



PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Sangguniang Panglungsod,

ORDINANCE NO. 10-012

AN ORDINANCE ADOPTING THE PROVISIONS OF THE NATIONAL PLAN OF ACTION FOR INFANT AND YOUNG CHILD FEEDING AND IMPOSING SANCTIONS FOR VIOLATIONS THEREOF IN THE CITY OF MUNTINLUPA.

Sponsored by: **Hon. Coun. Margarita Amythyst Patdu-Labios, MD**

- Co-sponsored: **Hon. Coun. Atty. Raul R. Corro**
- Hon. Coun. Alexander B. Diaz**
- Hon. Coun. Allen F. Ampaya**
- Hon. Coun. Ringo A. Teves**
- Hon. Coun. Dan Hubert A. Barlis**
- Hon. Coun. Luvi P. Constantino**
- Hon. Coun. Robert A. Abas**
- Hon. Coun. Engr. Neptali S. Santiago**
- Hon. Coun. Joselito V. Arevalo**
- Hon. Coun. Robert P. Baes**
- Hon. Coun. Elmer S. Espeleta**
- Hon. Coun. Rafael T. Sevilla**
- Hon. Coun. Vergel C. Ulanday**

WHEREAS, Section 11 of Article 13 of the Philippine Constitution provides that, "there shall be priority for the needs of the underprivileged, sick, elderly, disabled, **women and children xxx**",

WHEREAS, item ixv of sub-section 5, Section 458, Article 3, Chapter 3, Title 3, Book 3 of Republic Act 7160, otherwise known as the Local Government Code of the Philippines of 1991 provides that, "**the Sangguniang Panlungsod shall enact an ordinance "providing for the care of xxx children and youth below eighteen (18) years of age"**;

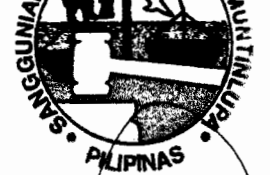
WHEREAS, the Millennium Development Goal # 4 of the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO) has called for the reduction in child mortality of children under five (5) years of age by two-thirds (2/3) by 2010, and the two bodies have provided for a global strategy on infant and child feeding to help countries achieve the same;

WHEREAS, Republic Act 7600, otherwise known as the Rooming-In and Breastfeeding Act of 1992, as amended by Republic Act 10028, otherwise known as the Breastfeeding Promotion Act of 2009, "**were enacted to ensure that the Philippines would comply with the development goal aforementioned and would address the problem of malnourishment among thirty percent (30%) of Filipino children under five (5) years of age, inasmuch as the Philippines as one (1) among forty two (42) countries that account for ninety percent (90%) of global infant deaths under five (5) years of age"**;

WHEREAS, breastfeeding has been identified by international and national entities as the most cost-effective and nutritious measure to prevent malnourishment and early death among infants and young children;



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WHEREAS, only sixteen and one-tenths (16.1%) percentage of Filipino infants are exclusively breastfed for the first six (6) months and not less than thirty nine percentage 39% of Filipino infants are consuming food supplements during the first year of life;

WHEREAS, in 2006, eighty two thousand (82,000) Filipino children under five (5) years of age died due to malnourishment, and about sixteen thousand (16,000) of which could have been prevented with exclusive breastfeeding during the first six (6) months, appropriate complementary feeding after six (6) months, and continued breastfeeding up to at least two (2) years of age;

WHEREAS, misconceptions on the benefits of breastfeeding are overwhelming due to aggressive marketing, promotion and advertisement of infant food supplements, thereby misleading misguiding the public in general, and mothers in particular; thus, the need for a massive information campaign to negate these effects;

NOW, THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED, by the 6th Sangguniang Panlungsod of Muntinlupa in Session assembled that:

SECTION 1. Title. This ordinance shall be known as the "proper infant and young child feeding ordinance of the City of Muntinlupa.

SECTION 2. Declaration of Policy. This ordinance adopts and implements the call of international and national entities, especially the Baby Friendly Hospital Initiative of 1991, to promote breastfeeding as the excellent source of nutrition for infants and young children and as the fundamental component in assuring a child's right to food, health and care. Furthermore, this ordinance seeks to address the problem of malnutrition among infants and young children, and to contribute in the reduction of child mortality.

SECTION 3. Scope of Application. This ordinance applies to all maternal deliveries within the City of Muntinlupa, whether free standing, such as but not limited to birthing homes, lying-in centers, or at private homes, or in a health facility, such as but not limited to a hospital, clinic, or any medically and professionally-ran facility, conducted either by a regulated professional health care worker or giver a **non-certified kamadrona**.

SECTION 4. Lead Agency. The City Health Office (CHO) of the City Government of Muntinlupa shall be the lead agency in promoting and implementing the provisions of this ordinance. For this purpose, the head of **Barangay Health Workers (BHW)**, a representative of the **Business Permit and Licensing Office (BPLO)** and other departments to be deputized by the Local Chief Executive shall take part in the implementation of this Ordinance.



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SECTION 5. Functions of City Health Office Personnel – City Health Office (CHO) shall prevent the dissemination and use of free or low-cost breastfeeding substitutes, infant food supplements, and feeding bottles and teats in every facility or institution mentioned in Section 3; and shall among its personnel, conduct the following for the successful implementation of this ordinance:

- a) *Have a complete working knowledge of Republic Act 7600, otherwise known as the Rooming-In and Breastfeeding Act of 1992, as amended by Republic Act 10028, otherwise known as the Breastfeeding Promotion Act of 2009, and supportive regulations such as but not limited to Executive Order No. 51 of 2009 and Department of Health Administrative Order No. 2005-0014;*
- b) *Have a written breastfeeding policy that is routinely communicated to every health facility in the City of Muntinlupa, ensure the compliance thereof, and train all health care staff in necessary skills;*
- c) *Have objective and consistent information on maternal and infant nutrition, and management of breastfeeding and disseminate the same to all pregnant women and their respective families;*
- d) *Help mothers initiate breastfeeding within one half (1/2) hour of birth;*
- e) *Show mothers how to breastfeed and maintain lactation, even if they should be separated from their infants;*
- f) *Give newborn infants no food or drink other than breast milk, unless medically indicated;*
- g) *Practice and impose “rooming-in”, which is to allow mothers and infants to remain together twenty-four (24) hours a day;*
- h) *Encourage breastfeeding on demand;*
- i) *Give no artificial teats or pacifiers to breastfeeding infants;*
- j) *Foster the establishment of breastfeeding support groups and refer mothers to them, upon discharge from the health facility;*
- k) *Conduct information drives, such as but not limited to symposia, seminars and trainings among health care workers,, whether employed in private or government-owned health facilities; in communities, especially identified by the barangay health workers; in schools, where appropriate education on proper nutrition is required, and among other similarly related groups or organizations;*

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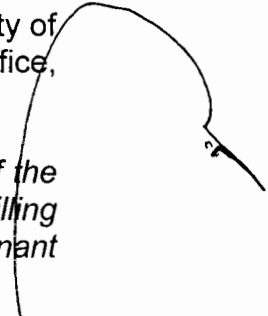




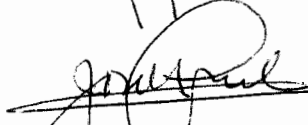
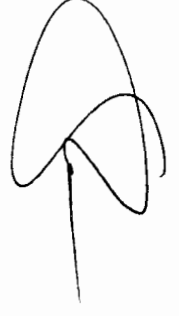


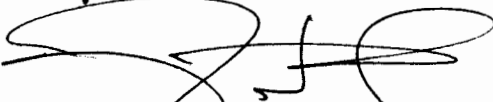
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- l) *Include massive promotion and support projects regarding breastfeeding its annual health programs and plans, and justify the attendant expenses thereto in its annual budget;*
 - m) *Perform such other necessary acts that shall promote the objectives of this ordinance.*
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SECTION 6. Functions of the Barangays – Each barangay in the City of Muntinlupa, in close cooperation and coordination with the City Health Office, shall perform the following:

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- a) *Initiate the establishment of support groups, led by the Chair of the Committee on Health of the Local Council and composed of willing and able constituents, that provide encouragement to pregnant women and breastfeeding mothers;*
 - b) *Link and partner with personnel of the City Health Office in conducting information drives, in monitoring the progress of maternal and infant nutrition projects and in encouraging breastfeeding from birth onwards;*
 - c) *Prevent the promotion, marketing and advertisement of infant food supplements, artificial teats and pacifiers, and other similarly related products and services in all establishments and health facilities operating within the jurisdiction of the barangay;*
 - d) *Ensure, through an organized monitoring mechanism, the compliance of manufacturers, distributors, retailers and consumers with this ordinance;*
 - e) *Mandate the construction, in every health and non-health facility; establishments such as a factory or a processing plant; or institution, such as a school or university, employing a sizable number of women employees and operating within the jurisdiction of the barangay, of a lactation station, which shall be equipped with necessary equipment, furniture and items;*
 - f) *Mandate supportive working environments in every health and non-health facility, establishment of institution operating within the jurisdiction of the barangay for pregnant woman and breastfeeding mothers, after they have returned to work;*
 - g) *Invite and encourage religious leaders and organizations, non-government organizations, socio-civic groups and other similarly related affiliations to promote and advocate the benefits of breastfeeding among their respective members and followers;*
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- h) *Encourage the private sector, without conflict of interest, to finance local media campaign in support of this ordinance;*
- i) *Contribute and participate in the monitoring and reporting of violations of the provisions of this ordinance;*
- j) *Perform such other necessary acts that shall promote the objective of this ordinance.*

SECTION 7. Supervision, Monitoring and Evaluation.

- a) *Periodic monitoring and evaluation of the progress of the implementation of the proper infant and young child feeding policy shall be established, institutionalized and integrated with other maternal and child health care policies of the City Health Office. Indicators shall be defined and formalized with other major stakeholders, including but not limited to all health care facilities.*
- b) *Monitoring teams from the City Health Office and all the barangays, shall be strengthened to ensure compliance to the laws, both national and local, in support of the proper infant and young child feeding policy.*
- c) *The City Health Office shall create an incentive and award systems to sustain efforts on promoting, protecting and improving the proper infant and young child policy. The City Health Office may submit its progress reports to the National Nutrition Council, which regularly cites best practices from local government units. Indicators for the same policy shall be integrated into this incentive and award system.*
- d) *Models of good practice shall be documented and disseminated to concerned individuals, health facilities, establishments and institutions.*
- e) *Continuing clinical and population-based and investigation of behavioral concerns are essential ingredients for improving feeding practices. Crucial areas include improving access to breastfeeding support, programmatic approaches and community-based interventions for improving breastfeeding and complementary feeding practices and for enhancing maternal nutritional status and pregnancy outcome.*



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SECTION 8. SANCTIONS.

a) *The City Health Office, in pursuit of its mandate to periodically supervise, monitor and evaluate the observance of the proper infant and young child feeding policy, shall subject any facility, establishment or institution, which violates any of the provisions hereof, to a reprimand on the first offense. To this end, the City Health Office shall engage the violator to continuous education and training on the feeding policy. In this regard, the following constitutes violations of this ordinance.*

- (i) The dissemination and use of teats, pacifiers, infant food supplements and other forms of artificial feeding methods to infants up to the first six (6) months from birth within birthing homes, lying-in centers or health facilities operating in the City of Muntinlupa. Provided, however, that exception is hereby made when such dissemination and use is medically supervised and is in the best interest of the mother and infant.
- (ii) The non-practice of rooming-in between mothers and their respective newborn infants.
- (iii) The promotion, marketing and advertisement of teats, pacifiers, infant food supplements, and other similarly related products and services in all commercial establishments in the City of Muntinlupa, including, but not limited to supermarkets, groceries, convenience stores, sari-sari stores, public markets, drugstores and pharmacies.
- (iv) The non-construction of a lactation station in every health and non-health facility, employing a sizable number of women, including, but not limited to factories, hospitals, and commercial and retail centers.
- (v) Any other act that, upon the sound discretion of the City Health officer, infringes on the objectives setforth in this ordinance and defeats the purposes thereof.

b) *On the second offense, the City Health Office shall require the violator to submit a written reply as to its failure to comply with the provisions of this ordinance. The Head of the City Health Office shall make a determination as to the sufficiency of the reply submitted thereto. In the event of a finding that the violations was willful, malicious and intentional, the Head of the City Health Office shall submit all documents, reports and findings related to the same violation to the Secretary of the Department of the Health for appropriate action.*

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c) On the third offense, the City Health Office shall submit its recommendation to the Office of the Mayor and to the Business Permit and Licensing Office for the Closure of the health facility, establishment or institution found in violation of the provisions of this ordinance. The Head of the City Health Office shall likewise submit all documents, reports and findings related to the said violation to the Secretary of the Department of Health for appropriate action.

d) In all instances, these shall be without prejudice to other liabilities applicable under Civil Service law and rules.

SECTION 9. Separability Clause. If for any reason/s whatsoever, any section, clause, or provision of this ordinance is declared unconstitutional or inconsistent with any national law, other sections, clauses, or provisions hereof which are not hereby affected, shall continue to be in full force and effect.

SECTION 10. Effectivity Clause. This ordinance shall take effect in accordance with the provisions of Section 59 and 511 of Republic Act 7160, otherwise known as the Local Government Code of 1991.

ENACTED, by the 6th **Sangguniang Panlungsod of Muntinlupa** this 27th day of September, 2010 on its 11th Regular Session.

CONCURRED:

DISTRICT I:

COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD

Member

COUN. ATTY. RAUL R. CORRO

Member

COUN. ALEXANDER B. DIAZ

Member

COUN. ALLEN F. AMPAYA

Member

COUN. RINGO A. TEVES

Member

COUN. DAN HUBERT A. BARLIS

Member

COUN. LUVI P. CONSTANTINO

Member

COUN. ROBERT A. ABAS

Member



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COUN. ENGR. NEPTALI S. SANTIAGO
Member


COUN. JOSELITO V. AREVALO
Member


COUN. ROBERT P. BAES
Member


COUN. ELMER S. ESPELETA
Member


COUN. RAFAEL T. SEVILLA
Member


COUN. VERGEL C. ULANDAY
Member

ABSENT:

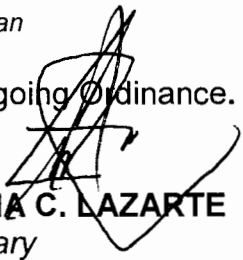
COUN. ATTY. PATRICIO L. BONCAYAO, JR.
Member

COUN. BAL NIEFES
Member


COUN. CELSO C. DIOKO
Sectoral Representative
President
Association of Barangay Captains

COUN. DANN HENRY G. TEVES
Sectoral Representative
President
Federation of Sangguniang Kabataan


I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


CECILIA C. LAZARTE
Secretary

ATTESTED:


ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:


ALDRIN L. SAN PEDRO
City Mayor
Date: _____


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