

**CITY ORDINANCE NO. 23-22 (SPECIAL)**

**Author** : SP Member Kristine Jane M. Perdito-Barison  
Chair, Committee on Health, Nutrition  
and Population

**Sponsors** : SP Member Vivencio Q. Lozares, Jr.  
SP Member J-M Vergel M. Columna  
SP Member Jowie S. Carampot  
SP Member Alfredo S. Ching  
SP Member Hernando M. Granados  
SP Member Jesse Raphael R. Grepo  
SP Member Felix A. Grepo  
SP Member Clarissel J. Campana-Moral  
SP Member Kyle Jassel J. Salazar  
SP Member Isagani L. Culanding  
SP Member Richard R. Parin  
SP Member Ireneo C. Hatid  
SP Member Reienel R. Ferrer

JESSE RAPHAEL R. GREPO  
SP Member

FELIX A. GREPO  
SP Member

CLARISSSEL J. CAMPAÑA-MORAL  
SP Member

KYLE JASSEL J. SALAZAR  
SP Member

~~J-M VERGEL M. COLUMNA~~  
SP Member

ISAGANI L. CULANDING  
SP Member

JOWIE S. CARAMPOT  
SP Member

KRISTINE JANE M. PERDITO-BARISON  
SP Member

VIVENCIO Q. LOZARES, JR.  
SP Member

RICHARD R. PARIN  
SP Member

ALFREDO S. CHING  
SP Member

HERNANDO M. GRANADOS  
SP Member

IRENEO C. HATID  
SP Member / LNB President

REIENEL R. FERRER  
SP Member / SKF President

Certified True and Correct:

WENCESLAO P. CAMINGAY  
Secretary to the Sanggunian

Attested:

JONAS GLYN P. LABUGUEN  
City Vice Mayor/Presiding Officer

Approved:

LUIS "JON-JON" A. FERRER IV  
City Mayor

**ADOPTING EXECUTIVE ORDER NO. 51 OTHERWISE KNOWN AS THE "NATIONAL CODE OF MARKETING OF BREASTMILK SUBSTITUTES, BREASTMILK SUPPLEMENTS AND OTHER RELATED PRODUCTS" IN THE CITY OF GENERAL TRIAS; AND PROVIDING PENALTIES FOR VIOLATION/S THEREOF.**

**WHEREAS, Section 3 Article XV of the 1987 Philippine Constitution provides that the State shall defend the right of children to assistance, including proper care and nutrition;**

**WHEREAS, Section 12 Article XIII of the 1987 Philippine Constitution also provides that the State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health, manpower development, and research, responsive to the country's health needs and problems;**

**WHEREAS, as provided in Executive Order No. 51, in order to ensure that safe and adequate nutrition for infants is provided, there is a need to protect and promote breastfeeding and to inform the public about the proper use of breastmilk substitutes and supplements and related products through adequate, consistent and objective information and appropriate regulation of the marketing and distribution of the said substitutes, supplements and related products;**

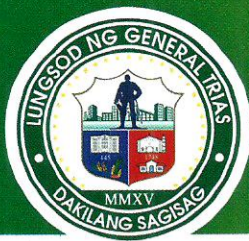
**WHEREAS, as provided also in the abovementioned Executive Order, consistent with Article 11 of the International Code of Marketing of Breast-milk Substitute, the present government should adopt appropriate legislation to give effect to the principles and aim of the aforesaid International Code;**

**WHEREAS, the data on breastfeeding situation in the City remain to be of concern with only 51.41% of children aged 0-23 months old are initiated to breastfeeding within 1 hour after delivery, and that exclusive breastfeeding among 0-5 months is at 35.95% based on the 2022 Field Health Services Information System (FHSIS) Result, which exacerbates the problem of malnutrition specifically undernutrition (stunting and wasting) in the City;**

**WHEREAS, the importance of this Ordinance for the City or to fellow Gentriseños is to strengthen the Philippine Milk Code (Executive Order No. 51) and its revised Implementing Rules and Regulations, regulate breastmilk substitute donations, and provide sanctions to Philippine Milk Code violators in the City;**

**CONTINUED ON NEXT PAGE.**





Continuation...page 2 of City Ordinance No. 23-22 (Special):

**CODE OF MARKETING BREASTMILKSUBSTITUTES, SUPPLEMENTS, AND OTHER RELATED PRODUCTS ADOPTION ORDINANCE.**

**WHEREAS, Section 13 of Executive Order No. 51 also provides that any person who violates the provisions of this Code or the rules and regulations issued pursuant to this Code shall, upon conviction, be punished by a penalty of two (2) months to one (1) year imprisonment or a fine of not less than One Thousand Pesos (Php 1 000.00) nor more than Thirty Thousand Pesos (Php 30 000.00) or both. Should the offense be committed by a juridical person, the chairman of the Board of Directors, the president, general manager, or the partners and/or the persons directly responsible therefor, shall be penalized;**

**NOW THEREFORE, on motion of SP Member Kristine Jane M. Perdito-Barison duly seconded by SP Member Vivencio Q. Lozares, Jr.,**

**Be it enacted by the Sangguniang Panlungsod that:**

**Section 1. TITLE - This Ordinance shall be known as the "CODE OF MARKETING BREASTMILK SUBSTITUTES, SUPPLEMENTS, AND OTHER RELATED PRODUCTS ADOPTION ORDINANCE".**

**Section 2. CREATION OF MONITORING TEAM - The Local Chief Executive shall hereby create a monitoring team where its composition and function shall be defined through the issuance of an Executive Order.**

**The monitoring team will be spearheaded by the City Health Office (CHO) and other offices as maybe recommended by the Local Chief Executive.**

**Section 3. PENALTIES - The provisions of Executive Order No. 51 on penalties shall apply, upon discretion of the court.**

**Section 4. SEPARABILITY CLAUSE - If any portion of this Ordinance is declared invalid, the remaining of this Ordinance shall not be affected and shall remain valid and enforceable.**

**Section 5. REPEALING CLAUSE - All ordinances, rules, and regulations or part thereof where provisions are in conflict or contrary to the provisions of this Ordinance are hereby repealed, amended or modified accordingly.**

**Section 6. EFFECTIVITY - This Ordinance shall take effect upon its approval.**

**ENACTED under THIRD/FINAL READING on 14 JUNE 2023.**

wpc/nta/jdj/cdp/jfa/dga

  
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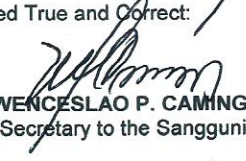
  
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