



Republic of the Philippines
REGIONAL SUB-COMMITTEE ON NUTRITION
SECTORAL COMMITTEE ON SOCIAL DEVELOPMENT
CALABARZON



RSCN-SCSD Resolution No. 1, Series 2021,
CREATION OF THE CALABARZON TASK FORCE ON
EO 51 (THE PHILIPPINE MILK CODE)

WHEREAS, the Calabarzon Regional Nutrition Cluster (RNC) is tasked to ensure that the nutritional status of the nutritionally-vulnerable population will not worsen during times of emergencies and disasters;

WHEREAS, during the recent disasters and emergencies in the region such as the Taal Volcano Eruption and the Covid-19 pandemic, violations on the Milk Code have been rampant which undermines breastfeeding, and puts infants and young children at-risk to malnutrition;

WHEREAS, the data on breastfeeding in the region remain to be of concern with only 57.0% of children 0-23 months old are initiated to breastfeeding within 1 hour after delivery, and that exclusive breastfeeding among 0-5 months is at 32.4%, based on the 2015 Expanded National Nutrition Survey conducted by the FNRI-DOST, which exacerbates the problem of malnutrition specifically undernutrition (stunting and wasting) in the region;

WHEREAS, the malnutrition problem in the region remains to be of public health concern specifically on stunting among children under-five at 27.7%, and 7.6% for wasting based on the 2015 results of the National Nutrition Survey conducted by the FNRI-DOST;

WHEREAS, one of the main issues discussed during the RNC meetings was the need to look closely on the implementation of the Milk Code in the region as one of the causes, specifically milk donations where several individuals, LGUs and groups were found to be violating the Milk Code;

WHEREAS, based on January 2020 – June 2021 data on Calabarzon Milk Code Violations received through the Mother Baby Friendly Philippines Reporting Platform of the Department of Health and was validated by the Center for Health Development Calabarzon, there was a total of fifty-three (53) confirmed violations – where twelve (12) violations were committed by LGUs, two (2) from private companies, thirty-six (36) were committed by private individuals and organizations, and three (3) were committed by hospitals, alone.

WHEREAS, during the 10th meeting of the RNC, series 2020, it was proposed that a Task Force on EO 51 be created that would monitor compliance as well as problems encountered in the implementation of the Milk Code

WHEREAS, during the 2nd Regional Technical Working Group/ Regional Nutrition Evaluation Team (RTWG/RNET) Meeting cum PPAN Program Implementation Review (PIR), series 2021, it was proposed that sanctions be given to confirmed violators of this code (See *Annex 1*).

WHEREAS, the establishment of the Calabarzon Task Force on EO 51 Milk Code Monitoring is one of the identified strategies to strengthen the Philippine Milk Code (EO 51) and its revised Implementing Rules and Regulations, regulate breastmilk substitute donations and provide sanctions to Milk Code violators in Calabarzon;

WHEREAS, there are several policy issuances to support the Calabarzon Task Force in Milk Code Monitoring namely:

- a) Executive Order No. 51 or the Philippine Milk Code of 1986 regulating the marketing of breast milk substitutes;
- b) DOH Administrative Order No. 2006-0012 issued on 15 May 2006 on the Revised Implementing Rules and Regulation of Executive Order No. 51, Otherwise Known as the Milk Code, Relevant Agreements, Penalizing Actions Thereof, and for Other Purposes;
- c) DOH Department Circular No. 2009-0228 issued on 17 August 2020 related to the Guidelines for the Monitoring of Milk Code Activities; and
- d) DOH Department Memorandum No. 2020-0231 issued on 15 May 2020 on the Guidelines on the Standardized Regulation of Donations, Related to EO 51, series of 1986, to Health Facilities and Workers, LGUs, NGOs, and Private Groups and Individuals in Support to the Response to Emergencies, Disasters, and Situations Where Health and Nutrition of Mothers, Infants, and Young Children are Affected.

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, in consideration of the above premises, to organize the Calabarzon Task Force on Milk Code Monitoring to be composed of the agencies and non-government organizations (NGOs) in the region as follows:

1. Department of Health Center for Health Development Calabarzon – Nutrition and Breastfeeding Program
2. Department of Health Center for Health Development Calabarzon – Disaster Risk Reduction and Management for Health (DRRM-H) Unit
3. Department of Health (DOH) – Food and Drug Administration (FDA) South Luzon Cluster
4. National Nutrition Council - Calabarzon
5. Department of Labor and Employment (DOLE)
6. Department of Education (DepEd)
7. Department of Interior and Local Government (DILG)
8. Department of Science and Technology (DOST)
9. Philippine Information Agency (PIA)
10. National Commission of Indigenous Peoples (NCIP)
11. Department of Social Welfare and Development (DSWD)
12. Department of Trade and Industry (DTI)
13. Office of the Civil Defense (OCD)
14. International Institute of Rural Reconstruction (IIRR)
15. Mother-Support Groups

RESOLVED FURTHER, that the Calabarzon Task Force on EO 51 Milk Code Monitoring shall be chaired by the Department of Health – Center for Health Development IV-A and co-chaired by the Food and Drug Administration South Luzon Cluster;

RESOLVED FURTHER, that the Calabarzon Task Force on EO 51 Milk Code Monitoring shall have National Nutrition Council Calabarzon as the Secretariat;

RESOLVED FURTHER, that the functions of the Task Force on EO 51 Milk Code shall be the following: 1) Monitor compliance as well as problems encountered in the implementation of the Milk Code; 2) Verify reports of violations of the Milk Code; 3) Monitor labels of products within the scope of the Code and marketing practices in various distribution centers; 4) Recommend sanctions and punitive actions for violations of the Milk Code to the FDA and follow up action/resolution; 5) Monitor implementation of milk donations approved by

the Inter Agency Committee; 6) Provide technical assistance to LGUs, government and private hospitals, companies regarding EO 51; 7) Strengthen advocacy on EO 51 through dissemination of relevant information; 8) Submit reports on the status of the Milk Code implementation to the Mother and Baby Friendly Philippines through its website; and 9) During emergencies and disasters, assist LGUs in the establishment of more sustainable interventions such as infant and young child feeding in emergencies by establishing mother-baby friendly spaces, establishment of community nutri-kitchen, and lactation counselling by mother-support groups.

RESOLVED FINALLY, to elevate this resolution to the Sectoral Committee on Social Development (SCSD) of the Regional Development Council (RDC) for advocacy and support.

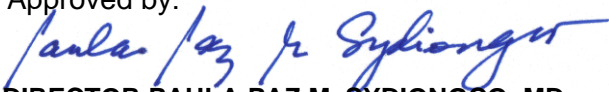
Unanimously approved this 29th day of June 2021.

Attested by:



CARINA Z. SANTIAGO, MCN
Regional Nutrition Program Coordinator
National Nutrition Council IV-A and
Secretary, RSCN-SCSD IV-A

Approved by:



DIRECTOR PAULA PAZ M. SYDIONGCO, MD
OIC-Regional Director
Department of Health IV-A
Chair, RSCN-SCSD IV-A

ANNEX 1.

SANCTIONS (Section 13: EO 51 The Philippine Milk Code)

Any person who violates the provisions of this Code or the rules and regulations issued pursuant to this Code shall, upon conviction, be punished by a penalty of two (2) months to one (1 year) imprisonment or a fine of not less than One Thousand Pesos (P1,000.00) nor more than Thirty Thousand Pesos (P30,000.00) or both. Should the offense be committed by a juridical person, the Chairman of the Board of Directors, the president, general manager, or the partners and/or the persons directly responsible therefore, shall be penalized.

Any license, permit or authority issued by any government agency to any health worker, distributor, manufacturer, or marketing firm or personnel for the practice of their professional or occupation or for the pursuit of their business, may, upon recommendation of the Secretary of Health, be suspended or revoked in the event of repeated violation of the Code, or of the rules and regulations issued pursuant to this Code.