

**IMPLEMENTING RULES AND REGULATIONS OF
QUEZON CITY CALORIE LABELING
ORDINANCE NO. SP - 3254 S. 2024**

**RULE I
GENERAL PROVISIONS**

SECTION 1. TITLE. These rules shall be known and cited as the Implementing Rules and Regulation of SP - 3254 s. 2024 otherwise known as the "Quezon City Calorie Labeling Ordinance"

SECTION 2. PURPOSE. These Rules and Regulations are promulgated to prescribe the procedures and guidelines for the implementation of Quezon City Ordinance No. SP 3254 S. 2024 in order to achieve its objectives and facilitate compliance therewith.

SECTION 3. CONSTRUCTION. These Rules and Regulations shall be construed and applied in accordance with and in furtherance of the policies and objectives of the Ordinance. Any item not specified in the provisions will be construed in accordance with the prefatory clauses of the Ordinance.

**RULE II
POLICIES AND OBJECTIVES**

SECTION 4. DECLARATION OF POLICY. It is the declared policy of the Quezon City Government to recognize the promotion of health and welfare of its residents, particularly children, by ensuring they have access to accurate nutritional information.

SECTION 5. OBJECTIVES. - It is the objective of this Ordinance to implement measures to achieve the following:

5.1 Assist consumers to make informed and healthier food choices by providing them with easily understood nutritional information at the point-of-sale, either in a queue in-store, at home ordering over the internet, or when on-the-go and ordering via a mobile application and the like;

5.2 Ensure food businesses display the calorie content of each standard food and drink item on their menu and menu boards, both in-store and those distributed and in-print;

5.3. Ensure that menus and menu boards shall also include a statement that additional nutrition information (i.e., nutrient values of nutrients of concern and reference daily calorie requirement) is available upon request; and

5.4. Promote adherence to the Ordinance by establishing and enforcing penalties for violation of the provisions of the Ordinance, thereby protecting and promoting the health and welfare of the residents of Quezon City.

**RULE III
DEFINITION OF TERMS**

SECTION 6. DEFINITION OF TERMS. For purposes of these Implementing Rules and Regulations, these terms are defined as follows:

- (a) **Authorized official of a restaurant or food business** - refers to the owner, operator, agent in charge, or any other person authorized by the owner, operator, or agent in charge to register the restaurant or similar food business;
- (b) **Calorie Count** - refers to the amount of energy expressed as calories (or kilocalories) that food and beverages provide when consumed. For purposes of this Ordinance, Calorie Count is synonymous with Calorie Labeling;
- (c) **Combination meals** - refer to a standard menu item that consists of more than one (1) food item, such as a meal that includes a sandwich, a side dish, and a drink;
- (d) **Chain restaurants** - refer to a food establishment that contains multiple individual restaurants or franchises;
- (e) **Custom order** - refers to a food order that is prepared in a specific manner based on an individual customer's request, which requires the restaurant or food business to deviate from its usual preparation of a standard menu item;
- (f) **Daily special menu** - refers to a menu item that is prepared and offered for sale on a particular day, that is not routinely listed on a menu or menu board or offered by the restaurant or similar food business, and that is promoted as a special menu item for that particular day;
- (g) **Doing business under the same name** - refers to sharing the same name presented to the public;
- (h) **Lead Agency** - refers to the Quezon City Department specified under Section 8 of this IRR which is the City Health Department;
- (i) **Location** - refers to a fixed position or site;
- (j) **Menu** - refers to the primary writing of the restaurant or food business from which a consumer makes an order or selection, including, but not limited to, breakfast, lunch, and dinner menu, dessert menus, beverage menus, children's menus, and other specialty menus. Menus shall include electronic menus, menus available online, and menu boards within and outside the premises from which the items of food shown are sold; marketing material (e.g. coupons, posters in store windows without name and price of the food item are not considered menu and would not require calorie declaration);
- (k) **Menu boards** - refers to a menu which contains a list of food and beverages offered to customers placed on a large, well-lit display inside a restaurant or food business, such as fast food, usually shown above the counter or near the take-out area of the said restaurant or food business. Menu boards include those inside covered establishments and drive-throughs;
- (l) **Nutrient** - refers to any substance normally consumed as a constituent of food, which provides energy, or which is needed for growth, development and maintenance of life, or a deficit of which will cause characteristic biochemical or physiological changes to occur;
- (m) **Offering for sale substantially the same menu items** - refers to offering for sale a significant proportion of menu items that use the same general recipe and are prepared in substantially the same way, with substantially the same food components, even if the name of the menu item varies;

(n) **Quezon City Calorie Labeling Technical Working Group (TWG)** - refers to the TWG created under Section 15 of the City Ordinance No. SP-3254, s. 2024;

(o) **Restaurants or food businesses** - refer to any business establishments that offer for sale restaurant-type food, including fast food restaurants, convenience stores, food kiosks, and hotels, except if it is in a school;

(p) **Restaurant-type food** - refers to food that is usually eaten on the premises, while walking away, or soon after arriving at another location;

(q) **Standard menu item** - refers to a restaurant-type food that is routinely included on a menu or menu board. It uses a recipe that has been tried, tested, evaluated, and adapted for use in all branches of a restaurant or food business. It produces the consistent quality and quantity when exact procedures, equipment; and

(r) **Temporary menu item** - refers to a food that appears on a menu or menu board for less than a total of 60 days per calendar year. The 60 days include the total of consecutive and non-consecutive days the item appears on the menu.

RULE IV SCOPE

SECTION 7. SCOPE. This IRR shall cover all restaurants or food businesses in Quezon City, unless otherwise provided herein, in accordance with the following phases of implementation:

Phase One: In the first year of its implementation, this Ordinance shall cover 5 or more locations or branches doing business under the same name, regardless of the actual owner or the location or branch, and offering for sale substantially the same menu items.

Phase Two: In the second year of its implementation, this Ordinance shall cover:

(a) 2 to 4 locations or branches doing business under the same name regardless of the actual owner or the location or branch, and offering for sale substantially the same menu items; and

(b) hotels, regardless of the number of locations.

Phase Three: In the third year of its implementation, all restaurants or food businesses shall be covered, provided that, restaurants or food businesses that qualify as Barangay Micro Businesses Enterprises (BMBEs) under Republic Act No. 9178 and Micro, Small or Medium Enterprises (MSMEs) under Republic Act No. 6977, as amended, that are not part of a food chain or franchise, shall be exempt from coverage.

RULE V QUEZON CITY TECHNICAL WORKING GROUP

SECTION 8. COMPOSITION AND FUNCTIONS. - The Calorie Labeling Technical Working Group (TWG) shall be composed of representatives from the following departments and offices:

Chairperson: City Health Department (CHD) - The lead agency responsible for the comprehensive oversight and management of the Calorie Labeling Ordinance. CHD shall:

- a. Establish the reporting mechanisms for offenses and violations and provide assistance to consumers who will file complaints for violations of the Consumer Act of the Philippines (Republic Act No. 7349);
- b. Establish capacity building programs for restaurants or food businesses;
- c. Monitor and evaluate the implementation of this Ordinance every 3 years;
- d. Conduct a baseline survey to establish initial data prior to the full implementation of the Calorie Labeling Ordinance, which will serve as a reference point for evaluating the Ordinance's impact over the subsequent three years and thereafter;
- e. Regularly convene the TWG;
- f. Issue resource and training material to supplement this IRR; and
- g. Perform other functions that are necessary to ensure full implementation of this Ordinance.

Vice-Chairperson: Climate Change and Environmental Sustainability Department (CCESD)- Assist in the development and refinement of policies, guidelines, and procedures related to the ordinance's implementation.

The TWG shall be composed of the following members:

- a. **Chairperson of the Committee on Health - Provide legislative support and ensure alignment of the ordinance with existing health-related laws and policies.**
- b. **Office of the City Administrator (OCA) - Oversee the coordination among city departments involved in the Ordinance's implementation. Ensure efficient administrative processes for the implementation, monitoring, and enforcement of the ordinance.**
- c. **Business Permits and Licensing Department (BPLD) - Enforce compliance by ensuring that businesses include calorie labels as a condition for the issuance of ancillary permit**
- d. **Small Business and Cooperatives Development and Promotions Office (SBCDPO)- Provide training and capacity-building programs to help Micro, Small Enterprises and Cooperatives (MSECs) implement the ordinance and facilitate access to resources needed for compliance, such as nutritional analysis services.**
- e. **Public Affairs and Information Service Department (PAISD)- Lead the information campaign to educate the public on the Calorie Labeling Ordinance. Develop communication materials and strategies to raise awareness and promote compliance. Engage with media and stakeholders to ensure widespread dissemination of information.**
- f. **Market Development and Administration Department (MDAD)- Mandated to implement and enforce the city ordinance pertinent to the administration of city markets and regulation of the establishment and operation of public markets and all other market related activities in Quezon City, including tiangges and street vending**
- g. **City Tourism Department, under the Office of the City Mayor (OCM)- Promote calorie labeling as part of the city's health and wellness tourism initiatives. Collaborate with food establishments in tourist areas to ensure they comply with the ordinance. Highlight compliant establishments in tourism promotions and materials.**

- h. **Barangay and Community Relations Department (BCRD)**- Disseminate Social Behavior Change Communication Campaign through the 142 barangays of Quezon City.
- i. **Local Economic Investment Promotions Office (LEIPO)** - Promote the Ordinance designed to foster a business-friendly environment and support Medium and Large Enterprises (MLEs) through incentives, encouraging compliance.
- j. **City Treasurer's Office (CTO)** - Manage the financial aspects related to the ordinance, including fines and fees. Provide financial reporting on revenues and expenditures associated with the ordinance.
- k. **Civil Society Organization representative**- Provide needed technical assistance in the implementation of the Ordinance. Promotion of Social Behavior Change Communications Campaign leveraging CSO networks and community connections to enhance outreach and impact.
- l. **Department of Public Order and Safety (DPOS)** - Enforce compliance by ensuring that food businesses covered by the Ordinance are compliant; Issuance of OVR to non-compliant food businesses.

**RULE VI
MANDATORY NUTRITION INFORMATION TO BE DISCLOSED BY
RESTAURANTS OR FOOD BUSINESSES**

SECTION 9. MANDATORY NUTRITION INFORMATION TO BE DISCLOSED BY RESTAURANTS OR FOOD BUSINESSES. The restaurants or food businesses covered by the Ordinance shall disclose the following nutrition information of their standard menu items offered for sale:

Calorie Content	<ul style="list-style-type: none"> • Expressed as 'kcal' on both printed and electronic menus and menu boards. • Clearly legible and positioned near the item's name or price. • Menu items should include the calories per serving or calories per combination meal. • Menu items intended for multiple servings, the calorie content can be listed per serving or per total servings, provided the total number of servings is clearly indicated • Displayed at the same time and for the same period as the name and/or price of the item is displayed, and • For ELECTRONIC OR PRINTED menu boards, minimum font size should be at least 50% of the size of the largest letter or numeral used for the name or price.
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	<ul style="list-style-type: none"> • For IN-STORE ELECTRONIC SELF-ORDER KIOSKS and HAND-HELD MENUS, the font size must be equal to or greater than the size of the smallest letter or numeral used for the name or price. MENUS AVAILABLE ONLINE must also meet this requirement within the three-year implementation period. • A food business is not required to display the calorie content for all possible modifications of a standard food item, but must display the calorie content of the 'default' order if it is not customized. However, if different modifications are posted, the calorie content for each must be provided.
<p>Nutrients of Concern</p>	<ul style="list-style-type: none"> • Other nutrition information, i.e. carbohydrates, protein, total fat, trans fat, saturated fat, sugar, and sodium, shall be made available in printed materials or in an electronic platform upon the consumer's request. • The statement "additional nutrition information available upon request" shall also be displayed on menus and menu boards.
<p>Reference Daily Calorie Requirement</p>	<ul style="list-style-type: none"> • The reference daily calorie requirement should be obtained from the Philippine Dietary Reference Intakes (PDRI) provided by the Department of Science and Technology - Food and Nutrition Research Institute (DOST-FNRI). • This reference daily calorie requirement shall be made available in printed materials or in an electronic platform upon the consumer's request, to serve as a comparison for consumers' calorie requirement. The statement "Additional nutrition information available upon request" shall be displayed on electronic menus, printed menu boards, and in-store self-order kiosks in the following manner:

	<ul style="list-style-type: none"> a. one location on each menu near the standard food items, so as to be clearly associated with them; and b. If menu boards are next to each other, one statement would be considered acceptable.
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For food businesses that do not use menus or menu boards but instead display menu items and prices on tags, the calorie content must be clearly indicated on these tags.

SECTION 10. METHOD OF CALORIE AND NUTRIENT CALCULATION. The calorie and nutrient calculation required must be performed by any of the following, accompanied by a certification duly signed and dated by the designated official of the food business – either a Registered Nutritionist-Dietitian employed by the food business or an employee with supervisory role – attesting that the nutrition information is accurate and that the method of preparation for the standard menu item offered for sale is consistent with the method used to determine the nutrient values.

- a) a Food and Drug Administration (FDA)-accredited laboratory;
- b) a Registered Nutritionist-Dietitian employed by a food business
- c) use of Food and Nutrition Research Institute's Menu Eval Plus tool
- d) Nutrition Facts Labels of products used to prepare the standardized item
- e) Nutrient Databases

Nutrient databases for all standardized food items must be secured by the authorized official of the food business and made available for inspection if a complaint arises.

A margin of error up to 20% is acceptable in the computation of calorie and nutrient content for each standardized menu item.

SECTION 11. ADDITIONAL FOOD ITEMS. If the menu or menu board offers consumers the option to combine standard menu items for a special price (e.g. mix and match), the total calorie content must be displayed unless it is already posted elsewhere. If the added food is not a standard food item but an ingredient only (e.g. cheese, sauce, seasoning), then its calorie content does not need to be displayed.

RULE VII EXEMPTIONS

SECTION 12. EXEMPTIONS AND NON-APPLICABILITY TO CERTAIN MENU ITEMS. Mandatory disclosure of nutrition information shall not apply to:

- a) restaurants or food businesses that do not offer for sale substantially the same menu items or standard menu items;
- b) daily specials, temporary menu items, custom orders, and other menu offered that are not standardized and
- c) other food items that are not for sale as standalone food items for consumption and extra food items used as flavorings, such as condiments and spices.
- d) vouchers or coupons as these are not considered menus

If a food business needs to exhaust remaining supplies of a temporary menu item after the initial offering period, they may request for an extension of an additional 31 days. This extension allows the temporary menu item to be offered for up to 90 days within the same calendar year.

RULE VIII GRACE PERIOD

SECTION 13. GRACE PERIOD. The Lead Agency shall set the grace period for compliance with Section 9 and 10 of the IRR, which shall not exceed 1 year from the approval and issuance of this Implementing Guidelines.

During this grace period, the approved IRR will be presented to food businesses in Quezon City. This presentation will ensure that food businesses receive the necessary technical assistance and have sufficient time to comply with the provisions of the IRR.

RULE IX VOLUNTARY DISCLOSURE OF NUTRITION INFORMATION

SECTION 14. VOLUNTARY DISCLOSURE OF NUTRITION. Any restaurant or food business not covered by the Ordinance may opt to provide and disclose nutrition information to consumers in a similar manner as specified in Sections 9 and 10 of this IRR. Nutrition information must be displayed in accordance with the provisions of the IRR.

SECTION 15. INCENTIVES FOR RESTAURANTS OR FOOD BUSINESS THAT VOLUNTARILY PROVIDE NUTRITION INFORMATION. The City shall provide the following incentive schemes for restaurants or food businesses that voluntarily provide and disclose nutrition information in similar manner as specified in Section 9 and 10 of this IRR:

- a) Promotion and public recognition through various channels, such as websites, social media, and local publications;
- b) Opportunity to avail of the benefits under Section 21 of this IRR;
- c) Qualified Medium and Large Enterprises that would voluntarily comply may avail incentive packages under relevant policies as may be approved by the Quezon City Economic Development and Investment Board (QC-EDIB). These incentives may include, but are not limited to, amendments to Ordinance No. SP-2219, S-2013, titled "An Ordinance Adopting the Economic Development Incentives Code of Quezon City," provided that the enterprises meet the requisite qualifications for the specific incentive;
- d) Qualified BMBEs and Micro Enterprises that would voluntarily comply can avail the Pangkabuhayang QC Capital Assistance Program and Nano Enterprise Registration Program of SBCDPO and BPLD; and
- e) Qualified BMBEs and Micro Enterprises can avail Packaging and Labeling Consultation and other services provided by the Quezon City Government and its partner National Government Agencies and private sector.

The Quezon City Health Department may establish a recognition and certification program to acknowledge and reward restaurants or food businesses that voluntarily comply with the calorie labeling requirements.

**RULE X
OFFENSES AND PENALTIES**

SECTION 16. PERSON LIABLE. The authorized official of a restaurant or food business holds the primary responsibility as the operator of the establishment. As such, this individual is accountable for ensuring full compliance with Sections 9 and 10 of this Implementing Rules and Regulations (IRR).

Failure of the authorized official of a restaurant or food business to comply with the accurate disclosure of nutrition information (i.e., providing nutrition information beyond the 20% acceptable margin of error provided in Section 10 of this IRR) shall be treated as failure to comply with Section 5 of this Ordinance.

The authorized official may be subject to penalties under Article 50 (Prohibition Against Deceptive Sales and Practices) of the Consumer Act of the Philippines (Republic Act No. 7349). The franchisor may also be held liable for non-compliance with this Ordinance, as outlines in Ordinance No. SP-2354, Series of 2024.

SECTION 17. ADMINISTRATIVE FINES AND PENALTY. Failure of the covered restaurant or food business mentioned in Section 7 hereof to comply with Section 9 and 10 of this IRR shall be considered an offense and subject to the penalties.

First offense - 1st Notice of Violation and a Fine of Php 1,000.00;

Second offense - 2nd Notice of Violation, a Fine of Php2,000.00, and a training on proper compliance conducted by the lead agency with the Ordinance for the owner, president, general manager, and other persons-in-charge or accountable officers of the restaurant or food business;

Third offense - 3rd Notice of Violation, a Fine of Php3,000.00, and the issuance of a Cease-and-Desist Order (CDO); and

Fourth and subsequent offense - A fine of Php5,000.00 and revocation of Business Permit.

**RULE XI
CITIZEN'S REPORT**

SECTION 18. CITIZEN'S REPORT. - The Quezon City Health Department will undertake compliance activities and investigate any complaints received through a dedicated email address: qc.calorielabel@quezoncity.gov.ph

**RULE XII
ENFORCEMENT**

SECTION 19. CERTIFICATION. Upon request from the Quezon City Health Department, covered establishments must provide a sworn statement that is duly signed and dated by the designated official of the food business - either a Registered Nutritionist-Dietitian employed by a food business or an employee with supervisory role - who can verify that the nutrient information is complete and accurate and has taken reasonable steps to ensure that the method of preparation and the amount of the standard menu item offered for sale are same as that on which the nutrient values were determined.

SECTION 20. ENFORCEMENT AND MONITORING. The Business Permits and Licensing Department (BPLD) and Department of Public Order and Safety (DPOS) shall ensure the compliance of restaurants and similar food businesses to the provisions of the Ordinance.

a. Initial Inspection and Issuance of OVR

In the event that the DPOS finds that the restaurant or food business is not compliant with Sections 9 and 10 of this IRR, it shall, after inspection, issue an Ordinance Violation Receipt (OVR) to the said restaurant or food business, pursuant to Ordinance No. SP-2752, S-2018. The business shall be granted a period of fifteen (15) days from the receipt of the notice to comply with the requirements specified in the notice.

b. Issuance of Show Cause Order

Should the business establishment fail to comply with the OVR within the prescribed 15-day period, BPLD shall issue a Show Cause Order. This order shall provide the establishment of an additional fifteen (15) days to comply, during which training on compliance shall be offered.

c. Cease and Desist Order and Permit Revocation

In the event that the business establishment remains non-compliant after the expiration of the second 15-day compliance period, the BPLD shall issue a Cease and Desist Order. The establishment shall be provided with another 15-days to comply. Failure to comply within this final period shall result in the closure of the business and the revocation of its permit.

SECTION 21. BUDGET AND APPROPRIATION - Funding requirements shall be sourced and drawn as appropriate and available from the Lead Agency's annual budget. For the succeeding years, the Lead Agency shall submit a budget proposal for inclusion in the City budget.

1. **Capacity Building and Training:** Costs associated with the development and delivery of training programs, materials and manuals for food business operators, inspectors, and other stakeholders to ensure compliance with the ordinance.
2. **Monitoring and Evaluation:** Expenses for the establishment and maintenance of monitoring systems, including data collection, analysis, and reporting mechanisms to track compliance and the impact of the ordinance on public health.
3. **Public Information Campaigns:** Budget for the creation and dissemination of educational materials, public awareness campaigns, and other communication efforts aimed at informing the public about the calorie labeling requirements and their benefits.
4. **Technical Assistance:** Resources for providing ongoing technical support to food businesses in the accurate determination and presentation of nutrition information as required by the ordinance.
5. **Enforcement and Compliance:** Funding for inspection, enforcement activities, and any legal or administrative actions necessary to ensure compliance with the ordinance.
6. **Policy Review and Updates:** Budget for the periodic review and updating of the ordinance, including consultation with stakeholders, research, and drafting of revisions as necessary.

For subsequent years, the Lead Agency shall prepare and submit a detailed budget proposal reflecting the projected financial requirements for the continued implementation and enhancement of this ordinance. This proposal shall be submitted for inclusion in the City's annual budget to ensure sustained and effective enforcement and operation of the ordinance.

All fines collected pursuant to the Ordinance shall be earmarked for the implementation of the Ordinance.

RULE XIII CAPACITY BUILDING

SECTION 22. CAPACITY BUILDING FOR RESTAURANTS OR FOOD BUSINESS

The Lead Agency shall establish education and training programs to support the capacity of the restaurants or food businesses to effectively implement the calorie labeling and nutrition information disclosure requirements under this Ordinance.

The programs may include:

- (a) workshops, seminars, webinars, or online resources to inform restaurant or food business owners, managers, and staff about the importance of calorie labeling and the proper display of nutrition information on menus and menu boards;
- (b) training on the use of calorie and nutrient calculation tools for Nutritionist-Dietitians or authorized official of the food business employed by the restaurants or food businesses; and
- (c) simplified guidance, additional training opportunities, assistance with cost-effective labelling solutions, and linkage and access to Nutritionist-Dietitians and/or private or government agencies offering food calorie and nutrient calculations and labeling.

RULE XIV SOCIAL BEHAVIOR CHANGE COMMUNICATIONS CAMPAIGN

SECTION 23. SOCIAL BEHAVIOR CHANGE COMMUNICATIONS (SBCC) CAMPAIGN The Lead Agency, in coordination with PAISD, shall develop and implement an SBCC campaign that promotes healthy diets for:

- (a) mandatory and voluntary covered restaurants or food businesses to ensure their compliance with the law and encourage them to reformulate their menus to include healthier alternatives/ healthy menu items; and
- (b) consumers and the general public to help them make informed food choices.

The SBCC campaign shall include conducting a combination of communication and educational strategies such as workshops, training, and information campaigns using traditional media and social media.

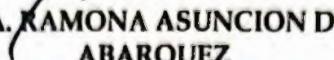
RULE XV FINAL PROVISIONS


SECTION 24. SEPARABILITY CLAUSE If for any reason or reasons, any provision in this IRR, is declared invalid or unconstitutional by a court of competent jurisdiction, the remaining parts thereof not affected thereby shall continue to be in force and effect.

SECTION 25. REPEALING CLAUSE All existing Memoranda, Circulars, rules and regulations inconsistent with the provisions of these Implementing Rules and Regulations are hereby repealed or amended accordingly.


SECTION 26. EFFECTIVITY CLAUSE This IRR shall take effect immediately upon its approval.

Recommending Approval:


**DRA. RAMONA ASUNCION DG.
ABARQUEZ**
OIC, City Health Department


MR. MICHAEL VICTOR N. ALIMURUNG
City Administrator

Approved by:


HON. MA. JOSEFINA G. BELMONTE
City Mayor