



Republic of the Philippines  
**QUEZON CITY COUNCIL**  
Quezon City  
22<sup>nd</sup> City Council

PO22CC-211

44<sup>th</sup> Regular Session

ORDINANCE NO. SP- 3252, S-2023

AN ORDINANCE PROMULGATING THE "QUEZON CITY HEALTHY DIET FOR EARLY CHILDHOOD DEVELOPMENT CENTER, ELEMENTARY AND HIGH SCHOOL STUDENTS ORDINANCE" AND REPEALING ORDINANCE NOS. SP-2846, S-2019 AND SP-2579, S-2017

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*Introduced by Councilors IRENE R. BELMONTE, BERNARD R. HERRERA and ALY MEDALLA*

*Co-Introduced by Councilors Tany Joe "TJ" L. Calalay, Dorothy A. Delarmente, M.D., Joseph P. Juico, Nikki V. Crisologo, Charm M. Ferrer, 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, Imee A. Rillo, Raquel S. Malañgen, Nanette Castelo-Daza, 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, Emmanuel Banjo A. Pilar, Vito Sotto Generoso, Victor "Vic" Bernardo, Alfredo "Freddy" Roxas and Julian Marcus D. Trono*

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*WHEREAS, on March 20, 2017, Ordinance No. SP-2579, S-2017, otherwise known as "An Ordinance Prohibiting the Selling and Promotion of Junk Food and Sugary Drinks to Preparatory, Elementary and High School Students Inside and Within One Hundred (100) Meters Perimeter in Public and Private Schools in Quezon City and Providing Penalties for Violations Thereof" was enacted by the Quezon City Council;*

*WHEREAS, on March 4, 2019, Ordinance No. SP-2846, S-2019, otherwise known as "An Ordinance Enacting the Quezon City Healthy Diet in Schools Ordinance Prohibiting the Selling and Promotion on Unhealthy Foods such as Foods with Trans Fat and Sugary Drinks to Preparatory, Elementary and High School Students Inside and Within One Hundred (100) Meter Perimeter of Public and Private Schools Within Quezon City and Providing Penalties for Violations Thereof, Creating the School Health Council and Providing Funds Therefor" was enacted by the Quezon City Council;*

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WHEREAS, both Ordinances promote healthy food for Early Childhood Development Centers, Elementary and High School students, public or private, within and outside school premises;

WHEREAS, both Ordinances prohibit the selling of junk food or unhealthy food to early childhood development centers, elementary and high school students, within and outside the school;

WHEREAS, in order to consolidate and harmonize these Ordinances, there is a need to codify the same in one Ordinance;

WHEREAS, there is also a need to update certain provisions of said Ordinances in order to cope with and to harmonize such with other programs and policies of the Quezon City Government;

WHEREAS, said updating will further develop and enhance the said Ordinances to further achieve their objectives and purpose.

NOW, THEREFORE,

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

SECTION 1. This Ordinance shall be known as "Quezon City Healthy Diet for Early Childhood Development Centers, Elementary and High School Students Ordinance."

SECTION 2. SCOPE. – This Ordinance shall cover all Public and Private Early Childhood Development Centers, Elementary and High Schools in Quezon City, inside and within the one hundred (100) meters of the school premises.

SECTION 3. DEFINITION OF TERMS. – For purposes of this Ordinance, the following terms shall be defined as:

- a. Premises – shall include inside and outside of the school within one hundred (100) meters perimeter;
- b. Perimeter – shall be measured from the fence and/or boundary of the school;
- c. Preparatory School – shall include day care, kindergarten, nursery and similar school level;

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- d. *High School – shall include children enrolled in Junior and Senior High School that are below eighteen (18) years of age;*
- e. *Junk Food – shall include foods that are not made of indigenous, natural, fortified products. These also include foods that are low in nutritional content and high in calories, such as noodles, street food and those that shall be determined by the Joint Task Force as foods that are pre-packed and re-packed regardless if its fortified or not and those that are sold with no nutritional label;*
- f. *Sugary Drinks/Beverage – shall include any liquid substance made for drinking that is carbon-based or with carbon dioxide gas and/or categorized as soft drinks, sugar-based, synthetic or artificially flavored juices with high sugar content. This could also include drinks such as but not limited to “palamig”, soda energy drink, fruit punches, and those that shall be determined by the Joint Task Force;*
- g. *Promotion – shall refer to any act of giving junk foods and sugary drinks as a made of promoting publicity, encouraging the buying of giving samples, marketing, advertising, sponsoring and any other act similar in nature;*
- h. *Free sugars – shall refer to all monosaccharides and disaccharides added to food and drinks by the manufacturer, cook or consumer, including sugars naturally present in honey, syrups, fruit juices and fruit concentrates;*
- i. *Healthy Diet – shall refer to balance in food intake which: (a) achieves energy balance and healthy weight; (b) limits energy intake from total fats, and shifts fat consumption away from saturated fats to unsaturated fats and towards the elimination of trans fatty acids; (c) increases consumption of fruits and vegetables, legumes, whole grains, and nuts; (d) limits the intake of free sugars; (e) limits salt (sodium) consumption from all sources;*
- j. *Unhealthy Diet – shall refer to food intake high in saturated or trans-fat or sodium or sugar which is considered to be a major risk, factor for chronic diseases such as cardiovascular diseases, cancer, diabetes, and other conditions linked to obesity; and*

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k. *Business Permit* – shall refer to permits issued by the government agencies that allow individuals, partnerships and corporations to conduct business within the government’s geographical jurisdiction. It is the authorization to start a business issued by the local government.

**SECTION 4. PROHIBITED ACT.** – It is unlawful for any person, which includes canteen owners/managers/operators, store owners and operators, ambulant vendors, hawkers, and other establishment owners engaged in selling food within the premises as defined herein, to sell and promote any junk or unhealthy food and sugary drinks to all students covered by this Ordinance.

**SECTION 4.A. EXEMPTIONS ON PROMOTIONAL ACTIVITIES.** – The City Government, through the School Health Council, may give exemption to schools which will conduct activities in their school that will involve introduction and/or promotion of junk or unhealthy food, provided that they will meet the qualifications and requirements to be set by the Health Council. The School Health Council should provide guidelines for the granting of exemption within three (3) months from the approval of this Ordinance and said guidelines will form part of the Implementing Rules and Regulations (IRR).

**SECTION 5. LIST OF ALLOWED AND PROHIBITED FOOD AND DRINKS.** – The Department of Education’s updated guidelines for healthy food and beverages choices in school shall be adopted and shall be regularly followed as the list of allowed and prohibited food and drinks inside and within one hundred (100) meters perimeter outside the school premises.

**SECTION 6. PROMOTION OF HEALTHY BAON.** – The school shall conduct an information and education campaign on healthy food choices to encourage parents and guardians to pack healthy meals and baons.

**SECTION 7. GRACE PERIOD.** – A thirty (30) day grace period shall be given to concerned canteen owners/managers/operators, and/or store owners and operators, as well as establishment owners engaged in selling food within school premises. Failure to comply shall not result to confiscation of the goods prohibited but shall be penalized as prescribed in Section 13 of this Ordinance.

**SECTION 8. SCHOOL HEALTH COUNCIL.** – The School Health Council created under Section 8 of Ordinance No. SP-2846, S-2019 is hereby integrated to the subcommittee Quezon City Health Board and its functions shall be transferred to the latter board.

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**SECTION 9. JOINT TASK FORCE.** – *The Joint Task Force which shall be composed of the City Health Department as the lead agency, Department of Public Order and Safety, Market Development and Administration Department, Division of City Schools, and Chairperson of the Committee on Health, Quezon City Council is hereby created.*

**SECTION 10. FUNCTIONS OF THE JOINT TASK FORCE.** –

- a. *They shall be responsible for the monitoring and implementation of this Ordinance.*
- b. *Aside from the other task/s of the Joint Task Force, the Market Development and Administration Department (MDAD) and the Department of Public Order and Safety (DPOS) should primarily focus and monitor ambulant vendors and sidewalk vendors in schools respectively.*
- c. *It shall craft guidelines and mechanism on addressing complaints from reporting to filing of complaint for violation/s of this Ordinance as well as policies and guidelines on surprised visits and monitoring of schools.*

**SECTION 11. INFORMATION, EDUCATION AND COMMUNICATION.** – *The School Health Council shall develop and roll out on information, education, and communication campaign on this Ordinance within three (3) months from the enactment of this Ordinance. The School Health Board shall also, from time to time, provide a list of prohibited food as stated in the DepEd Memo to canteen owners/managers/operators, store owners and operators, ambulant vendors, hawkers, and other establishment owners engaged in selling food.*

**SECTION 12. TECHNICAL ASSISTANCE TO SCHOOLS ON EVALUATION OF FOODS AND DRINKS.** – *The School Health Board is responsible for extending technical assistance to school in evaluating foods and drinks in their school canteens. The Quezon City Health Department (QCHD) shall conduct regular capacity building training and seminars for school within Quezon City to equip them with the technical capacity to evaluate food within their school premises.*

*Further, the School Health Board shall provide technical assistance and capacity building training covered by this Ordinance to qualified vendors, hawkers and ambulant vendors for them to be knowledgeable on what other healthier food which they can offer and sell to the students.*

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**SECTION 13. PENALTY CLAUSE.** – Any person found violating the provisions of this Ordinance, without prejudice to administrative complaints that may be filed to school personnel, shall be imposed a fine of:

First Offense – Fine of One Thousand Pesos (Php1,000.00).

Second Offense – Fine of Two Thousand Pesos (Php2,000.00).

Third Offense – Fine of Five Thousand Pesos (Php5,000.00).

Fourth and  
Succeeding  
Offense –

Fine of Five Thousand Pesos (Php5,000.00) and may be a ground for suspension or revocation of the existing permit of the business, whether issued by the Barangay or the BPLD and MDAD.

**SECTION 14. ORDINANCE VIOLATION NOTICE/RECEIPT SYSTEM.** – The School Health Council shall form the guidelines for the issuance of the OVN/OVR.

Violators of this Ordinance shall be informed of their violation and penalty associated with such violation by means of an Ordinance Violation Notice/Receipts issued by deputized members of the School Health Council.

**SECTION 15. IMPLEMENTING RULES AND REGULATIONS.** – Within sixty (60) days from the approval of this Ordinance, the Joint Task Force shall formulate the Implementing Rules and Regulations of this Ordinance.

**SECTION 16. REPEALING CLAUSE.** – All previous ordinances, rules and regulations or parts thereof which are inconsistent with the foregoing are hereby modified, amended, or repealed accordingly.

**SECTION 17. SEPARABILITY CLAUSE.** – If any part or provisions of this Ordinance is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in full force and effect.

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*SECTION 18. EFFECTIVITY CLAUSE. – This Ordinance shall become effective fifteen (15) days following the completion of its publication in the local newspaper of general circulation within the City.*


*ENACTED: September 25, 2023.*

  
GIAN G. SOTTO  
City Vice Mayor  
Presiding Officer

ATTESTED:


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

APPROVED: DEC 14 2023

  
MA. JOSEFINA G. BELMONTE  
City Mayor

CERTIFICATION

*This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on September 25, 2023 and was PASSED on Third/Final Reading on October 2, 2023.*

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



