



Republic of the Philippines
Department of Health
OFFICE OF THE SECRETARY

JUN 18 2021

ADMINISTRATIVE ORDER

No. 2021 - 0039

SUBJECT: National Policy on the Elimination of Industrially-Produced Trans-Fatty Acids for the Prevention and Control of Non-Communicable Diseases

I. RATIONALE

Globally, approximately 540,000 deaths each year can be attributed to the high intake of industrially-produced Trans-Fatty Acids (TFAs). In the Philippines, about 3,000 people each year suffer from premature mortality related to high consumption of TFAs according to the World Health Organization's Non-Communicable Disease Report in 2017. Studies have consistently suggested that there is no safe level of TFA consumption and that TFA intake has no known health benefit. Due to its effect on the body's Low Density Lipoprotein (LDL), high intake of TFAs increases the risk of developing coronary heart disease and other non-communicable diseases.

The WHO recommends limiting consumption of all forms of TFA to less than 1% of total energy intake. An exposure assessment reported that children under 6 years old are at most risk for exceeding the WHO recommendation, with high-level consumers exceeding the upper limit by 150% (DOST - Food and Nutrition Research Institute, 2018). Despite the availability of such exposure assessments, there is still a lack of a more rigorous monitoring and evaluation system to further assess the impact of TFA intake among Filipinos.

With neighboring countries implementing bans on Partially-Hydrogenated Oils and setting mandatory limits on TFA content in food, the Philippines is vulnerable to dumping of TFA-rich food products in the absence of similar regulations. As such, eliminating industrially-produced TFA from the food system is the most effective and consistent means to address this dietary risk factor to reduce and prevent non-communicable diseases (NCDs), and reduce the economic burden of NCDs.

In view of the foregoing, and guided by the World Health Organization's REPLACE action package to eliminate industrially-produced trans-fatty acids, the Department of Health issues this national policy to eliminate industrially-produced trans-fatty acids for the prevention and control of non-communicable diseases.

II. OBJECTIVES

This Order aims to provide a policy framework to eliminate industrially-produced TFA in the Philippines food supply by 2023. Specifically, it aims to provide guidance to reduce TFA intake among Filipinos to less than 1% of the recommended total energy intake through the following strategies:

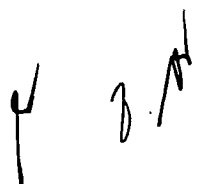
1. Regulating pre-packaged food products containing TFA
2. Enabling the replacement of TFA with alternative oils, fats, and oilseeds
3. Increasing awareness of the negative impacts of TFA to the public

III. SCOPE OF APPLICATION

This Order covers DOH Bureaus and Services, Centers for Health Development, Hospitals and its attached agencies including the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) subject to the applicable provisions of RA 11054 or the “Bangsamoro Organic Act” and subsequent rules and policies issued by the Bangsamoro government, other National Government Agencies (NGAs), Local Government Units (LGUs), food establishments, retailers, importers, exporters, food service establishments, development partners, civil societies, and the academe.

IV. DEFINITION OF TERMS

- A. **Food Establishment** - refer to a sole proprietorship, a partnership, a corporation, an institution, an association, or an organization engaged in the manufacture, importation, exportation, sale, offer for sale, distribution, donation, transfer, use, testing, promotion, advertising, or sponsorship of health products including the facilities and installations needed for its activities.
- B. **Industrially-Produced TFA** – refers to artificial trans fat that is developed through the partial hydrogenation of oils, as opposed to the naturally occurring trans fatty acids that are found in the fat of animal origin. Also developed in small amounts through re-heating and frying of oils at high temperature.
- C. **Naturally-occurring TFA** - refer to trans fatty acids that are found in meat and dairy products from ruminant animals, such as cattle, sheep, goats, and camels.
- D. **Partially Hydrogenated Oil (PHO)** – refers to processed products that contain industrially-produced TFA, which are typically used to increase shelf-life and ensure flavor stability of oils.
- E. **Processed Food Products** - refer to food that has been subjected to some degree of processing like milling, drying, concentrating, canning, or addition of some ingredients which changes partially or completely the physico-chemical and/or sensory characteristics of the food's raw material.
- F. **Recommended Total Energy Intake** - refers to the level of intake of energy or nutrient which is considered adequate for the maintenance of health and well-being of healthy persons in the population, which is referred to in the Philippine Dietary Reference Intakes (DOST-FNRI, 2015).
- G. **Trans-Fatty Acids (TFA)** – refer to fatty acids with at least a double bond in the trans configuration, regardless of whether they are produced industrially or come from ruminant sources, including linoleic acid.
- H. **TFA-Free Claim** - refers to any claim that states or suggests that the processed food product does not contain TFA. This includes claims as “Trans Fat Free”, with “0 g Trans Fat”, or any other similar claim.

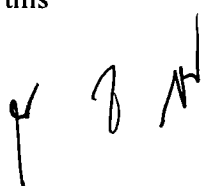


V. GENERAL GUIDELINES

- A. Industrially-produced TFA and processed food products containing industrially-produced TFA shall be prohibited from being produced, imported, and distributed for commercial sale or use.
- B. TFA-free claims in front-of-pack labels and other strategies to claim any processed food product as “TFA-free” shall be prohibited.
- C. Food establishments shall ensure factual disclosure of information in the nutrition labeling of prepackaged food products, consistent with existing regulations.
- D. Public preparation activities shall be initiated and cascaded in order to facilitate the implementation of this Order.
- E. Multi-sectoral coordination shall be promoted in the development of related and complementing policies while ensuring proper management of real, perceived, or potential conflict of interest.

VI. SPECIFIC GUIDELINES

- A. The manufacture, importation, distribution, and sale of the following shall be prohibited:
 - 1. Partially-Hydrogenated Oils to be consumed alone or used in preparation of processed food products;
 - 2. Oils and fats made blended with Partially-Hydrogenated Oils;
 - 3. Oils and fats with Trans Fatty Acid content more than 2 g per 100 g; and
 - 4. Processed and prepackaged food with PHOs and high TFA content.
- B. The Food and Drug Administration (FDA) shall not issue registration, license to operate, or permit to any food manufacturer, importer, or distributor for any processed or prepackaged food manufactured, imported, distributed, or sold in violation of the regulations set for TFA. Likewise, the FDA shall also revoke the Certificate of Product Registration for processed food products that violate this provision, based on post-marketing surveillance activities, pursuant to Republic Act No. 9711, “Food and Drug Administration (FDA) Act of 2009”. This is without prejudice to future amendments to these guidelines that will be carried out in response to evolving industry practices.
- C. Front-of-pack labels that claim that a food product is TFA-free shall be prohibited. Likewise, food establishments shall properly disclose the nutritional content of their food products following the guidelines provided for in DOH Administrative Order 2014-0030-A or the “Revised Rules and Regulations Governing The Labeling of Prepackaged Food Products Further Amending Certain Provisions of Administrative Order No. 88-B s. 1984 or the “Rules and Regulations Governing the Labeling of Prepackaged Food Products Distributed in the Philippines,” and For Other Purposes.” This is without prejudice to future amendments to these guidelines that will be carried out in response to evolving industry practices.
- D. Appropriate measures and assistance to ensure public preparation during this food system and market transition shall be developed and put in place upon issuance of this Order. This shall include but not limited to the following:



1. Technical assistance for capacity building shall be given as necessary. Capacity building of individuals and academic and research institutions shall be supported through different learning and development interventions.
2. A communication plan shall be developed and implemented to promote and implement the elimination of industrially-produced TFA. The communication plan shall be cascaded to LGUs, communities, and priority settings identified by the Health Promotion Framework Strategy shall include:
 - a. Information dissemination of TFA, its food sources, and ill-effects of increased TFA intake;
 - b. Promotion of healthy diet and its principles: balance, variety, and moderation;
 - c. Education on the proper methods of heating and reheating cooking oils; and
 - d. Advocacy with the food industry for the use of alternative oils and the development of food products to replace industrially-produced TFA.
 - e. All actors and entities involved in the implementation of this Order shall abide by existing DOH regulations on disclosing and managing Conflicts of Interests, without prejudice to future policy issuances on this subject matter, to protect the integrity of this Order.

VII. ROLES AND RESPONSIBILITIES

A. The **Health Promotion Bureau (HPB)** shall:

1. Collaborate with line and attached agencies within the DOH, relevant government agencies, development partners, and other stakeholders for the implementation of this National Policy;
2. Set intermediate and long-term targets for the monitoring and evaluation of this National Policy;
3. Conduct impact assessment on the implementation of this National Policy every five (5) years; Develop and implement a sustained communication plan in collaboration with relevant partner stakeholders;
4. Promote, in collaboration with other research institutions, the conduct of research of health promotion and nutrition including but not limited to the alternatives to PHOs and TFA.

B. The **Disease Prevention and Control Bureau (DPCB)** shall:

1. Provide technical assistance to line and attached agencies, and NGAs in the development of supporting policies, plans, and programs implementing and/or complementing this National Policy; and
2. Collaborate with the HPB in the development and implementation of the communication plan of this National Policy.

C. The **Health Facility Development Bureau (HFDB)** shall:

1. Develop standard guidelines that will promote and advocate for the reduction of the use of industrially-produced TFA in the health facilities through the Nutrition and Dietetics Service Department;
2. Coordinate and provide technical assistance for the operationalization of the standard guidelines and other relevant initiatives in the health facilities; and
3. Coordinate and monitor at the Nutrition and Dietetics Service Department in the health facilities for the full implementation of the standard guidelines that concern food preparation, cooking, and serving of food to patients through the Health Facility Development Unit (HFDU) in the Centers for Health Development (CHD) and hospitals.

D. The Food and Drug Administration (FDA) shall:

1. Issue and enforce guidelines and regulations designed to eliminate industrially-produced TFA in the production of food establishments as provided in the specific guidelines of this National Policy; and
2. Determine the appropriate transitory period that shall not be more than two (2) years from the effectivity of this AO in which the FDA will commence regulation of processed food products that have complied with the guidelines set.

E. The National Nutrition Council (NNC) shall:

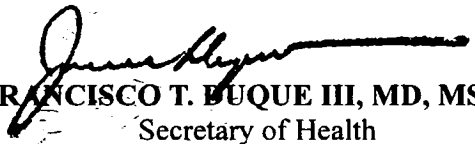
1. Develop and issue policies through its governing board resolution, policy statements, and advisories, supporting this National Policy; and
2. Collaborate with the DOH in the development and implementation of the communication plan of this National Policy.

F. The Centers for Health Development (CHDs) shall:

1. Implement the communication plan at the regional level; and
2. Provide technical assistance to LGUs and advocate for the issuance of local ordinances implementing this National Policy.

VIII. EFFECTIVITY

This Order shall take effect fifteen (15) days following the publication in the Official Gazette or in a newspaper of general circulation, with three (3) certified copies to be filed with the Office of the National Administrative Register of the UP Law Center.


FRANCISCO T. BUQUE III, MD, MSc
Secretary of Health