

Republic of the Philippines  
Province of Cebu  
CITY OF NAGA



Excerpt from the minutes of the Regular Session of the Sangguniang Panlungsod of the City of Naga, Cebu held on December 28, 2016 at the Session Hall, Legislative Building, City of Naga, Cebu.

Present:

HON. OTHELLO M. CHIONG  
HON. ALEXANDER R. LARA  
HON. DELFIN R. SEÑOR  
HON. AFSHIN MARK K. SEÑOR  
HON. RODRIGO A. NAVARRO  
HON. PABLO A. ABANGAN  
HON. LUZMINDA R. LAPITAN  
HON. PORFERIO V. RESABA, JR.  
HON. JUSTINO L. DAKAY  
On Leave:  
HON. VIRGILIO M. CHIONG  
HON. AURELIO B. ALINSONORIN  
HON. CARMELINO N. CRUZ, JR.

- Vice Mayor/Presiding Officer  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- ABC President  
  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member  
- Sangguniang Panlungsod Member



**ORDINANCE NO. 2016-017**

Hon. Luzminda R. Lapitan – Sponsor

**AN ORDINANCE ENACTING AND PRESCRIBING THE GUIDELINES ON INFANT AND YOUNG CHILD FEEDING IN THE CITY OF NAGA, CEBU**

**WHEREAS**, the World Health Organization (WHO) and the United Nations Children's Fund (UNICEF) have developed the Global Strategy on Infant and Young Child Feeding (IYCF) to help countries achieve the Millennium Development Goal No.4, which enjoins all countries to reduce child mortality by two thirds by 2015;

**WHEREAS**, WHO experts have identified optimal and appropriate breastfeeding and complementary feeding as the most cost effective measures to prevent infant and young child deaths and malnutrition;

**WHEREAS**, the Philippines has adopted the Global Strategy for IYCF pursuant to R.A. 7600 otherwise known as The Rooming-In and Breastfeeding Act, R.A. 10028 or the Expanded Breastfeeding Promotion Act of 2009 and E.O No. 51 or known as The Philippine Code of Marketing of Breast-milk Substitutes, Breast-milk Supplements and Related Products and its Implementing Rules and Regulations;

**WHEREAS**, this policy will serve as a guideline for health workers and other concerned parties on IYCF including appropriate feeding practices in exceptionally difficult circumstances and ensuring the protection, promotion and support of exclusive breastfeeding and timely adequate complementary feeding with continued breastfeeding;

**NOW THEREFORE, BE IT ENACTED** by the Sangguniang Panlungsod of the City of Naga, Cebu, in session assembled, that:

**RULE I  
TITLE, POLICY AND APPLICATION**

**SECTION 1. TITLE** - This Ordinance shall be known as **AN ORDINANCE ENACTING AND PRESCRIBING THE GUIDELINES ON INFANT AND YOUNG CHILD FEEDING (IYCF) IN THE CITY OF NAGA, CEBU.**

**SECTION 2. DECLARATION OF ORDINANCE** - The City of Naga, Cebu hereby declares this Ordinance as a policy guideline to improve the survival of infants and young children by improving their nutritional status, growth and development through optimal feeding.

**SECTION 3. COVERAGE AND SCOPE** – This policy shall cover the entire territorial jurisdiction of the City of Naga, Cebu, health sector, whether government or private; including professional groups, the academe, private sector, business establishments and all stakeholders concerned.

**SECTION 4. FUNCTIONS OF THE CITY HEALTH OFFICE (CHO)** – The CHO, as the designated lead agency, shall ensure that all health personnel are well informed about the provisions of the plan and the above-stated laws and shall be empowered to spearhead the implementation of the program. It shall make appropriate recommendation to the City Government specifically essential support interventions on breastfeeding and complimentary feeding in its annual health plans.

**SECTION 5. DEFINITION OF TERMS.**- For purposes of this ordinance, the following terms shall mean:

1. Breast milk substitute – means any food marketed or otherwise represented as a partial or total replacement for breast milk to include infant formula, water semi-solid foods;
2. Complementary feeding – means the giving of foods at six months in order to meet the evolving nutritional requirement of the infant;
3. Complementary food- refers to any food, whether manufactured or locally prepared, suitable as a complement to breast milk or to infant formula which either become insufficient to satisfy the nutritional requirement of the infant. Also called weaning food or breast milk supplement;
4. Exclusive breastfeeding- means giving breast milk alone and no other foods or drink not even water with the exception of vitamins and medicine drops;
5. Health Care System- means governmental or non-governmental or private institutions or organizations engaged, directly or indirectly, in health care for mothers, infants and pregnant women; nurseries or child institutions;
6. Health worker- means a person working in a component of such health system whether professional or non – professional, including volunteer workers;
7. Infant- means a person falling within the age bracket of 0-12 months;
8. Infant formula- refers to breast milk substitute formulated industrially or may refer also to that which is prepared at home;
9. Optimal Feeding- feeding the right amount of nutrients on a proper schedule to achieve the best performance and the longest possible lifetime in good health;
10. Sample- means single or small quantities of a product provided without a cost;
11. Supplies- mean quantities of a product provided for use over an extended period, free at a low price, for social purposes, including those provided to families in need;
12. Young Children- refer to persons falling within the age of 1-3 yrs. Old.

**SECTION 6. SUPPORT GROUPS** - The Barangays are hereby encouraged to establish community support groups, composed of willing constituents of the community that will provide support to pregnant and breastfeeding mothers whenever breastfeeding and complementary feeding problems and challenges arise.

**SECTION 7. HEALTH WORKERS' ROLE.** City Government of Naga, Cebu and all the 28 barangays should ensure that health workers and birth attendants will:

- Provide support and counseling during pregnancy
- Help prepare for and initiate exclusive breastfeeding within the first hour after birth
- Support exclusive breastfeeding for 0-6 months
- Support continued breastfeeding up to two (2) years and beyond with addition of age-appropriate solid and semi-solid foods in infants' diet from six (6) months onwards.

**SECTION 8. FUNCTIONS OF THE BARANGAYS** – The City's 28 barangays shall encourage the peer counselors/community support groups to:

- Link and partner with the health center staff;
- Monitor, support and encourage optimal and appropriate IYCF;
- Engage with mothers and families of children under two (2) years through food demonstrations, recipe trails, one-on-one counseling and group counseling sessions on promoting optimal and appropriate IYCF practices; and
- Contributes/participate in the monitoring and reporting of Milk Code violations.

**SECTION 9. DUTIES OF THE CITY GOVERNMENT AND BARANGAYS** –

- The City Government of Naga, Cebu and its 28 Barangays shall ensure that health workers, health and nutrition volunteers (BHWS/BNS/Others) are promoting age-

appropriate, quality complementary foods to be consumed in the right quantity and frequency according to the age of the child;

- Health workers, health and nutrition volunteers should promote safe hygiene practice in the preparation of the food and during the actual feeding time with optimal feeding caring practices;
- No facility of the health care system such as health centers shall be used for the purpose of promoting infant formula or other breast milk substitutes, breast milk supplements and other related products.
- No materials/items that promote infant formula and other breast milk substitutes should be presented in public places;
- Formulate mechanism to ensure that manufacturers, distributors, health facilities and workplace and other related agencies are complying with the provisions of Executive Order 51 (Milk Code), Republic Act 7600 (Rooming-In & Breastfeeding Act) and R.A. 10028 (Expanded Breastfeeding Promotion Act of 2009);
- Include in the allocation of funds for preparedness and response plan for emergency and disasters all the activities and actions recommended in the IYCF;
- Encourage and invite religious leaders and groups, NGOs, POs and other groups to promote and advocate breastfeeding and complementary feeding using locally available foods, and issue statements, letters, for the followers in this regard;
- Encourage private sector without conflict of interest to finance local media campaign in support of the breastfeeding and complementary feeding;
- Encourage public and private sector to establish supportive working environments for pregnant and breastfeeding mothers so to help them continue breastfeeding even when they return to work in line with the provisions of RA 10028;
- Encourage schools/colleges/academic institutions, to organize seminars/ orientation/ forum/ discussions promoting age appropriate infant feeding addressed to children and their parents; and
- Establish with the support and guidance of the Department of Health, the National Nutrition Council and other partners a system that will help monitor and track progress in the implementation of the IYCF programme and the related practices at the community level.

## **RULE II PENAL PROVISIONS**

### **SECTION I. FILING OF ADMINISTRATIVE AND CRIMINAL COMPLAINT -**

Problems and/or violations at the local level shall be filed and reported to the CHO in writing supported by available evidence. The City Government shall notify the Food and Drug Administration (FDA) of any action taken to the aforesaid problems and or violations that require prosecution or imposition of administrative sanctions.

**SECTION 2. ADMINISTRATIVE SANCTION -** The following administrative sanctions shall be imposed upon government employees and barangay health workers or person/persons in public service found to have violated the provisions of this Ordinance or its issued Implementing Rules and Regulations (IRR).

a.) Against public employees – in accordance with the Administrative Code and pertinent Civil Service Rules and Regulations, erring government employees found to be liable and depending on the gravity of the violation, shall be imposed the appropriate penalty as detailed below by the disciplining authority.

- First offense - Reprimand
- Second offense - Suspension for one (1) day to thirty (30) days
- Third offense - Dismissal from Office

b.) Against Health Institutions/Facilities and Business Establish – Violators of this Ordinance and/or its IRR shall upon conviction be punished with the penalty of:

- First Offense – a fine of One Thousand Pesos (P1,000.00);
  - Second Offense – a fine of Five Thousand Pesos (P5,000.00) and the license to operate shall be suspended until such time the health institutions/facilities /business establishment comply with rules herein provided; and
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- Third Offense – revocation of license, permit or authority issued by the City Government. Should the Offense committed by a judicial person, the chairman, or board of directors, general manager and/or partners or persons directly liable shall be penalized.

### **RULE III. FINAL PROVISIONS**

**SECTION 1. INCENTIVES** - Workplace, malls and business establishments which shall provide breastfeeding stations shall receive citations, recognition awards by the City Government during its Charter Day anniversary celebration. The manager/owner shall be qualified in the Most Outstanding Entrepreneur of the City of Naga.

**SECTION 2. MISCELLENEOUS PROVISION:** Donations of products, materials defined and covered under the Milk Code and its IRR shall be strictly prohibited.

**SECTION 3. FUNDING** - The CHO shall submit a work and financial plan for the citywide IYCF activities. A certain amount of GAD funds will be appropriated to augment the existing CHO budget and support the implementation of the proposed plan, subject to standard accounting and auditing procedures.

**SECTION 4. NATIONAL PLAN OF ACTION** - This Ordinance seeks to ensure the adoption of the IRR of R.A 7600 or “The Rooming-In and Breastfeeding Act,” Executive Order No. 51 or “The Philippine Code of Marketing of Breastfeeding Substitutes, Breastmilk Supplements and Related Products,” and RA 10028 or the “Expanded Breastfeeding Promotion Act of 2009.”

**SECTION 5. IMPLEMENTING RULES AND REGULATIONS** - Within thirty (30) days from the effectivity of this Ordinance, the CHO, after a thorough consultation with key stakeholders, shall formulate the IRR of this Ordinance.

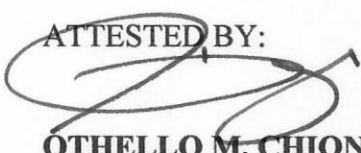
**SECTION 6. SEPARABILITY CLAUSE** – Any provision of this Ordinance found to be unconstitutional shall not affect the other which shall remain to be in full force and effect.

**SECTION 11. REPEALING CLAUSE** – Any ordinance found to be inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

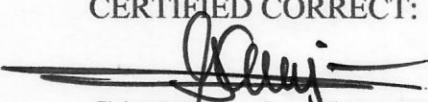
**SECTION 12. EFFECTIVITY** – This Ordinance shall take effect immediately upon its approval in accordance with law.

**APPROVED** on third and final reading this 28<sup>th</sup> day of December 2016, on motion of Hon. Luzminda R. Lapitan, seconded by Hon. Porferio V. Resaba, Jr.

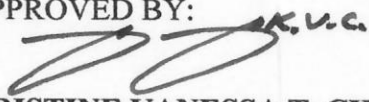
ATTESTED BY:

  
**OTHELLO M. CHIONG**  
Vice Mayor/Presiding Officer

CERTIFIED CORRECT:

  
**GARRY A. CABOTAJE**  
Secretary to the Sanggunian

APPROVED BY:

  
**KRISTINE VANESSA T. CHIONG**  
City Mayor