



Republic of the Philippines  
Province of Iloilo  
**MUNICIPALITY OF BINGAWAN**



*Sangguniang Bayan*

**EXCERPT FROM THE MINUTES OF THE 127<sup>th</sup> REGULAR SESSION OF THE 13<sup>th</sup> SANGGUNIANG OF THE MUNICIPALITY OF BINGAWAN, PROVINCE OF ILOILO, HELD AT THE SESSION HALL ON DECEMBER 5, 2018.**

Present:	Hon. Matt P. Palabrica, Ph.D.	Vice Mayor/Presiding Officer
	Hon. Joy L. Quimba	SB Member
	Hon. Jose C. Rabago, Jr.	SB Member
	Hon. Lorens M. Belloga	SB Member
	Hon. Ted Peter P. Plagata	SB Member/Floor Leader
	Hon. Nemesio A. Cachite	SB Member
	Hon. Jofe C. Celeste	SB Member
	Hon. Eduardo A. Dalipe	SB Member
	Hon. Ramil P. Artuz	Ex-officio SB Member/LIGA President
	Hon. Ramil C. Castroverde	Ex-officio SB Member/SKMF President

Absent: None

**ORDINANCE NO. 265  
(Series of 2018)**

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Sponsored by the Committee on Education, Culture, History & Tourism  
Chairperson: Hon. Nemesio A. Cachite  
Vice Chairperson : Hon. Ted Peter P. Plagata  
Members: Hon. Joy L. Quimba  
Hon. Ramil P. Artuz  
Hon. Ramil C. Castroverde  
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**AN ORDINANCE PROHIBITING THE SELLING AND PROMOTION OF JUNK FOOD AND SUGARY DRINKS TO ALL MINORS (17 YEARS OLD AND BELOW) IN THE MUNICIPALITY OF BINGAWAN, PROVINCE OF ILOILO AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.**

**WHEREAS**, the Local Government Unit of Bingawan recognizes the promotion of health and welfare of the children as one of the primary concerns of the municipality;

**WHEREAS**, according to the World Health Organization (WHO), by limiting intake of free sugars to less than 10% of total energy intake is part of a healthy diet. A further reduction to less than 5% of total energy intake is suggested for additional health benefits;

**WHEREAS**, WHO also stated that by eating at least 400 grams or 5 portions of fruits and vegetables per day reduces the risk of non-communicable diseases and helps ensures an adequate daily intake of dietary fiber;

**WHEREAS**, the selling of junk foods and sugary drinks within school perimeters is still an occurring problem of the school administrations and some parents;

**WHEREAS**, there is an existing Department of Education Order No. 8, Series of 2013, reiterating the prohibition on sale, distribution and bringing of junk foods and carbonated drinks at school canteens;

**WHEREAS**, pursuant to Section 5.6.1(a) of DepEd Order No.8, Series of 2007, the schools are mandated to provide free potable drinking water and hand washing facilities available for all school personnel, staff and students;

**WHEREAS**, other than merely monitoring, there is an urgent and paramount need to penalize owners of stores, restaurants, carinderias and school canteens who sell junk foods and sugary drinks to all minors (17 years old and below).

**NOW, THEREFORE:**

**BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF BINGAWAN, PROVINCE OF ILOILO IN REGULAR SESSION ASSEMBLED:**

**Section 1. Title** – This Ordinance shall be known as the “**BINGAWAN ANTI-JUNK FOOD AND SUGARY DRINKS ORDINANCE OF 2018**”.

**Section 2. Scope** – This Ordinance shall cover all stores, restaurants, carinderias, school canteens and the like that sell junk foods and sugary drinks within the territorial jurisdiction of the Municipality of Bingawan, Province of Iloilo.

**Section 3. Definition of Terms** – For purposes of this Ordinance, the following terms shall be defined as:

- a) **Canteen** – small cafeteria or snack bar, especially one in a military establishment, school, or place of work.
- b) **Carinderia** – a local eatery selling and serving affordable viands for the masses. It is also known as a “turo-turo” wherein customers literally point what they want to eat.
- c) **Junk food** – foods that are not made of indigenous, natural, fortified food products. This also includes foods that are low in nutritional content and high in calories, salt and fats such as but not limited to “sitsirya”, instant noodles, street foods and those that shall be determined by the Task Force.
- d) **Minor** – a person who is 17 years old and below.
- e) **Promotion** – any act of giving junk foods and sugary drinks as a mode of promoting, publicity, encouraging the buying of, giving samples, marketing, advertising, sponsoring and any other act of similar nature.
- f) **Store** - shop where you can buy many different types of goods.
- g) **Sugary Drinks** - are beverages that contain added sugars or sweeteners. Sugary drinks include soda and other carbonated soft drinks, sports drinks, energy drinks, fruit-flavored or powdered drinks, vitamin-enhanced drinks, sweetened tea and coffee drinks, and flavored milk or milk alternatives.

**Section 4. Prohibited Act** – It is unlawful for any person engaged in selling food and promoting any junk food and sugary drinks to all minors covered by this Ordinance.

**Section 5. Task Force** – The Task Force on Bingawan Anti-Junk Food and Sugary Drinks Ordinance is hereby created which shall be composed of the Municipal Health Office as lead agency, Municipal Police Station, Municipal Treasurer’s Office, Office of the Department of Education’s District Supervisor, Chairperson of the Committee on Health and Chairperson of the Committee on Education of the Sangguniang Bayan and President Liga ng mga Barangay.

**Section 6. Functions of the Task Force** -The following are the functions of the Task Force:

- a) It shall be responsible for the monitoring and implementation of this Ordinance; and
- b) It shall identify the list of the prohibited junk foods and sugary drinks.

**Section 7. Administrative Provision** - The Municipal Mayor shall issue other rules and regulations for the effective implementation of this Ordinance.

**Section 8. Penalty Clause** - Any person found violating the provisions of this Ordinance shall be imposed fine of:

- a) First Offense = Fine of One Thousand Pesos Only (Php 1,000.00).
- b) Second Offense = Fine of Two Thousand Pesos Only (Php 2,000.00).
- c) Third Offense = Fine of Two Thousand Five Pesos Only (2,500.00) and revocation of Business Permit.

**Section 9. Repealing Clause** - All previous ordinances, rules and regulations, or parts thereof which are inconsistent with the rules and regulations, or parts thereof which are inconsistent with the foregoing are hereby modified, amended or repealed accordingly.

**Section 10. Separability Clause** - If any part of the 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.

**Section 11. 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 Municipality.

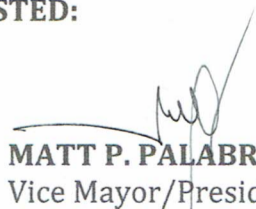
**UNANIMOUSLY APPROVED.**

**ENACTED** this 4<sup>th</sup> day of December 2018.

**CERTIFIED CORRECT:**

  
**JULIO C. CASTIGADOR**  
SB Secretary

**ATTESTED:**

  
**MATT P. PALABRICA, Ph.D.**  
Vice Mayor/Presiding Officer

**APPROVED:**

  
**MARK P. PALABRICA**  
Municipal Mayor

Signed on: 20 DEC 2018