



## **Republic Act No. 8976: Establishing the Philippine Food Fortification Program<sup>1</sup>**

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### **INTRODUCTION**

Majority of agricultural and fisheries activities result to the production of food which are consumed either fresh or processed. Processing of food provides for longer shelf life and allows for diversified product lines. It has given ease and convenience in preparing and consuming food to the ever increasing and fast-paced lifestyle of the populace. However, while processed foods have provided practicality in consumption, some of the micronutrients in them are lost during their transformation or even lack the micronutrients needed by the body for nourishment. Hence, to replenish the possible nutrient loss during food transformation, nutrient fortification has become an important aspect in food processing.

Fortification is defined as the addition of nutrients to processed foods or food products at levels above the natural state. Food fortification is addition of a micronutrient, deficient in the diet, to a food which is widely consumed by specific at-risk groups (Section 3c<sup>3</sup>). In the Philippines, the policy on food fortification was initiated through the passing of Republic Act No. 8172, titled “An Act for Salt Iodization Nationwide (ASIN)”. It was signed into law by Former President Fidel V. Ramos on December 20, 1995. It was created in accordance to the World Health Organization’s (WHO) program on food fortification which specifically addressed deficiency on key vitamins and minerals that include vitamin A, iodine, iron and zinc (GAIN, 2014).

Salt iodization is the addition of iodine to salt intended for human or animal consumption in accordance with specifications as to form, fortificant, method, manner and composition as may be prescribed by the Bureau of Food and Drugs (BFAD)<sup>4</sup>. Among the objectives of the law were

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<sup>1</sup> A short policy paper submitted to the Food and Fertilizer Technology Center (FFTC) for the project titled “Asia-Pacific Information Platform in Agricultural Policy”. Short policy papers, as corollary outputs of the project, describe pertinent Philippine laws and regulations on agriculture, aquatic and natural resources.

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<sup>3</sup> Section refers to Republic Act No. 8976, unless specified.

<sup>4</sup> (Section 4d, RA 8172).

to contribute to the elimination of micronutrient malnutrition in the country, particularly iodine deficiency disorders, through the cost-effective preventive measure of salt iodization; to require all producers/manufacturers of food-grade salt to iodize the salt that they produce, manufacture, import, trade or distribute; and to require the Department of Health (DOH) to undertake the salt iodization program and for its Bureau of Food and Drugs (BFAD), to set and enforce standards for food-grade iodized salt and to monitor compliance thereof by the food-grade salt manufacturers.<sup>5</sup>

Recognizing the impact of iodine fortification in the country, the ASIN Law was supplemented by RA 8976 or the Philippine Food Fortification Act of 2000. It was signed into law by Former President Joseph Ejercito Estrada on November 2, 2000. RA 8976 provided the policy on mandatory fortification of staple foods and voluntary fortification of processed foods or food products.

### **The Philippine food fortification program**

The Philippine Food Fortification Program covers all imported or locally processed foods or food products for sale or distribution in the Philippines. It does not cover dietary supplements for which established standards have already been prescribed by the Department of Health (DOH) through the BFAD and which standards include specifications for nutrient composition or levels of fortification (Section 4).

### **Mandatory food fortification**

The DOH through the BFAD sets the standards in the mandatory fortification of the following staple foods: (1) Rice - with Iron; (2) Wheat flour - with vitamin A and Iron; (3) Refined sugar - with vitamin A; and (4) Cooking oil - with vitamin A. Fortification of other processed foods or food products shall be required by the National Nutrition Council (NNC) based on findings of nutrition surveys (Section 6a). Fortification of imported processed foods or food products, shall be done by producers/manufacturers or by the importer (Section 6b). Moreover, processed food or food products manufacturers are required to indicate in the “nutrition facts” on the label the kind and amount of nutrient added in the food (Section 6d).

The DOH Administrative Order (A.O.) No. 4-A, Series of 1995, prescribing the Guidelines on Micronutrient Fortification of Processed Foods, serve as basis for the addition of micronutrient(s) to processed foods or food products to avoid over or under fortification that may create imbalance in the diet as well as avoid misleading label claims to gain competitive marketing advantage. Section IV.4 of this DOH A.O. states that “food fortification shall be highly encouraged for foods that are widely consumed particularly by at-risk population groups”. Included in the list are cereals (e.g. wheat flour, milled rice, corn grits) and cereal products (e.g. snack foods, instant noodles) – with iron and B complex vitamins; juices, flavored drinks, and food gels – with vitamin C; filled milk, cooking oil, and margarine – with vitamin A; and salt – with iodine.

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<sup>5</sup> (Section 3a-c, RA 8172).

## **Voluntary food fortification**

The Sangkap Pinoy Seal Program (SPSP) is a strategy to encourage food manufacturers to fortify processed foods or food products with essential nutrients at levels approved by the DOH. The DOH seal of acceptance for processed foods or food products can be used by food manufacturers provided the products passed the set of criteria defined by the DOH (Section 3m). Manufacturers who opt to fortify their processed foods or food products but do not apply for Sangkap Pinoy Seal must fortify their processed foods or food products based on acceptable standards on food fortification set by the DOH through the BFAD (Section 5).

## **Implementation, monitoring and review<sup>6</sup>**

Implementation, monitoring, and review of the law involve different agencies and stakeholders. The DOH through the BFAD is the lead agency responsible for the implementation and monitoring of the law. The NNC, the policy-making and coordinating body on nutrition, serves as the advisory board on food fortification.

Among the responsibilities of DOH include the conduct of promotional and advocacy activities on the use of fortified processed foods or food products through its Sangkap Pinoy Seal Program (SPSP) and/or other programs designed to promote nutrition. Funds for these activities may be taken from the SPSP application fees. On the other hand, a periodic review of the micronutrients added to food shall be the responsibility of the NNC. Results of the review would be the basis for determining if the mandatory fortification is still required or not. The conduct of the review would be at least every five (5) years, to concur with the national nutrition surveys of the Food and Nutrition Research Institute (FNRI) and/or the assessment of the Philippine Plan of Action for Nutrition (PPAN).

Health officers or agricultural officers or nutritionist-dietitians or the sanitary inspectors of local government units (LGUs) have the responsibility to assist in monitoring and checking that foods mandated to be fortified like rice, refined sugar, wheat flour and cooking oil are properly fortified and labeled with "nutrition facts" indicating the specific micronutrient it was fortified with. Moreover, the local food industries are responsible for reporting the production, marketing and distribution of fortified foods and submitting annual reports, indicating their industrial concerns and recommendations to the DOH.

## **Support to affected manufacturers**

Implementation of the law also includes support from other government agencies. The Department of Trade and Industry (DTI) is required to provide assistance and support to affected manufacturers in upgrading their technologies by helping them obtain soft loans and financial assistance. The role of the Department of Science and Technology (DOST) is to develop and implement comprehensive programs for the acquisition, design and manufacture of machines and technologies and transfer said machines and technologies to manufacturers. The Land Bank of the Philippines (LBP) and the Livelihood Corporation (LIVECOR) are mandated to assist and

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<sup>6</sup> Section 8

support the implementation of this law by granting loans, to affected manufacturers, at preferential rates. Moreover, other agencies or institutions with accredited analytical laboratories for nutrient analysis and other technology development generators should provide the necessary services that may be required by the food industry to comply with the provisions of the law (Section 9).

### **Administrative sanctions**

Noncompliance with the fortification process includes the following: (a) if the food fortification levels do not comply with the DOH requirements, except when the deviation from the fortification levels are justified and are properly declared in the labeling; (b) if the fortificant used is different from that approved by the DOH; and (c) if the process of fortification does not conform to the DOH standards (Section 10). The following sanctions for noncompliance shall be imposed by the DOH through the BFAD: (a) denial of registration of the processed foods or food products by the DOH through the BFAD if the processed foods or food products do not comply with the food fortification requirements; (b) order the recall of the processed foods or food product(s); and (c) impose a fine of not less than Three Hundred Thousand Pesos (P300,000.00) and suspension of registration for the first violation; not more than Six hundred thousand pesos (P600,000.00) and suspension of registration for the second violation; and not more than One million pesos (P1,000,000.00) and cancellation of the registration of the product for the third violation of the provisions of law or its Implementing Rules and Regulations (IRR) (Section 11).

### **National food fortification day**

On October 29, 2004, former President Gloria M. Arroyo signed Executive Order (E.O.) No. 382, designating the Department of Health as lead agency in the nationwide observance of the National Food Fortification Day every 7<sup>th</sup> of November. As the lead agency, the Department of Health is responsible for the formulation and dissemination of guidelines and procedures on the implementation of the EO. It shall provide technical assistance to LGUs; conduct national and regional advocacy and social mobilization activities; provide the necessary logistics and promotional materials; and monitor all the activities at the local levels. Other agencies involved in the observance of the National Food Fortification Day include: Department of Agriculture (DA); Department of the Interior and Local Government (DILG); Department of Education (DepEd); Department of Trade and Industry (DTI); Department of Social Welfare and Development (DSWD); Academe, Civil Society and Non-Government Organizations (NGOs); LGUs through the Council of Leagues (Barangay Captains, Councilors, Mayors, Governors).

### **Status of the Philippine food fortification program**

As of 2008, 139 processed food products have the Sangkap Pinoy Seal. Eighty three percent of these are fortified with vitamin A, 29% with iron, and 14% with iodine. Thirty seven percent of these fortified food products are snack foods. Based on FDA monitoring all local flour millers are fortifying with vitamin A and iron. Non-fortification of refined sugar with vitamin A is due to the unresolved issue on who will bear the cost of fortification. For rice, NFA is fortifying 50%

of its rice in 2009 and 2010. However, there is limited commercial and private sector iron rice premix and iron fortified rice production and distribution. For FDA-analyzed cooking oil samples in 2009 and 2010, more than 90% are fortified with vitamin A (91% in 2009 and 94% in 2010). However, samples included were those labeled and packed, while those sold in small quantities (“takal”) were not monitored. For iodized salt, 81% of households included in the National Nutrition Survey (NNS) were positive for iodine using rapid test kit (RTK)<sup>7</sup>.

## CONCLUSION

Food from agricultural and aquatic production cannot possibly address the country’s nutritional requirement. Food fortification is seen as an alternative to augment the nutrient deficiencies, especially for micronutrients, found in fresh and processed food products. Efforts from the government and private sector have been exerted to support the food fortification program of the country. Food products that are considered staple (i.e. rice, bread, noodles) and major condiments (i.e. salt) have been fortified to adhere with the provisions of the laws as well as to provide access especially to the poor sector of the economy.

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<sup>7</sup> DOH Food Fortification Program

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