



Republic of the Philippines  
**QUEZON CITY COUNCIL**

Quezon City  
22<sup>nd</sup> City Council

PO22CC-243

54<sup>th</sup> Regular Session

ORDINANCE NO. SP- **3254** , S-2024

AN ORDINANCE MANDATING RESTAURANTS OR SIMILAR FOOD BUSINESSES OPERATING AND DOING BUSINESS WITHIN THE TERRITORIAL JURISDICTION OF QUEZON CITY TO INCLUDE IN THEIR MENU THE CALORIE COUNT PER SERVING OF THE FOOD THEY ARE OFFERING TO THE PUBLIC FOR IMPROVED HEALTH AND NUTRITION OUTCOMES, PROVIDING PENALTIES FOR NON-COMPLIANCE THEREOF AND FOR OTHER PURPOSES

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*Introduced by Councilors BERNARD R. HERRERA, IRENE R. BELMONTE, ALY MEDALLA, EMMANUEL BANJO A. PILAR and RAM V. MEDALLA*

*Co-Introduced by Councilors Tany Joe "TJ" L. Calalay, Dorothy A. Delarmente, M.D., Joseph P. Juico, Nikki V. Crisolago, Charm M. Ferrer, Fernando Miguel "Mikey" F. Belmonte, Candy A. Medina, Dave C. Valmocina, Tatay Rannie Z. Ludovica, Godofredo T. Liban II, Kate Galang-Coseteng, Geleen "Dok G" G. Lumbad, Albert Alvin "Chuckie" L. Antonio III, Don S. De Leon, Wencerom Benedict C. Lagumbay, Atty. Anton L. Reyes, Edgar "Egay" G. Yap, Marra C. Suntay, Joseph Joe Visaya, Alfred Vargas, MPA, Shaira "Shay" L. Liban, Aiko S. Melendez, Mutya Castelo, Maria Eleanor "Doc Ellie" R. Juan, O.D., Kristine Alexia R. Matias, Eric Z. Medina, Vito Sotto Generoso, Victor "Vic" Bernardo, Jose Maria M. Rodriguez and Jhon Angelli "Sami" C. Neri*

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*WHEREAS, the Philippines is a signatory to the International Covenant on Economic and Social Rights, which provides for the State's obligation to respect, protect, and fulfill the right to health;*

*WHEREAS, Section 15, Article II of the 1987 Constitution mandates 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, or the General Welfare Clause, mandates that every Local Government Unit (LGU) shall promote the general welfare and the health of its inhabitants;*

*WHEREAS, the City Government is a member of the C40 Cities, a global network of mayors of the world's leading cities that are united in action to confront the climate crisis;*

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WHEREAS, the City Government is a signatory to the C40 Good Food Accelerator and has committed to shift towards sustainable and healthy diets;

WHEREAS, there have been studies that link unsustainable food production and consumption patterns to worsening effects to the environment;

WHEREAS, based on the latest survey of the Food and Nutrition Research Institute-Department of Science and Technology (FNRI-DOST), the prevalence of overweight and obesity in the Philippines is on the rise;

WHEREAS, in 2021, 4 out of 10 adults were overweight or obese, while 1 in every 10 adolescents was overweight or obese;

WHEREAS, overweight and obesity are linked to developing Noncommunicable Diseases (NCDs), such as type 2 diabetes, cardiovascular disease, and other chronic disease;

WHEREAS, in 2022, hypertension was the highest cause of mortality in Quezon City, followed by cancer, cardiovascular disease, and diabetes;

WHEREAS, clear, evidence-based, and implementation-focused dietary guidelines, such as nutrition labeling guidelines, provide a basic framework to address overweight and obesity;

WHEREAS, pursuant to Republic Act No. 7394 or the Consumer Act of the Philippines, the City recognizes the need to disclose nutrition information for food and beverages made available to the public to help consumers make informed healthier choices, and to encourage food businesses to promote and offer healthier food options to consumers.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. SHORT TITLE. – This Ordinance shall be known as the “Calorie Labeling Ordinance” of Quezon City.

SECTION 2. DECLARATION OF POLICY. – It is hereby declared the policy of Quezon City to protect and promote the health and nutrition of its citizens and to provide consumers with nutrition information so that they can make informed and healthier food choices. Towards this end, the Quezon City Government shall endeavor to establish a healthy food environment within Quezon City by requiring food businesses to display calorie count in their menus and make other nutrition information available.

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SECTION 3. DEFINITION OF TERMS. – As used in this Ordinance, the following words and phrases shall have the meanings ascribed to them in this Section:

- (a) **Authorized official of a restaurant or food business** – refers to the owner, operator, agent in charge, or any other person authorized by the owner, operator, or agent in charge to register the restaurant or similar food business;
- (b) **Calorie Count** – refers to the amount of energy expressed as calories (or kilocalories) that food and beverages provide when consumed. For purposes of this Ordinance, Calorie Count is synonymous with Calorie Labeling;
- (c) **Combination meals** – refer to a standard menu item that consists of more than 1 food item, such as a meal that includes a sandwich, a side dish, and a drink;
- (d) **Chain restaurants** – refer to a food establishment that contains multiple individual restaurants or franchises;
- (e) **Custom order** – refers to a food order that is prepared in a specific manner based on an individual customer’s request, which requires the restaurant or food business to deviate from its usual preparation of a standard menu item;
- (f) **Daily special menu** – refers to a menu item that is prepared and offered for sale on a particular day, that is not routinely listed on a menu or menu board or offered by the restaurant or similar food business, and that is promoted as a special menu item for that particular day;
- (g) **Doing business under the same name** – refers to sharing the same name presented to the public;
- (h) **Lead Agency** – refers to the Quezon City department specified under Section 12 hereof;
- (i) **Location** – refers to a fixed position or site;
- (j) **Menu** – refers to the primary writing of the restaurant or food business from which a consumer makes an order or selection, including, but not limited to, breakfast, lunch, and dinner menu, dessert menus, beverage menus, children’s menus, and other specialty menus. Menus shall include electronic menus, menus available online, and menu boards;

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- (k) **Menu boards** – refers to a menu which contains a list of food and beverages offered to customers placed on a large, well-lit display inside a restaurant or food business, such as fast food, usually shown above the counter or near the take-out area of the said restaurant or food business. Menu boards include those inside covered establishments and drive-throughs;
- (l) **Nutrient** – refers to any substance normally consumed as a constituent of food, which provides energy, or which is needed for growth, development and maintenance of life, or a deficit of which will cause characteristic biochemical or physiological changes to occur;
- (m) **Offering for sale substantially the same menu items** – refers to offering for sale a significant proportion of menu items that use the same general recipe and are prepared in substantially the same way, with substantially the same food components, even if the name of the menu item varies;
- (n) **Quezon City Calorie Labeling Technical Working Group (TWG)** – refers to the TWG created under Section 15;
- (o) **Restaurants or food businesses** – refer to any business establishments that offer for sale restaurant-type food, including fast food restaurants, convenience stores, food kiosks, and hotels, except if it is in a school;
- (p) **Restaurant-type food** – refers to food that is usually eaten on the premises, while walking away, or soon after arriving at another location. It may either be: (a) served in restaurants or food businesses in which food is served for immediate human consumption (such as food traditionally sold in restaurants, including combination meals); or (b) processed and prepared primarily in a food business, ready for human consumption, of the type described in (a) of this paragraph and offered for sale to consumers but not for immediate human consumption in that establishment and not offered for sale outside that establishment;
- (q) **Standard menu item** – refers to a restaurant-type food that is routinely included on a menu or menu board. It uses a recipe that has been tried, tested, evaluated, and adapted for use in all branches of a restaurant or food business. It produces the consistent quality and quantity when exact procedures, equipment, and ingredients are used; (Consistency) and
- (r) **Temporary menu item** – refers to a food that appears on a menu or menu board for less than a total of 60 days per calendar year. The 60 days include the total of consecutive and non-consecutive days the item appears on the menu.

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**SECTION 4. SCOPE.** – Unless otherwise provided in this Ordinance, all restaurants or food businesses in Quezon City shall be covered, in accordance with the following phases of implementation:

*Phase One:* In the first year of its implementation, this Ordinance shall cover 5 or more locations or branches doing business under the same name, regardless of the actual owner or the location or branch, and offering for sale substantially the same menu items.

*Phase Two:* In the second year of its implementation, this Ordinance shall cover:

- (a) 2 to 4 locations or branches doing business under the same name regardless of the actual owner or the location or branch, and offering for sale substantially the same menu items; and
- (b) hotels, regardless of the number of locations.

*Phase Three:* In the third year of its implementation, all restaurants or food businesses shall be covered, provided that, restaurants or food businesses that qualify as Barangay Micro Businesses Enterprises (BMBEs) under Republic Act No. 9178 and Micro, Small or Medium Enterprises (MSMEs) under Republic Act No. 6977, as amended, that are not part of a food chain or franchise, shall be exempt from coverage.

**SECTION 5. MANDATORY NUTRITION INFORMATION TO BE DISCLOSED BY RESTAURANTS OR FOOD BUSINESSES.** – The restaurants or food businesses covered by this Ordinance shall disclose the following nutrition information of their standard menu items offered for sale:

- (a) *Calorie content* – The calorie content of each menu item shall be displayed in the printed and electronic menus and menu boards. The calorie content shall be printed near the menu item’s name and shall be expressed in clear and legible manner using standard format prescribed by the Lead Agency. The display of calorie content of each menu item shall include calories per serving and calories per combination meal.
- (b) *Nutrients of concern* – Other nutrition information, i.e. carbohydrates, protein, total fat, trans fat, saturated fat, sugar, and sodium, shall be made available in printed materials or in an electronic platform upon the consumer’s request. The statement “additional nutrition information available upon request” shall also be displayed on menus and menu boards.

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- (c) *Reference daily calorie requirement – The reference to the daily calorie requirement for individual adults, as prescribed by the Lead Agency, shall be made available in printed materials or in an electronic platform upon the consumer’s request to serve as a comparison for consumers’ calorie requirement.*

*The calorie and nutrient calculation required in Section 5 (a) and (b) hereof must be performed by any of the following:*

- (a) *a Food and Drug Administration (FDA)-accredited laboratory;*
- (b) *a Registered Nutritionist-Dietitian;*
- (c) *use of the Food and Nutrition Research Institute’s Menu Eval Plus tool, which shall be certified by a Registered Nutritionist-Dietitian; or*
- (d) *other processes or methodologies that may be prescribed by the Lead Agency.*

**SECTION 6. EXEMPTIONS AND NON-APPLICABILITY TO CERTAIN MENU ITEMS.** – *Mandatory disclosure of nutrition information shall not apply to:*

- (a) *restaurants or food businesses that do not offer standard menu items;*
- (b) *daily specials, temporary menu items, custom orders, and other menu offered that are not standardized; and*
- (c) *other food items that are not for sale as standalone food items for consumption and extra food items used as flavorings, such as condiments and spices.*

**SECTION 7. GRACE PERIOD.** – *The Lead Agency shall set the grace period for compliance with Section 5 hereof, which shall not exceed 1 year from the approval and issuance of the Implementing Guidelines.*

**SECTION 8. VOLUNTARY DISCLOSURE OF NUTRITION INFORMATION.** – *Any restaurant or food business not covered by Section 4 of this Ordinance may opt to provide and disclose nutrition information to consumers in a similar manner as specified in Sections 5 (a), (b) and (c) hereof.*

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**SECTION 9. INCENTIVES FOR RESTAURANTS OR FOOD BUSINESSES THAT VOLUNTARILY PROVIDE NUTRITION INFORMATION.** – *The City shall provide the following incentive schemes for restaurants or food businesses that voluntarily provide and disclose nutrition information in similar manner as specified in Section 8 of this Ordinance:*

- (a) *promotion and public recognition through various channels, such as websites, social media, and local publications;*
- (b) *opportunity to avail of the benefits under Section 18 hereof; and,*
- (c) *such other incentives as the Lead Agency and/or TWG may determine.*

*The Lead Agency may establish a recognition and certification program to acknowledge and reward restaurants or food businesses that voluntarily comply with the calorie labeling requirements.*

**SECTION 10. OFFENSES.** – *Failure of the covered restaurant or food business mentioned in Section 4 hereof to comply with Section 5 of this Ordinance shall be considered an offense and subject to the penalties outlined in Section 11 hereof.*

**SECTION 11. ADMINISTRATIVE FINES AND PENALTY.** – *The owner, president, general manager, and other persons-in-charge or accountable officers of the restaurant or food business covered under Section 4 hereof who commit any of the offenses under Section 10 of this Ordinance shall be penalized as follows:*

*First offense – 1<sup>st</sup> Notice of Violation and a Fine of Php1,000.00;*

*Second offense – 2<sup>nd</sup> Notice of Violation, a Fine of Php2,000.00, and a training on proper compliance with the Ordinance for the owner, president, general manager, and other persons-in-charge or accountable officers of the restaurant or food business;*

*Third offense – 3<sup>rd</sup> Notice of Violation, a Fine of Php3,000.00, and the issuance of a Cease-and-Desist Order (CDO); and*

*Fourth and subsequent offense – A fine of Php5,000.00 and revocation of Business Permit.*

**SECTION 12. LEAD AGENCY.** – *The City Health Department (CHD) is hereby designated as the Lead Agency tasked to implement and monitor this Ordinance.*

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The Lead Agency shall:

- (a) within 6 months from the effectivity of this Ordinance, issue guidelines and policies necessary for the implementation of this Ordinance, including specific format and manner of the calorie content and nutrition information disclosure requirements, including the allowable limit of calorie and nutrient calculation under Section 5 hereof;
- (b) establish the reporting mechanisms for offenses and violations;
- (c) provide incentives to restaurants or food businesses who voluntarily disclose calorie and nutrition information under Section 9 hereof;
- (d) establish capacity building programs for restaurants or food businesses as required under Section 18 hereof;
- (e) monitor and evaluate the implementation of this Ordinance every 3 years; and
- (f) regularly convene the TWG, specified under Section 15 hereof.

**SECTION 13. CITIZEN'S REPORT.** – The Lead Agency shall establish a dedicated email address to be used by citizens and other interested persons for submitting reports of non-compliance with this Ordinance. The Lead Agency shall also establish programs to encourage citizen reporting of non-compliance with this Ordinance.

**SECTION 14. ENFORCEMENT AND MONITORING.** – The Business Permits and Licensing Department (BPLD) and Department of Public Order and Safety (DPOS) shall ensure the compliance of restaurants and similar food businesses to the provisions of this Ordinance, which may include the issuance of Official Violation Receipt (OVR) to restaurants or food businesses.

The Lead Agency may deputize other agencies for the enforcement of this Ordinance.

**SECTION 15. QUEZON CITY CALORIE LABELING TECHNICAL WORKING GROUP (TWG).** –

The TWG is tasked to:

1. oversee the implementation of this Ordinance; and

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2. engage in active consultation and collaboration with relevant stakeholders, including consumer advocacy groups, health experts, and other governmental bodies.

The TWG shall be composed of the following Offices:

Chairperson: City Health Department (CHD)

Vice-Chairperson: Climate Change and Environmental Sustainability Department (CCESD)

Members:

- (a) Chairperson of the Committee on Health;
- (b) City Administrator's Office (CA);
- (c) Business Permits and Licensing Department (BPLD);
- (d) Small Business and Cooperatives Development and Promotions Office (SBCDPO);
- (e) Public Affairs and Information Service Department (PAISD);
- (f) Market Development and Administration Department (MDAD);
- (g) City Tourism Department;
- (h) Barangay and Community Relations Department (BCRD);
- (i) Local Economic and Investment Planning Office (LEIPO);
- (j) City Treasurer's Office;
- (k) Civil Society Organization representative; and
- (l) Department of Public Order and Safety.

The Lead Agency shall:

- (a) convene the TWG every quarter, or as the need arises, to ensure compliance with this Ordinance;
- (b) invite resource persons, as the need arises; and
- (c) designate a Secretariat to provide technical and administrative support to the TWG.

The Lead Agency may add or decrease the members of the TWG as it may deem necessary for the proper implementation of this Ordinance.

SECTION 16. IMPLEMENTING GUIDELINES. – The Lead Agency shall be responsible for issuing the guidelines and policies necessary for the implementation of this Ordinance, provided that other provisions of this Ordinance not requiring additional Implementing Guidelines shall take effect immediately.

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*SECTION 17. BUDGET AND APPROPRIATION. – Funding requirements shall be sourced and drawn as appropriate and available from the Lead Agency’s annual budget. For the succeeding years, the Lead Agency shall submit a budget proposal for inclusion in the City budget.*

*All fines collected pursuant to this Ordinance shall be earmarked for the implementation of this Ordinance.*

*SECTION 18. CAPACITY BUILDING FOR RESTAURANTS OR FOOD BUSINESSES. – The Lead Agency shall establish education and training programs to support the capacity of the restaurants or food businesses to effectively implement the calorie labeling and nutrition information disclosure requirements under this Ordinance.*

*The programs may include:*

- (a) workshops, seminars, webinars, or online resources to inform restaurant or food business owners, managers, and staff about the importance of calorie labeling and the proper display of nutrition information on menus and menu boards;*
- (b) training on the use of calorie and nutrient calculation tools for Nutritionist-Dietitians employed by the restaurants or food businesses; and*
- (c) simplified guidance, additional training opportunities, assistance with cost-effective labelling solutions, and linkage and access to Nutritionist-Dietitians and/or private or government agencies offering food calorie and nutrient calculations and labeling.*

*SECTION 19. SOCIAL BEHAVIOR CHANGE COMMUNICATIONS (SBCC) CAMPAIGN. – The Lead Agency, in coordination with PAISD, shall develop and implement an SBCC campaign that promotes healthy diets for:*

- (a) mandatory and voluntary covered restaurants or food businesses to ensure their compliance with the law and encourage them to reformulate their menus to include healthier alternatives/healthy menu items; and*
- (b) consumers and the general public to help them make informed food choices.*

*The SBCC campaign shall include conducting a combination of communication and educational strategies such as workshops, training, and information campaigns using traditional media and social media.*

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**SECTION 20. REPEALING CLAUSE.** – All ordinances, resolutions, executive orders, memorandum circulars, and administrative orders or parts thereof which are inconsistent with any provision of this Ordinance are hereby repealed or modified accordingly.


**SECTION 21. SEPARABILITY CLAUSE.** – If any provision of this Ordinance is declared void or unconstitutional, the remaining portions shall not be affected and shall remain in full force and effect.

**SECTION 22. EFFECTIVITY CLAUSE.** – This Ordinance shall take effect within 15 days after its publication in a newspaper of general circulation and after the posting of copies of this Ordinance in conspicuous locations within Quezon City for a period of 15 days.


ENACTED: February 5, 2024.

  
GIAN G. SOTTO  
City Vice Mayor  
Presiding Officer

ATTESTED:


  
ATTY. JOHN THOMAS S. ALFEROS, III  
City Government Department Head III  
(City Council Secretary)

APPROVED: MAR 21 2024

  
MA. JOSEFINA G. BELMONTE  
City Mayor

**CERTIFICATION**

*This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on February 5, 2024 and was PASSED on Third/Final Reading under Suspended Rules on the same date.*

  
ATTY. JOHN THOMAS S. ALFEROS, III  
City Government Department Head III  
(City Council Secretary)