



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City of Mandaluyong

ORDINANCE NO. 551, S-2014

**AN ORDINANCE PROHIBITING THE SALE OF SOFT DRINKS AND
OTHER UNHEALTHY BEVERAGES IN THE KINDERGARTEN,
ELEMENTARY, AND HIGH SCHOOL PREMISES OF
BOTH PUBLIC AND PRIVATE SCHOOLS
IN THE CITY OF MANDALUYONG**

WHEREAS, one of the top priorities in the agenda of the City of Mandaluyong is the welfare of its children particularly their physical and mental well-being;

WHEREAS, the schools, considered as the second home of the students, play a vital role in the shaping of the children's physical and mental welfare;

WHEREAS, the foods and drinks sold to the students/children in schools should, at all times, be clean, safe, healthy, and free from any harmful substances that may or will affect the children's health now and/or in the future;

WHEREAS, as per studies, carbonated drinks or soft drinks are rich in sugar, caffeine, artificial sweeteners, and carbonic acids which can be harmful to health for both adults and children;

WHEREAS, the high levels of caffeine in soft drinks could disrupt sleep and lead to anxiety and DNA damage and hyperactivity, especially among children;

WHEREAS, as per further studies, soft drinks are also linked to obesity, kidney and liver damage, elevated blood pressure, teeth erosion, and stomach problems, and that alarm warning signals were sounded on "fruit, sports, or energy drinks" marketed as healthy drinks but actually contain excessive sugar and calories;

WHEREAS, nutritionist-dietitians from the Philippine Children's Medical Center (PCMC) said that each bottle of energy drink contains around 50 mg of caffeine – which is even higher than coffee and that each bottle contains around 1,000 mg of Taurine, of which a child needs only 1–10 mg/day;

WHEREAS, a 2007 study from Yale University linked soft drinks consumption to a decrease in calcium, higher risks of Type II diabetes, higher caloric intake and body weight;

WHEREAS, a 2013 study from the Bangor University in North Wales suggested that frequent soft drinks consumption is linked to developing an "inefficient metabolism" and that soft drinks can interfere with the "body's ability to burn fat and handle rises in blood sugar";

WHEREAS, a 2012 study from the University of Oregon and Michigan State University found that children aged 3–5 years old, who consumed sugary drinks, tended to avoid vegetables and preferred snacks high in calories and sodium like potato chips;

WHEREAS, further studies showed that some energy drinks, sports drinks, punches and iced teas and drinks containing caffeine, information usually found at the "contents" of the labels, may have harmful effects, in the future, to one's health especially in children.

NOW, THEREFORE, be it ORDAINED, by the Sangguniang Panlungsod of the City of Mandaluyong, in session assembled that:

SECTION 1. DEFINITION OF TERMS.

For the purpose of this Ordinance, the following terms shall be defined as follow:

1. SOFT DRINKS – a beverage that is not alcoholic or intoxicating and is usually carbonated.
2. CARBONATED DRINKS – beverage charged or impregnated with carbon dioxide.
3. CAFFEINE – a white, crystalline, bitter alkaloid, usually derived from coffee or tea, used in medicine chiefly as a nervous system stimulant.
4. TAURINE – a neutral crystalline substance obtain from bile.
5. SWEETENER – something that sweetens as sugar or low-calorie synthetic product used instead of sugar.
6. DNA – deoxyribonucleic acid that is the main constituent of the chromosomes of all organisms (except some viruses).
7. BEVERAGE – any potable liquid, especially one other than water, as tea, coffee, beer, milk or juice.
8. HYPERACTIVE – usually in children, displaying exaggerated physical activity sometimes associated with neurologic or psychological causes.
9. METABOLISM – the sum of the physical and chemical processes in an organism by which its material substance is produced, maintained and destroyed, and by which energy is made available.

SECTION 2. PROHIBITED ACTS. It shall be unlawful for any canteen, cafeteria, restaurant, eatery and/or any stall selling food and drinks inside a kindergarten, elementary, and high school, public and/or private school premises, to sell, individual or wholesale, carbonated soft drinks or soda, along with sports drinks, punches and iced teas, and drinks containing caffeine.

SECTION 3. PERMISSIBLE DRINKS/BEVERAGES. The permissible drinks under this Ordinance are:

1. fruit-based drinks that do not contain additional sweeteners;
2. water and seltzer;
3. low-fat or fat-free milk, including, but not limited to, chocolate milk, soy milk, rice milk and other similar dairy or non-dairy calcium fortified milks.

SECTION 4. PENALTIES.

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 5. NO CONTEST PROVISION. Any person, individual or entity who is apprehended or cited for violation and who does not wish to contest the violation and is willing to pay voluntarily the minimum fine imposed upon him/her prior to the filing of the formal charges with the proper court shall be allowed to pay the said fine with the City Treasurer to avoid being criminally prosecuted within six (6) hours from apprehension, otherwise, the case shall be prosecuted.

The City Treasurer, subject to Civil Service Laws, Rules and Regulations, is hereby directed to provide personnel or to deputize personnel who will accept payment of fines twenty four (24) hours a day so as not to jeopardize the right of the offender to avail of the six-hour period within which to pay under this Ordinance.

SECTION 6. EFFECTIVITY. This Ordinance shall take effect upon approval and publication.

ENACTED on this 18th day of August, 2014 in the City of Mandaluyong.


I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ENACTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


JIMMY D. LACEBAL
Sanggunian Secretary

APPROVED:


BENJAMIN DC. ABALOS, JR.
City Mayor

PRESIDED BY:


EDWARD G. BARTOLOME
Vice Mayor &
Presiding Officer

Date: AUG 26 2014