the amount of trans fat contained therein. This requirement will motivate food manufacturers, catering businesses, hotels and restaurants, fast food chains, bakeries and others in the food industry to modify their formulas to reduce or even eliminate trans fats and direct them to the growing trend of healthy food choices being offered to consumers.

The State shall endeavor to protect public health versus private profit from the public sale of processed foods containing trans fats from artificially hydrogenated oils and fats. Accurate food labels are critical especially for the millions of consumers who have diabetes, are overweight, have heart problems, or those on a restricted diet that require monitoring of the total amount of fats, carbohydrates and calories they consume.

SECTION. 3. Definition of Terms. – For purposes of this Act, the term:

a) “Trans Fatty Acid” means:

An artificial fatty acid, very unlike those normally found in nature that is produced by the process of hydrogenation. Trans fats are fats whose molecular structure has been damaged. Trans fatty acid is the sum of all isomeric fatty acids with 14, 16, 18, 20 and 22 carbon atoms and one or more trans double bonds, i.e. C_{14:1}, C_{16:1}, C_{18:1}, C_{18:2}, C_{18:3}, C_{20:1}, C_{20:2}, C_{22:2}, trans isomeric fatty acids, but only polyunsaturated fatty acids with methylene – interrupted double bonds.

Hydrogenation shall be defined as:

A process where unsaturated vegetable oils (examples of which are polyunsaturated canola oil, soybean oil, corn oil, sunflower oil) are chemically altered to form a more “saturated” fat. The process of hydrogenation will artificially increase the “saturation” of the unsaturated vegetable oils so it will be less susceptible to spoilage and will increase the shelf life of foods.

Hydrogenation involves heating the oil to very high temperatures. Oil is mixed with metal particles such as nickel oxide and then bleached to achieve a white color.

In the process of hydrogenation, a new fatty acid, an artificial one is created and it is called the trans fatty acid. Partial hydrogenation changes as much as fifty percent (50%) or more of the oil's natural fatty acids into the toxic trans fatty acids.

SECTION. 4. *Scope.* – This Act shall apply to oils and fats, including emulsions with fat, as the continuous phase, which, either alone or as part of processed foods, are intended for human consumption or must be assumed to be intended for human consumption.

This Act shall not cover or apply to naturally occurring content of trans fatty acids present in meat, milk and other dairy products.

It shall be prohibited to sell oils and fats covered by this Act if such oils and fats exceed one-half (1/2) gram of trans fatty acids per one hundred (100) grams of oil or fat.

In products claimed to be “free of trans fatty acids”, the content of trans fatty acids shall be less than one-fourth (1/4) gram per one hundred (100) grams of the individual oil or the individual fat in the finished product.

SECTION. 5. *Implementing Rules and Regulations.* – The Secretary of Health, in collaboration with the Bureau of Food and Drugs (BFAD), shall issue the rules and regulations necessary to carry out the purpose of this Act.

SECTION 6. *Penalty Provisions.* –

(a) Any person or entity violating the provisions of this Act shall be liable to a fine of at least ten thousand pesos (P10,000.00), but shall not exceed the amount of fifty thousand pesos (P50,000.00).

(b) The penalty may include imprisonment for up to two (2) years if the violation was intentional or grossly negligent or if by the violation:

- (1) Damage to health has been caused, or dangers of such damage has been caused; or
- (2) A financial gain, including by means of savings, has been achieved or has been intended to be achieved for the violator.

SECTION 7. *Separability Clause.* - If, for any reason whatsoever, any provision of this Act is declared unconstitutional, the same shall not affect the validity of the other provisions not declared as such.

SECTION 8. *Repealing Clause.* - All laws, presidential decrees, executive issuances, rules and regulations, or parts thereof, which are inconsistent with this Act are hereby expressly repealed or modified accordingly.

SECTION 9. *Effectivity.* - This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved,