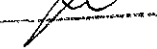


FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

7 OCT -3 1961

S E N A T E

RECEIVED BY: 

COMMITTEE REPORT NO. 14

Submitted by the Committee on Health and Demography joint with the Committees on Labor, Employment and Human Resource Development; Ways and Means, Youth, Women and Family Relations and Finance on _____.

Re: S. No. 1698 prepared by the Committees

Recommending its approval in substitution of S. No. 761.

Sponsor: Senator Compañera Pia S. Cayetano

MR. PRESIDENT:


The Committee on Health and Demography joint with the Committees on Labor, Employment and Human Resource Development; Ways and Means, Youth, Women and Family Relations and Finance, introduced by Senator Compañera Pia S. Cayetano, entitled:

**AN ACT
EXPANDING THE PROMOTION OF BREASTFEEDING, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7600, OTHERWISE KNOWN AS AN ACT PROVIDING INCENTIVES TO ALL GOVERNMENT AND PRIVATE HEALTH INSTITUTIONS WITH ROOMING-IN AND BREASTFEEDING PRACTICES AND FOR OTHER PURPOSES**

have considered the same and have the/honor to report it back to the Senate with the recommendation that the attached bill ^{with being on file mvr} be approved in substitution of SBN 761 with Senators Cayetano, Estrada, Escudero, Madrigal and Enrile as authors thereof.

Respectfully submitted:


JINGGOY EJERCITO ESTRADA
Chairman
Committee on Labor, Employment and Human Resources Development

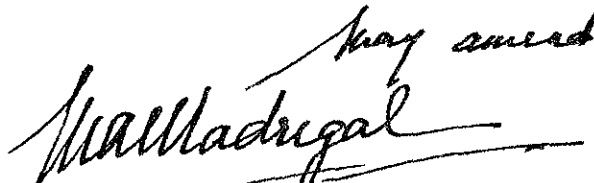

COMPAÑERA PIA S. CAYETANO
Chairperson
Committee on Health and Demography
Member, Committees on Labor, Employment & Human Resource Development; Youth, Women and Family Relations and Finance



FRANCIS G. ESCUDERO
Chairperson
Committee on Ways & Means
Member, Committees on Health
& Demography; Labor,
Employment & Human Resources
Dev't; Youth, Women & Family
Relations & Finance

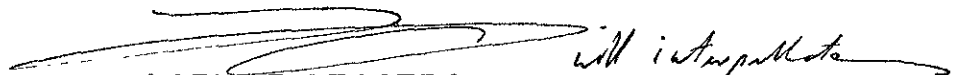


JUAN PONCE ENRILE
Chairperson
Committee on Finance
Member, Committees on Ways & Means;
and Youth, Women & Family Relations

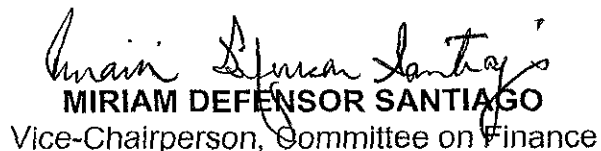


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Member, Committees on Health & Demography; Labor, Employment & Human
Resources Development; Ways & Means & Finance

EDGARDO J. ANGARA
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JOKER P. ARROYO
Vice-Chairperson, Committee on Finance
Member, Committee on Ways and Means

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ALAN PETER "COMPAÑERO" S. CAYETANO

Committees Health & Demography;
Labor Employment & Human Resources
Development; Ways & Means;
Youth, Women & Family Relations

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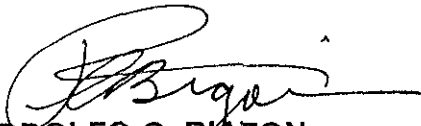
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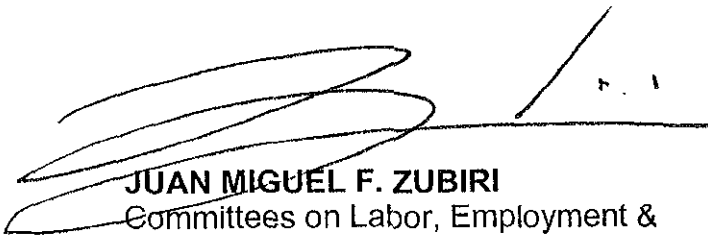
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Ex-Officio Members:



FRANCIS N. PANGILINAN
Majority Floor Leader

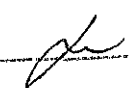
AQUILINO Q. PIMENTEL, JR.
Minority Floor Leader

HON. MANNY VILLAR
Senate President

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

7 OCT -3 2015

SENATE

RECEIVED BY: 

S. No. 1698

(In substitution of Senate Bill No. 761)

Prepared jointly by the Committees on Health and Demography, Labor, Employment and Human Resources, Ways and Means, Youth, Women and Family Relations and on Finance with Senators Cayetano, Estrada, Escudero, Madrigal and Enrile as authors

AN ACT

EXPANDING THE PROMOTION OF BREASTFEEDING, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7600, OTHERWISE KNOWN AS "AN ACT PROVIDING INCENTIVES TO ALL GOVERNMENT AND PRIVATE HEALTH INSTITUTIONS WITH ROOMING-IN AND BREASTFEEDING PRACTICES AND FOR OTHER PURPOSES"

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 **SEC. 1. Short Title.** - This Act shall be known as the "Expanded Breastfeeding
2 Promotion Act of 2007."

3

4 **SEC. 2.** Section 2 of Republic Act No. 7600 is hereby amended to read as
5 follows:

6

7 "SEC. 2. *Declaration of Policy.* - The State adopts rooming-in as a
8 national policy to encourage, protect and support the practice of
9 breastfeeding. It shall create an environment where basic physical,
10 emotional, and psychological needs of mothers and infants are fulfilled
11 through the practice of rooming-in and/ breastfeeding.

12

13 "THE STATE SHALL LIKEWISE PROTECT WORKING WOMEN
14 BY PROVIDING SAFE AND HEALTHFUL WORKING CONDITIONS,
15 TAKING INTO ACCOUNT THEIR MATERNAL FUNCTIONS, AND SUCH
16 FACILITIES AND OPPORTUNITIES THAT WILL ENHANCE THEIR
17 WELFARE AND ENABLE THEM TO REALIZE THEIR FULL POTENTIAL
18 IN THE SERVICE OF THE NATION. THIS IS CONSISTENT WITH
19 INTERNATIONAL TREATIES AND CONVENTIONS TO WHICH THE
20 PHILIPPINES IS A SIGNATORY SUCH AS THE CONVENTION ON THE
21 ELIMINATION OF DISCRIMINATION AGAINST WOMEN (CEDAW),
22 WHICH EMPHASIZES PROVISION OF NECESSARY SUPPORTING
23 SOCIAL SERVICES TO ENABLE PARENTS TO COMBINE FAMILY
24 OBLIGATIONS WITH WORK RESPONSIBILITIES; THE BEIJING
25 PLATFORM FOR ACTION AND STRATEGIC OBJECTIVE, WHICH
26 PROMOTES HARMONIZATION OF WORK AND FAMILY
27 RESPONSIBILITIES FOR WOMEN AND MEN; AND THE CONVENTION
28 ON THE RIGHTS OF THE CHILD, WHICH RECOGNIZES A CHILD'S

1 INHERENT RIGHT TO LIFE AND THE STATE'S OBLIGATIONS TO
2 ENSURE THE CHILD'S SURVIVAL AND DEVELOPMENT.
3

4 "Breastfeeding has distinct advantages which benefit the infant and
5 the mother, including the hospital and the country that adopt its practice. It
6 is the first preventive health measure that can be given to the child at birth.
7 It also enhances mother-infant relationship. Furthermore, the practice of
8 breastfeeding could save the country valuable foreign exchange that may
9 otherwise be used for milk importation.

10
11 "Breastmilk is the best food since it contains essential nutrients
12 completely suitable for the infant's needs. It is also nature's first
13 immunization, enabling the infant to fight potential serious infection. It
14 contains growth factors that enhance the maturation of an infant's organ
15 system.

16
17 "TOWARDS THIS END, THE STATE SHALL PROMOTE AND
18 ENCOURAGE BREASTFEEDING AND PROVIDE THE SPECIFIC
19 MEASURES THAT WOULD PRESENT OPPORTUNITIES FOR
20 MOTHERS TO CONTINUE EXPRESSING THEIR MILK AND/OR
21 BREASTFEEDING THEIR INFANT OR YOUNG CHILD."
22

23
24 **SEC. 3.** Section 3 of the same law is hereby amended to read as follows:
25

26 "SEC. 3. *Definition of Terms.* For purposes of this Act, the following
27 definitions are adopted:
28

29 a) *Age of Gestation* – the length of time the fetus is inside the
30 mother's womb;
31

32 b) *Bottlefeeding* – the method of feeding an infant using a bottle with
33 artificial nipples, the contents of which can be any type of fluid;
34

35 c) *Breastfeeding* – the method of feeding an infant directly from the
36 human breast.
37

38 d) *Breastmilk* – the human milk from a mother;
39

40 E) *BREASTMILK SUBSTITUTE* – MEANS ANY FOOD BEING
41 MARKETED OR OTHERWISE REPRESENTED AS PARTIAL OR TOTAL
42 REPLACEMENT OF BREASTMILK WHETHER OR NOT SUITABLE FOR
43 THAT PURPOSE;
44

45 F) [e] *Expressed Breastmilk* – the human milk which has been
46 extracted from the breast by hand or by pump. It can be fed to an infant
47 using a dropper, a nasogastric tube, a cup and spoon, or a bottle.
48

49 G) *EXPRESSING MILK*- THE ACT OF EXTRACTING HUMAN MILK
50 FROM THE BREAST BY HAND OR BY PUMP.
51

52 H) [f] *Formula Feeding* – the feeding of a newborn with infant formula
53 usually by bottlefeeding. It is also called artificial feeding.
54

55 I) [g] *Health Institutions* – are hospitals, health infirmaries, health
56 centers, lying-in centers, or puericulture centers with obstetrical and
57 pediatric services.
58

1 *[h) Health Personnel* – are professionals and workers who manage
2 and/or administer the entire operations of health institutions and/or who
3 are involved in providing maternal and child health services.
4

5 *J) HEALTH WORKERS* – SHALL REFER TO ALL PERSONS WHO
6 ARE ENGAGED IN HEALTH AND HEALTH-RELATED WORK, AND ALL
7 PERSONS EMPLOYED IN ALL HOSPITALS, SANITARIA, HEALTH
8 INFIRMARIES, HEALTH CENTERS, RURAL HEALTH UNITS,
9 BARANGAY HEALTH STATIONS, CLINIC AND OTHER HEALTH-
10 RELATED ESTABLISHMENTS, WHETHER GOVERNMENT OR
11 PRIVATE, AND SHALL INCLUDE MEDICAL, ALLIED HEALTH
12 PROFESSIONAL, ADMINISTRATIVE AND SUPPORT PERSONNEL
13 EMPLOYED REGARDLESS OF THEIR EMPLOYMENT STATUS;
14

15 *K) [i] Infant* – a child within zero (0) to twelve (12) months of age;
16

17 *L) [j] Infant Formula* – the breastmilk substitute formulated industrially
18 in accordance with applicable Codex Alimentarius standards, to satisfy the
19 normal nutritional requirements of infants up to six months of age, and
20 adopted to their physiological characteristics;
21

22 *M) [k] Lactation Management* – the general care of a mother-infant
23 nursing couple during the mother’s prenatal immediate postpartum and
24 postnatal periods. It deals with educating and providing knowledge and
25 information to pregnant and lactating mothers on the advantages of
26 breastfeeding, THE RISKS ASSOCIATED WITH BREASTMILK
27 SUBSTITUTES AND MILK PRODUCTS NOT SUITABLE AS
28 BREASTMILK SUBSTITUTES, SUCH AS BUT NOT LIMITED TO
29 CONDENSED MILK AND EVAPORATED MILK, the physiology of
30 lactation, the establishment and maintenance of lactation, the proper care
31 of the breasts and nipples, and such other matters that would contribute to
32 successful breastfeeding;
33

34 *N) LACTATION STATIONS* – SHALL REFER TO PRIVATE, CLEAN
35 AND WELL-VENTILATED ROOMS OR AREAS IN THE WORKPLACE
36 OR PUBLIC PLACES WHERE NURSING MOTHERS CAN
37 BREASTFEED OR EXPRESS THEIR MILK;
38

39 *O) [l] Low Birth Weight Infant* – a newborn weighing less than two
40 thousand five hundred (2,500) grams at birth;
41

42 *P) [m] Mother’s Milk* - the breastmilk from the newborn’s own
43 mother;
44

45 *Q) NON-HEALTH INSTITUTIONS* – SHALL REFER TO PUBLIC
46 PLACES AND WORKING PLACES, AS DEFINED IN SUB-
47 PARAGRAPHS (R) AND (V), RESPECTIVELY;
48

49 *R) PUBLIC PLACE* – SHALL REFER TO ENCLOSED OR
50 CONFINED AREAS SUCH AS SCHOOLS, PUBLIC TRANSPORTATION
51 TERMINALS, SHOPPING MALLS, AND THE LIKE;
52

53 *S) [n] Rooming-In* – the practice of placing the newborn in the same
54 room as the mother right after delivery up to discharge to facilitate mother-
55 infant bonding and to initiate breastfeeding. The infant may either share
56 the mother’s bed or be placed in a crib beside the mother;
57

1 T) [o] *Seriously Ill Mothers* – are those who are: with severe
2 infections; in shock; in severe cardiac or respiratory distress; or dying; or
3 those with other conditions that may be determined by the attending
4 physician as serious;

5
6 U) [p] *Wet-nursing* – the feeding of a newborn from another mother's
7 breast when his/her own mother cannot breastfeed;

8
9 V) *WORKPLACE* – SHALL REFER TO THE WORK PREMISES
10 WHERE NURSING FEMALE EMPLOYEES ARE HABITUALLY
11 EMPLOYED, WHETHER PRIVATE ENTERPRISES OR GOVERNMENT
12 AGENCIES, INCLUDING THEIR SUBDIVISIONS, INSTRUMENTALITIES
13 AND GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS;
14 AND

15
16 W) *YOUNG CHILD* - SHALL REFER TO A CHILD FROM THE AGE
17 OF TWELVE (12) MONTHS AND ONE (1) DAY UP TO TWENTY-FOUR
18 (24) MONTHS.

19
20 **SEC. 4.** Section 4 of Republic Act No. 7600 is hereby amended to read as
21 follows:

22
23 “SEC. 4. *Applicability* – WHENEVER APPLICABLE, the provisions
24 in this ACT shall apply TO BOTH private and government health AND
25 NON-HEALTH institutions.

26
27 “UPON APPLICATION TO, AND DETERMINATION BY, THE
28 SECRETARY OF THE DEPARTMENT OF LABOR AND EMPLOYMENT
29 FOR THE PRIVATE SECTOR, AND THE CHAIRPERSON OF THE CIVIL
30 SERVICE COMMISSION FOR THE PUBLIC SECTOR, PRIVATE AND
31 GOVERNMENT NON-HEALTH INSTITUTIONS MAY BE EXEMPTED
32 FOR A RENEWABLE PERIOD OF TWO YEARS FROM SECTION 6 OF
33 THIS ACT WHERE THE ESTABLISHMENT OF LACTATION STATIONS
34 IS NOT FEASIBLE OR NECESSARY DUE TO THE PECULIAR
35 CIRCUMSTANCES OF THE WORKPLACE OR PUBLIC PLACE TAKING
36 INTO CONSIDERATION, AMONG OTHERS, NUMBER OF WOMEN
37 EMPLOYEES, PHYSICAL SIZE OF THE ESTABLISHMENT, AND THE
38 AVERAGE NUMBER OF WOMEN WHO VISIT.”

39
40 **SEC. 5.** Section 10 of Republic Act No. 7600 is hereby amended to read as
41 follows:

42
43 “SEC. 10. *Provision of Facilities for Breastmilk Collection and*
44 *Storage FOR HEALTH INSTITUTIONS.* – ALL health institutions shall
45 provide equipment, facilities, and supplies, for breastmilk collection,
46 storage and utilization. HEALTH INSTITUTIONS ARE ENCOURAGED TO
47 SET UP MILK BANKS FOR STORAGE OF EXPRESSED BREASTMILK
48 DONATED BY MOTHERS.

49 THE DEPARTMENT OF HEALTH SHALL ENSURE THAT THE
50 STRICTEST STANDARDS ARE COMPLIED WITH, INCLUDING THE
51 REGULATION OF THE MOVEMENT AND FLOW OF HEALTH HUMAN
52 RESOURCES TO AVOID CROSS-INFECTION.”

53
54 **SEC. 6.** Chapter III is hereby amended, and a new Section 11 is hereby added,
55 to read as follows:

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CHAPTER III
"BREASTFEEDING IN NON-HEALTH INSTITUTIONS,"

"SEC. 11. *ESTABLISHMENT OF LACTATION STATIONS IN NON-HEALTH INSTITUTIONS.* – IT IS HEREBY MANDATED THAT NON-HEALTH INSTITUTIONS SHALL ESTABLISH LACTATION STATIONS. THE LACTATION STATIONS SHOULD BE ADEQUATELY EQUIPPED WITH THE NECESSARY EQUIPMENT AND FACILITIES, SUCH AS: LAVATORY FOR HAND-WASHING, UNLESS THERE IS AN EASILY-ACCESSIBLE LAVATORY NEARBY; REFRIGERATION OR APPROPRIATE COOLING FACILITIES FOR STORING; ELECTRICAL OUTLETS FOR BREAST PUMPS; A SMALL TABLE; COMFORTABLE SEATS; AND OTHER ITEMS, THE STANDARDS OF WHICH SHALL LIKEWISE BE DEFINED BY THE DEPARTMENT OF HEALTH."

SEC. 7. A new Section 12 is hereby added to read as follows:

"SEC. 12. *LACTATION PERIODS.* – IN COOPERATION WITH THE DEPARTMENT OF HEALTH AND SUBJECT TO SUCH REGULATIONS AS THE SECRETARY OF DEPARTMENT OF LABOR AND EMPLOYMENT MAY PRESCRIBE FOR THE PRIVATE SECTOR AND THE CHAIRPERSON OF THE CIVIL SERVICE COMMISSION FOR THE PUBLIC SECTOR, NURSING FEMALE EMPLOYEES SHOULD BE GIVEN REASONABLE COMPENSABLE TIME DURING WORKING HOURS TO BREASTFEED OR EXPRESS THEIR MILK."

SEC. 8. Chapter III and Section 11 of Republic Act No. 7600 are hereby amended to read as follows:

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CHAPTER IV [III]
Information, Education and Re-education Drive

"**SEC. 13** [11]. *Continuing Education, Re-education and Training of Health WORKERS AND HEALTH INSTITUTIONS.* – The Department of Health with the assistance of other government agencies, professional and non-governmental organizations shall conduct continuing information, education and training programs for physicians, nurses, midwives, nutritionist/dietitians, community health workers and traditional birth attendants (TBAs) and other health WORKERS on current and updated Lactation Management.

Information materials shall be given to all health WORKERS involved in maternal and infant care in health institutions.

"HEALTH WORKERS AND INSTITUTIONS, IN ACCORDANCE WITH EXECUTIVE ORDER NO. 51 OR THE "NATIONAL CODE OF MARKETING OF BREASTMILK SUBSTITUTES, BREASTMILK SUPPLEMENT AND OTHER RELATED PRODUCTS ARE MANDATED TO ENSURE THAT PREGNANT AND LACTATING MOTHERS ARE GIVEN PROPER INFORMATION ON LACTATION MANAGEMENT. HEALTH WORKERS SHALL, LIKEWISE, PRIMARILY RECOMMEND BREASTFEEDING AND SUPPORT A MOTHER'S EFFORT TO BREASTFEED HER INFANT AND YOUNG CHILD.

SEC. 9. Section 12 of Republic Act No. 7600 is hereby amended to read as follows:

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"**SEC.14** [12]. *Information Dissemination TO AND EDUCATIONAL PROGRAMS FOR Pregnant Women AND WOMEN OF REPRODUCTIVE AGE.* – During the prenatal, perinatal and postnatal consultations and/or

1 confinements of the mothers or pregnant women, it shall be the obligation
2 of the Health Institution and the Health WORKER to immediately and
3 continuously teach, train, and support the women on current and updated
4 Lactation Management and infant care, through participatory strategies
5 such as organization of mothers' clubs and breastfeeding support groups
6 and to distribute written information on such matters free of charge.
7

8 "THE DEPARTMENT OF HEALTH IS HEREBY MANDATED TO
9 DEVELOP AND PROVIDE BREASTFEEDING PROGRAMS FOR
10 EMPLOYERS WHO ARE ENCOURAGED TO MAKE THEM AVAILABLE
11 TO THEIR EMPLOYEES AS PART OF THEIR HUMAN RESOURCE
12 DEVELOPMENT PROGRAMS.
13

14 "THE DEPARTMENT OF HEALTH IS LIKEWISE MANDATED TO
15 PRODUCE AND MAKE AVAILABLE RELEVANT INFORMATION AND
16 PROGRAMS TO EQUIP WOMEN OF REPRODUCTIVE AGE WITH
17 ACCURATE INFORMATION ON MATERNAL NUTRITION AND PROPER
18 NOURISHMENT IN PREPARATION FOR SUCCESSFUL AND
19 SUSTAINABLE BREASTFEEDING. THESE PROGRAMS SHOULD BE
20 DISSEMINATED TO ALL CITY, MUNICIPAL AND BARANGAY HEALTH
21 CENTERS.
22

23 **SEC. 10.** A new Section 15 is hereby added to read as follows:
24

25 "SEC. 15. *INTEGRATION OF BREASTFEEDING EDUCATION IN*
26 *THE CURRICULA.* – TO ENCOURAGE AND PROMOTE
27 BREASTFEEDING, THE DEPARTMENT OF EDUCATION, THE
28 COMMISSION ON HIGHER EDUCATION, AND THE TECHNICAL
29 EDUCATION AND SKILLS DEVELOPMENT AUTHORITY SHALL
30 INTEGRATE IN THE RELEVANT SUBJECTS IN THE ELEMENTARY,
31 HIGH SCHOOL, AND COLLEGE LEVELS, ESPECIALLY IN THE
32 MEDICAL AND ALLIED MEDICAL COURSES, AND IN TECHNICAL
33 VOCATIONAL EDUCATION, THE IMPORTANCE, BENEFITS,
34 METHODS OR TECHNIQUES OF BREASTFEEDING, AND CHANGE OF
35 SOCIETAL ATTITUDES TOWARDS BREASTFEEDING."
36

37 **SEC. 11.** A new Section 16 is hereby added to read as follows:
38

39 "SEC. 16. *DESIGNATION AS "MOTHER-BABY FRIENDLY"*
40 *INSTITUTION.* - THE DOH SHALL, IN THE IMPLEMENTING RULES
41 AND REGULATIONS PROVIDED FOR UNDER SECTION 16, INDICATE
42 THE REQUIREMENTS FOR THE DESIGNATION OF A NON-HEALTH
43 INSTITUTION AS A MOTHER-BABY FRIENDLY INSTITUTION, TAKING
44 INTO CONSIDERATION SECTION 6 HEREIN.
45

46 THE NON-HEALTH INSTITUTION MAY USE THE DESIGNATION
47 "MOTHER-BABY FRIENDLY" IN ITS PROMOTIONAL MATERIALS ONLY
48 UPON THE ISSUANCE OF A CERTIFICATION BY THE DOH THAT
49 SUCH INSTITUTION HAS COMPLIED WITH ALL THE
50 REQUIREMENTS.
51

52 THE DOH SHALL MAINTAIN A LIST OF "MOTHER-BABY
53 FRIENDLY" INSTITUTIONS AND MAKE THE LIST AVAILABLE FOR
54 PUBLIC INSPECTION."
55
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58

1 **SEC. 12.** A new Section 19 is hereby added to read as follows:

2
3 “SEC.19. *BREASTFEEDING AWARENESS MONTH.* – TO RAISE
4 AWARENESS ON THE IMPORTANCE OF AND TO FURTHER
5 PROMOTE BREASTFEEDING, THE MONTH OF AUGUST IN EACH
6 AND EVERY YEAR THROUGHOUT THE PHILIPPINES SHALL BE
7 KNOWN AS ‘BREASTFEEDING AWARENESS MONTH.’”

8
9 **SEC. 13.** A new Section 20 is hereby added to read as follows:

10
11 “SEC. 20. *PUBLIC EDUCATION AND AWARENESS PROGRAM.* -
12 TO ENSURE THE MEANINGFUL OBSERVANCE OF BREASTFEEDING
13 MONTH AS HEREIN DECLARED, A COMPREHENSIVE PUBLIC
14 EDUCATION AND AWARENESS PROGRAM SHALL BE UNDERTAKEN:

15
16 (A) TO ESTABLISH A NATIONAL HEALTH POLICY FOR
17 BREASTFEEDING THAT SHALL PROVIDE INFORMATION ON
18 THE BENEFITS AND SUPERIORITY OF BREASTFEEDING AS
19 THE NORMAL, NATURAL AND PREFERRED METHOD OF
20 FEEDING INFANTS AND YOUNG CHILDREN COMPARED
21 WITH THE HIGH RISKS AND COSTS OF GIVING BREASTMILK
22 SUBSTITUTES, WHETHER TO INFANTS OR YOUNG
23 CHILDREN, AND

24
25 (B) TO CONDUCT AND SUPPORT VARIOUS ACTIVITIES TO
26 PROMOTE BREASTFEEDING.”

27
28 **SEC. 14.** Chapter IV and Section 13 of Republic Act No. 7600 are hereby
29 amended to read as follows:

30
31 **CHAPTER V [IV]**
32 *Miscellaneous Provisions*

33 “**SEC. 21 [13].** *Incentives.* – The expenses incurred by a private
34 health institution in complying with the provisions of this Act, shall be
35 deductible expenses for income tax purposes up to twice the actual
36 amount incurred: *Provided,* That the deduction shall apply for the taxable
37 period when the expenses were incurred: *Provided, further,* That the
38 hospital shall comply with the provisions of this Act within six months after
39 its approval.

40
41 “Government health institutions shall receive an additional
42 appropriation equivalent to the savings they may derive as a result of
43 adopting rooming-in and breastfeeding. The additional appropriation shall
44 be included in their budget for the next fiscal year.”

45
46 **SEC. 15.** Section 14 of the same Act is hereby amended to read as follows:

47
48 “SEC. 23 [14]. *Sanctions.* – ANY NON-HEALTH INSTITUTION
49 WHICH UNJUSTIFIABLY REFUSES OR FAILS TO COMPLY WITH
50 SECTIONS 6 AND 7 OF THIS ACT SHALL BE IMPOSED A FINE OF
51 NOT LESS THAN FIFTY THOUSAND PESOS (PHP 50,000.00) BUT
52 NOT MORE THAN TWO HUNDRED THOUSAND PESOS (PHP
53 200,000.00) ON THE FIRST OFFENSE.

54
55 ON THE SECOND OFFENSE, A FINE OF NOT LESS THAN TWO
56 HUNDRED THOUSAND PESOS (PHP 200,000.00) BUT NOT MORE
57 THAN FIVE HUNDRED THOUSAND PESOS (PHP 500,000.00).

1 ON THE THIRD OFFENSE, A FINE OF NOT LESS THAN FIVE
2 HUNDRED THOUSAND PESOS (PHP 500,000.00) BUT NOT MORE
3 THAN ONE MILLION PESOS (PHP 1,000,000.00) AND THE
4 CANCELLATION OR REVOCATION OF THE BUSINESS PERMITS OR
5 LICENSES TO OPERATE.
6

7 IN ALL CASES, THE FINE IMPOSED SHOULD TAKE INTO
8 CONSIDERATION, AMONG OTHERS, NUMBER OF WOMEN
9 EMPLOYEES, PHYSICAL SIZE OF THE ESTABLISHMENT, AND THE
10 AVERAGE NUMBER OF WOMEN WHO VISIT.
11

12 IN ADDITION, the Secretary of Health is hereby empowered to
13 impose sanctions ON HEALTH INSTITUTIONS for the violation of this Act
14 and the rules issued thereunder. Such sanctions may be in the form of
15 reprimand or censure in case of willful and repeated violations,
16 suspension of the permit to operate of the erring health institutions.”
17

18 GOVERNMENT OFFICIALS AND EMPLOYEES WHO VIOLATE
19 THIS ACT SHALL FURTHER BE SUBJECT TO THE FOLLOWING
20 ADMINISTRATIVE PENALTIES:

21 FIRST OFFENSE - REPRIMAND

22 SECOND OFFENSE - SUSPENSION FOR 1 TO 30 DAYS

23 THIRD OFFENSE - DISMISSAL

24 THIS SHALL BE WITHOUT PREJUDICE TO OTHER LIABILITIES
25 APPLICABLE UNDER CIVIL SERVICE LAW AND RULES.”
26

27 **SEC. 16.** Section 15 of Republic Act No. 7600 is amended to read as follows:
28

29 “**SEC. 24** [15]. *Rules and Regulations.* – The DEPARTMENT OF
30 HEALTH, AS LEAD AGENCY, in consultation with THE CIVIL SERVICE
31 COMMISSION, DEPARTMENT OF LABOR AND EMPLOYMENT,
32 DEPARTMENT OF EDUCATION, COMMISSION ON HIGHER
33 EDUCATION, TECHNICAL EDUCATION AND SKILLS DEVELOPMENT
34 AUTHORITY, DEPARTMENT OF INTERIOR AND LOCAL
35 GOVERNMENT AND professional and non-governmental organizations
36 concerned shall be authorized to prepare the rules and regulations
37 necessary to carry out the provisions of this Act.”
38

39 **SEC. 17.** *Separability Clause.* - If any part or provision of this Act shall be held
40 unconstitutional or invalid, other provisions thereof which are not affected thereby shall
41 continue to be in full force and effect.
42

43 **SEC. 18.** *Repealing Clause.* - All laws, presidential decrees, executive orders,
44 rules and regulations or parts thereof which are not consistent with this Act are hereby
45 repealed, amended or modified accordingly.
46

47 **SEC. 19.** *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
48 publication in the Official Gazette or in at least two (2) newspapers of general
49 circulation, whichever comes earlier.
50

51 *Approved,*
52