



Republic of the Philippines  
 PROVINCE OF CAGAYAN  
 City of Tuguegarao  
**SEVENTH CITY COUNCIL**



EXCERPTS FROM THE MINUTES OF THE 59<sup>th</sup> REGULAR SESSION  
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN  
 HELD ON OCTOBER 24, 2017, 9:00 A.M., TUESDAY,  
 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor, Presiding Officer
Hon. Danilo L. Baccay	Sangguniang Panlungsod Member
Hon. Jude T. Bayona	-do-
Hon. Kendrick S. Calubaquib	-do-
Hon. Arnel T. Arugay	-do-
Hon. Gilbert S. Labang	-do-
Hon. Winocco R. Abraham	-do-
Hon. Imogen Claire M. Callangan	-do-
Hon. Mary Marjorie P. Martin-Chan	-do-
Hon. Raymund P. Guzman	-do-
Hon. Grace B. Arago	-do-
Hon. Anthony C. Tuddao	-do-
Hon. Jose G. Velasco	-do-



ABSENT:

Hon. Maila Rosario T. Que	Sangguniang Panlungsod Member (on Privilege Leave)
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**CITY ORDINANCE NO. 50-2017**

**AN ORDINANCE MANDATING THE STRICT REGULATION OF ALL FOOD  
 BEING SOLD IN BOTH PUBLIC AND PRIVATE ELEMENTARY  
 AND SECONDARY SCHOOLS IN TUGUEGARAO CITY**

Sponsors: **Hon. Jude T. Bayona**  
**Hon. Bienvenido C. De Guzman II**

Co-Sponsors: **Hon. Danilo L. Baccay**  
**Hon. Kendrick S. Calubaquib**  
**Hon. Raymund P. Guzman**  
**Hon. Winnoco R. Abraham**  
**Hon. Arnel T. Arugay**  
**Hon. Anthony C. Tuddao**  
**Hon. Grace B. Arago**  
**Hon. Imogen Claire M. Callangan**  
**Hon. Maila Rosario T. Que**  
**Hon. Mary Marjorie P. Martin-Chan**  
**Hon. Gilbert S. Labang**  
**Hon. Jose G. Velasco**

**WHEREAS**, it is provided under Section 15, Article II of the 1987 Constitution that “the state shall protect and promote the right to health of the people and instill health consciousness among them”;

**WHEREAS**, Section 16 of Republic Act No. 7160, otherwise known as the Local Government code of 1991, provides that “within their respective territorial jurisdictions, local government units shall ensure and support, among other things, promote health and safety of their inhabitants”;

**WHEREAS**, the World Health Organization (WHO) has promoted the ban on junk food in schools and playgrounds to promote healthier diet for children;

**WHEREAS**, the Department of Education (DepEd) has issued Department Order No. 17, series of 2005 and Department Order No. 8, series of 2007 both titled “Revised Implementing Guidelines on the Operation and Management of School Canteens in Public Elementary and Secondary Schools,” which provide for Food Preferences and Restrictions in school canteens;

**WHEREAS**, DepEd has also issued Department Order No. 14, series of 2005 titled “Instruction to Ensure Consumption of Nutritious and Safe Food in Schools” which provides for the measures in the consumption of nutritious and safe food in schools and the regulation/control of supply of food for students;

**WHEREAS**, another Department Order issued by the DepEd relevant herein is Department Order No. 13, series of 2017 titled “Policy and Guidelines on Healthy Food and Beverages Choices in Schools and in DepEd Offices” which provides 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 setting food standards.

**WHEREAS**, healthy eating plays an important role in learning and cognitive development of children, and ensuring the availability of food that are high in nutritional content will not only promote better health but also better learning.

**NOW, THEREFORE**, be it ordained by the Sangguniang Panlungsod of Tuguegarao City in session assembled.

**SECTION 1. TITLE.** This Ordinance shall be known as “**AN ORDINANCE MANDATING THE STRICT REGULATION OF ALL FOOD BEING SOLD IN BOTH PUBLIC AND PRIVATE ELEMENTARY AND SECONDARY SCHOOLS IN TUGUEGARAO CITY**” also known as “**JUNK FOOD BAN IN SCHOOLS OF TUGUEGARAO CITY.**”

**SECTION 2. DECLARATION OF POLICY.** It shall be the policy of Tuguegarao City to promote healthy diets and positive eating behaviors and to provide healthy eating environment to learners, teaching and non-teaching personnel. Specifically, this ordinance intends to:

- a) Establish guidelines in the regulation of foods sold in all public and private elementary and secondary schools within its jurisdiction, to ensure that healthy food and beverages are available for students in all canteens and stores inside and within school premises;
- b) Make available healthier food and beverage choices among students and school personnel and their stakeholders;
- c) Introduce a system of categorizing locally available foods and drinks in accordance with geographical, cultural and religious orientations;
- d) Provide guidance in evaluating and categorizing food and drinks and in the selling and marketing of healthy foods and beverages in school canteens and stores within school premises.

**SECTION 3. SCOPE OF APPLICATION.** This Ordinance shall apply to all public and private elementary and secondary schools within the City and shall pertain to the operation of all canteens and stores inside and within the premises of all schools.

**SECTION 4. DEFINITION OF TERMS.** For purposes of this ordinance and pursuant to the abovementioned Department of Education (DepEd) Orders, the following terms shall mean:

- a) **CANTEEN** – a place within school grounds/premises which offers for consideration of money any food, snacks and beverages for the consumption of students, faculty, personnel and stakeholders in the institution.



- b) CHILDREN'S INSTITUTION – a place other than a boarding home, orphanage or children's hospital where, for compensation or managed by any governmental institution or otherwise, children under twelve (12) years of age are received for day/night care and given tutorship.
- c) EGRESS – an arrangement of facilities to ensure a safe means of exit from a building or compound.
- d) ESTABLISHMENT – a collective term constructed to include all the schools mentioned within the scope of this rules and regulations.
- e) HEALTH CERTIFICATE – a certification in writing using the prescribed form issued by the City Health Officer or his/her representative to a person or establishment after passing the required inspection.
- f) HEALTHY DIET – balance in food intake which (a) achieves energy balance and a healthy weight; (b) limits energy intake from total fats, and shift fat consumption away from saturated fats to unsaturated fats and towards 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 limits salt (sodium) consumption from all sources.
- g) JUNK FOODS – all food and beverages containing calorie and sugar or sodium content above the prescribed nutritional limits by the Department of Education in coordination with the Department of Health and other concerned agencies.
- h) PRIVATE SCHOOL – a privately owned and managed institution for teaching and learning authorized by the Department of Education of the Commission on Higher Education to operate certain educational programs in accordance with law and the prescribed policies and rules of the Department of Education and the Commission of Higher Education.
- i) PUPIL – a child who attends classes in any grade of elementary education level, including pre-school, under the supervision and tutelage of a teacher.
- j) STUDENT- a person who attends classes in secondary education, including those attending in Senior High School.
- k) PUBLIC SCHOOL – an educational institution which was established by or pursuant to law, supported and maintained principally through public funds, and administered by the local and national government, or an agency or subsidiary of the latter.
- l) SAFETY – the condition of being free from danger or hazard which may cause disease.
- m) SECRETARIAN SCHOOL – a school owned or managed by a particular religious organization.
- n) SCHOOL ADMINISTRATOR – a person usually the owner who manages the activities of a particular school.
- o) STUDENT – any person who is enrolled and engaged in formal education studies and attends classes at the secondary or higher education level.
- p) UNHEALTHY DIET – food intake high in saturated or trans fat or sodium or sugar which is considered to be major risk factor of chronic diseases such as cardiovascular diseases, cancer, diabetes and other conditions linked to obesity.

**SECTION 4. FOOD STANDARD.** Schools shall ensure the availability of healthy snack foods with whole grains, low fat dairy, fruits, vegetables or protein foods as their main ingredients. Specifically, they are hereby enjoined to observe the following regulations in the strict regulation of foods in the canteens found within school premises.





- a) Develop a healthy menu ensuring that foods and drinks offered are nutritious, affordable and compliant with the guidelines set for by the Department of Education (DepEd) Orders and this Ordinance;
- b) Food and beverage choices available in canteens within school premises shall adhere to the requirements of healthy diet;
- c) Canteens in school shall not sell foods and beverages high in fat and/or sugar and/or sodium including, but not limited to, the list that will be provided by the City Health Office through its City Nutritionist in coordination with the Department of Health;
- d) Evaluate the Nutrition Facts found on food labels which provide information about the nutrition content of a food or drink, in consideration of food products or snack which they will sell in their respective canteens.
- e) Inspect privately operated canteens within their own school premises for the compliance of this ordinance and other laws, issuances and Department Orders.
- f) Coordinate with the Tuguegarao City Government, Schools Division Office of Tuguegarao City and other agencies in the implementation of the provisions of this ordinance.
- g) Ensure that nutrient-rich foods such as root crops, noodles, rice and corn products in native preparation, fruits and vegetables in season, and fortified food products labeled rich in protein, energy, vitamins and minerals shall be sold in school canteens. Beverages may include milk, shakes and juices prepared from fruits and vegetables may be sold.
- h) Iodized salt shall be used, in controlled quantity, in the preparation of cooked foods to ensure that the iodine requirement of students shall be met and to eliminate iodine deficiency disorders. The use of monosodium glutamate (vetsin, magic sarap, etc.) shall be regulated.

**SECTION 5. BAN OF JUNK FOODS.** The sale of carbonated drinks, sugar based synthetic or artificially flavored juices, junk foods and any food product that may be detrimental to a child's health and that do not pass the standards set forth by the City Health Office and Schools Division Office in coordination with the Department of Health shall be totally prohibited in all school canteens.

**SECTION 6. OUT OF SCHOOL REGULATIONS.** Canteens, stores and ambulant vendors outside school premises but within 200 meters from school's perimeter shall be regulated by the Business Permits and Licensing Office, through inspection in coordination with the City Health Office and the Schools Division Office. These establishments shall also be banned from selling junk foods and beverages within the distance provided herein.

**SECTION 7. ROLE OF THE CITY HEALTH OFFICE.** The City Health Officer or the City Nutritionist or other qualified personnel of the City Health Office shall perform the following tasks in the implementation of this Ordinance:

- a) Assist the Schools Division Office in the strict implementation of the Ordinance;
- b) Prepare suggested food tables in coordination with the Department of Health, Department of Education and other related agencies or instrumentalities;
- c) Coordinate with the Department of Health in crafting suggested tables of food in compliance with this Ordinance.

**SECTION 8. ROLE OF THE SCHOOLS DIVISION OFFICE.** The Schools Division Office of Tuguegarao City, in close coordination with the City Health Office of the Tuguegarao City Government, is mandated to perform as the supervising agency in the compliance of each school to the provisions of this Ordinance and other laws, issuances and orders about the regulation and promotion of healthy diets in school.





A report on the compliance to the provisions of this Ordinance shall be made by the Schools Division Superintendent twice a year during the regular meeting of the Local School Board.

**SECTION 9. EXCEPTION FOR SPECIAL EVENTS.** Bagged lunches or treats for special occasions such as birthday parties, holidays and other similar celebrations shall not be subject to the food and beverage standards imposed in this Ordinance and its implementing rules. However, the Parents and Teachers Association (PTA) of every school is enjoined to encourage parents to include nutritious and healthy food options in bagged lunches and during parties conducted in schools.

**SECTION 10. TRANSITION PERIOD.** Schools, school canteens and vendors shall be given a grace period of one (1) year from the release of the implementing rules to completely implement the provisions of this Ordinance without penalty of violations thereof, subject to existing provisions of existing laws, issuances and orders.

**SECTION 11. PENALTIES.** Schools, school canteens, stores and ambulant vendors outside the school premises within a 200 radius distance that fail to implement the provision of this ordinance shall be penalized as follows:

First Offense:	A fine of One Thousand Pesos (P1,000.00)
Second Offense:	A fine of Two Thousand Pesos (P2,000.00)
Third Offense:	A fine of Three Thousand Pesos (P3,000.00) or revocation of license or both

**SECTION 12. IMPLEMENTING AGENCIES.** The City Mayor's Office through the Business Permits and Licensing Office and the City Health Office, and the Schools Division Office of Tuguegarao City in coordination with the Department of Health Region 2 shall promulgate rules and regulations, and tables of suggested menu in the implementation of the provisions of the said Ordinance.

**SECTION 13. REPEALING CLAUSE.** All laws, presidential decrees, executive orders, rules, and regulations, or portions thereof, inconsistent with this Ordinance are hereby repealed or modified accordingly.


**SECTION 14. SEPARABILITY CLAUSE.** If any part of the provisions of this ordinance shall be held unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue in full force and effect.

**SECTION 15. EFFECTIVITY.** This Ordinance shall take upon approval and publication in newspapers of local circulation.


On motion of Hon. Jude T. Bayona and without any objection, **CITY ORDINANCE NO. 50-2017** was **APPROVED** on its Third and Final Reading under suspended rules.

x-x-x

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


  
**EDUHA M. SUPEÑA** *cm*  
Administrative Officer V  
Acting Assistant Secretary to the Sanggunian

ATTESTED:

  
**HON. BIENVENIDO C. DE GUZMAN II**  
City Vice Mayor  
Presiding Officer  
Date: 10-30-17

APPROVED:

  
**HON. ATTY. JEFFERSON P. SORIANO**  
City Mayor

Date:  \_\_\_\_\_