



## OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT TAKEN FROM THE JOURNAL OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON DECEMBER 10, 2019.**

**PRESENT:**

- |  |                                 |
|--|---------------------------------|
| <b>Vice Mayor Jose Antonio Miguel Y. Perez</b> | - <b>Presiding Officer</b>      |
| Councilor Apolonia G. Bacay                    | - Presiding Officer Pro-Tempore |
| Councilor Cirilo B. Radoc                      | - Majority Floor Leader         |
| Councilor Oscar A. Boling                      | - Minority Floor Leader         |
| Councilor Carolyn D. Sison                     | - Member                        |
| Councilor Michelle S. Segundera                | - Member                        |
| Councilor Joselito O. Fontelera                | - Member                        |
| Councilor Verna S. D. Rabago                   | - Member                        |
| Councilor Froebel A. Ranoy                     | - Member                        |
| Councilor Dahlia M. de Leon                    | - Member                        |
| Councilor Alfred Felix E. de Castro            | - Member                        |
| LBP Raul B. Bacay                              | - Ex-Officio Member             |

**ABSENT:**

- |                         |            |
|-------------------------|------------|
| PPSKP Lovely V. Bernabe | - On leave |
|-------------------------|------------|

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### ORDINANCE NO. 2019-13

**AN ORDINANCE PROMOTING BREASTFEEDING AND REQUIRING THE ESTABLISHMENT OF LACTATION STATIONS IN ALL HEALTH AND NON-HEALTH INSTITUTIONS/ESTABLISHMENTS IN THE CITY OF ALAMINOS, PANGASINAN PURSUANT TO REPUBLIC ACT 7600 AND REPUBLIC ACT 10028**

Sponsor: Councilor Apolonia G. Bacay

**WHEREAS**, Article II Section 15 of the 1987 of the Philippine Constitution states that "The states shall protect and promote the right of health of the people and instill health consciousness among them;"

**WHEREAS**, the use of breast milk which is widely recognized as the best source of nutrition for babies, promotes the development of emotional bonding between the mother and the child, bestows upon the newborn infant protection against infection, provides the mother's natural contraception after delivery, and protects the mother from closely escaped emergency;

**WHEREAS**, Section 458 (a) Republic Act 7160 otherwise known as the "Local Government Code of 1991" states that the Sangguniang Panlungsod shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the City and its inhabitants;

**WHEREAS**, the National Code of Marketing of Breast Milk Substitutes, Breastmilk Supplements and Other Related Products (Executive Order 51) states that in order to ensure that safe and adequate nutrition for infants is provided, there is a need to protect and promote breastfeeding and to inform the public about the proper use of breast milk, substitutes and supplements including its marketing and distribution;

**WHEREAS**, Republic Act 7600 amended by Republic Act 10028 provides that the State shall promote and encourage breastfeeding and provide the specific measures that would present opportunities for mothers to continue expressing their milk and/or breastfeeding their infant or young child;



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(Cont. Ord. No. 2019-13, enacted on 10<sup>th</sup> day of December, 2019)

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**WHEREAS**, the Philippines has adopted the World Health Organization (WHO) and the United Nations International Children's Emergency Fund (UNICEF) "2002 Global Strategy on Infant and Young Feeding" which recommends exclusive breast milk feeding for newborn, and with continued breastfeeding in combination with complimentary feeding for infants and young children from six (6) months onward;

**NOW, THEREFORE**, on motion of Councilor Apolonia G. Bacay, duly seconded by Councilor Cirilo B. Radoc, Councilor Froebel A. Ranoy, Councilor Verna S. D. Rabago, Councilor Alfred Felix E. de Castro and LBP Raul B. Bacay,

**BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD IN A SESSION DULY ASSEMBLED THAT:**

**SECTION 1. TITLE** - This Ordinance shall be known as "*AN ORDINANCE PROMOTING BREASTFEEDING AND REQUIRING THE ESTABLISHMENT OF LACTATION STATIONS IN ALL HEALTH AND NON-HEALTH INSTITUTIONS/ESTABLISHMENTS IN THE CITY OF ALAMINOS, PANGASINAN PURSUANT TO REPUBLIC ACT 7600 AND REPUBLIC ACT 10028.*"

**SECTION 2. DEFINITION OF TERMS** - For the purpose of this Ordinance, the following definitions are adopted from Republic Act 10028:

- a. Bottle Feeding – the method of feeding an infant using a bottle with artificial nipples, the contents of which can be any type of fluid;
- b. Breastfeeding – the method of feeding an infant directly from the human breast;
- c. Breast Milk – the human milk from the mother;
- d. Breast Milk Substitute – any food being marketed or otherwise represented as partial or total replacement of breast milk whether or not suitable for that purpose;
- e. Expressed Breast Milk – the human milk which has been extracted from the breast by hand or by breast pump. It can be fed to an infant using a dropper, a nasogastric tube, a cup and spoon or a bottle;
- f. Expressing Milk – the act of extracting human milk from the breast by hand or by pump into a container;
- g. Formula Milk – the feeding of a newborn with infant formula usually by pump into a container;
- h. Health Institutions – hospitals, health infirmaries, health centers, lying-in centers, or puericulture centers with obstetrical and pediatrics services;
- i. Health workers – all persons who are engaged in health and health-related work and all persons employed in all hospitals, sanitarium, health infirmaries, health centers, rural health units, barangay health clinics and other health-related establishments, whether government or private, and shall include medical, allied health professional, administrative and support personnel employed regardless of their employment status;
- j. Infant – a child within zero (0) to twelve (12) months of age;
- k. Infant Formula – the breast milk substitute formulated industrially in accordance with applicable Codex Alimentarius Standards, to satisfy the normal nutritional requirements of infants up to six (6) months of age, and adopted to their psychological characteristics;
- l. Lactation Management – the general care of a mother-infant nursing couple during the mother's prenatal, immediate postpartum and postnatal periods. It deals with educating and providing knowledge and information to pregnant and lactating mothers on the advantages of breastfeeding, the risk associated with breast milk substitutes and milk products not suitable as breast milk substitute, such as, but

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- not limited to, condensed milk and evaporated milk, the monitoring of breastfeeding mothers by health workers and breastfeeding peer counselors for service patience to ensure compliance with Department of Health (DOH), WHO and the UNICEF on the implementation of breastfeeding policies; the physiology of lactation; the establishment and maintenance of lactation; the proper care of the breast and nipples; and such other matters that would contribute to successful breastfeeding;
- m. Lactations Stations – private, and well-ventilated rooms or areas in the workplace or public places where nursing mothers can wash up, breastfeed or express their milk comfortably and store this afterward;
  - n. Mother’s Milk – the breast milk from the newborn’s own mother;
  - o. Non health Institutions – public places and working places, as defined in subparagraphs (s) and (n) respectively;
  - p. Nursing Employee – any female worker, regardless of employment status, who is breastfeeding her infant and/or young child;
  - q. Public Institutions – facilities which are government-owned, such as city hall, public schools, barangay halls, government offices and the likes;
  - r. Private Institutions – facilities which are privately owned by the individuals or corporations, such as private schools, malls, banks, industries and the likes;
  - s. Public Place – enclosed or confined areas, such as schools, public transportation terminals, shopping malls, and the likes;
  - t. Rooming-in – the practice of placing the newborn in the same room as the mother right after delivery up to discharge to facilitate mother-infant bonding and to initiate breastfeeding. The infant may either share the mother’s bed or be placed in a crib beside the mother;
  - u. Workplace – work premises, whether private enterprises or government agencies, including their subdivisions, instrumentalities and government and controlled corporation; and
  - v. Young child – a child from the age of twelve (12) months and one (1) day up to thirty-six (36) months.

**SECTION 3. SCOPE AND COVERAGE** - This Ordinance shall be enforced within the territorial jurisdiction of the City of Alaminos. The provisions shall apply to the health and non-health institutions to set up lactation station in the workplace with appropriate lactation program.

**SECTION 4. ESTABLISHMENT OF LACTATION STATION -**

4.1 It is hereby mandated that all health and non-health institutions shall establish lactation stations, except for those institutions that are exempted with a certification of exemption from the Department of Labor and Employment (DOLE). The lactation station shall be adequately provided with the necessary equipment and facilities, such as:

- a. Lavatory for hand washing, there is an easily accessible lavatory nearby;
- b. Refrigeration or appropriate cooling facilities for storing expressed breast milk;
- c. Electrical outlets for breast pumps;
- d. A small table;
- e. Comfortable seats; and
- f. Other items.

The standards of which shall be defined by the Department of Health (DOH). The lactation station shall not be located in the toilet.

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4.2 All health and non-health institutions shall take strict measures to prevent any direct or indirect form of promotion, marketing and/or sales of infant formula and/or breast milk substitutes within the lactation stations, or in any event or circumstances which may be synonymous to the same.

4.3 Apart from the said minimum requirements, all health and non-health institutions may provide other suitable facilities or services within the lactation station.

**SECTION 5. LACTATION PERIODS** - Nursing employees shall be granted break intervals in addition to the regular time off meals to breastfeed or express milk. These intervals, which shall include the time it takes an employee to get to and from the workplace to the lactation station, shall be counted as compensable hours worked. The DOLE may adjust the same, provided, that such intervals shall not be less than a total of forty (40) minutes for every eight-hour (8-hour) working period.

### **SECTION 6. INFORMATION, EDUCATION AND REEDUCATION DRIVE**

6.1 There shall be a continuing education, reeducation and training of health workers and health institutions. Information material shall be given to all health workers involved in material and infant health institutions.

6.2 Information Dissemination and Educational Programs of Pregnant Women and Women of the Reproductive Age. During prenatal and postnatal consultations and/or confinements of the mothers or pregnant women in a health institution, the health worker shall immediately and continuously teach, train and support the women on current and updated lactation management and infant care, through participatory strategies, such as organization of mother's clubs and breastfeeding support groups and to distribute written information materials on such free of charge.

6.3 The City Health Office is hereby mandated to develop and provide breastfeeding programs for working mothers whose employers are encouraged to avail of it as part of their human resource development programs.

6.4 To equip women of reproductive age with accurate information on maternal nutrition and proper nourishment in preparation for successful and sustainable breastfeeding, the City Health Office is likewise mandated to produce and make available relevant information and programs which should be disseminated to the City.

6.5 Employers are also highly encouraged to develop breastfeeding or lactation support programs which main function is to assess the needs of lactating employees with adequate information regarding lactation management in the form of brochures, pamphlets and other educational materials.

**SECTION 7. BREASTFEEDING AWARENESS MONTH** - To raise awareness on the importance of and to further promote breastfeeding, the month of August of every year shall be known as "Breastfeeding Awareness Month" in the City of Alaminos, Pangasinan.

**SECTION 8. PUBLIC EDUCATION AND AWARENESS PROGRAM** - To ensure the meaningful observance of breastfeeding month as herein declared, a comprehensive public education and awareness program shall be undertaken in order to achieve the following objectives:

- a. To protect, promote and support breastfeeding in the city as the normal, natural and preferred method of feeding infants and young children;
- b. To guarantee the rightful place of breastfeeding in society as a time honored tradition and nurturing value, as well as a national health policy that must be enforced;

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- c. To provide information about the benefits and superiority of breastfeeding and the high risks and costs of bottle feeding;
- d. To generate awareness on, and full enforcement of, national and international laws, codes, policies and programs on the promotion and protection of safe and adequate nutrition for infants and young children by promoting and protecting breastfeeding and regulating of certain foods and feeding bottles, teats and pacifiers; and
- e. To instill recognition, support and ensure access to comprehensive, current and culturally appropriate lactation care and services for all women, children and families, including support for breastfeeding mothers in the work force.

**SECTION 9. IMPLEMENTING AGENCY** - The City Health Office shall be principally responsible for the implementation and enforcement of the provisions of this Ordinance.

### SECTION 10. PENALTIES

10.1 Any health or non-health institutions which unjustifiably refuses or fails to comply with Sections 4 and 5 of this Ordinance shall be imposed a fine of Five Thousand Pesos (Php 5 000.00) and cancellation or revocation of the business permit or licenses to operate.

10.2 In all cases, the fine imposed should take into consideration, among others, number of women employees, physical size of the establishment, and the average number of women who visit.

10.3 This shall be without prejudice to other liabilities applicable under Civil Service Law.

**SECTION 11. IMPLEMENTED RULES AND REGULATIONS** - The Office of the City Mayor through the recommendation of the City Health Officer shall, within six months upon approval of this ordinance, promulgate rules and regulations to effectively implement its provisions.

**SECTION 12. SEPARABILITY CLAUSE** - In case any of the provisions of this Ordinance shall be declared unconstitutional by the Court, those provisions which are not affected thereby shall remain effective and enforceable.

**SECTION 13. REPEALING CLAUSE** - All existing ordinances, resolutions, rules and regulations, or parts thereof, in conflict with or inconsistent with any provision of this Ordinance are hereby repealed, amended or modified accordingly.

**SECTION 14. EFFECTIVELY CLAUSE** - This Ordinance shall take effect three (3) months after its posting at the bulletin boards of the City Government and upon publication in a newspaper of local circulation.

**SO ORDAINED/ENACTED .....**

Handwritten signatures of the Sangguniang Panlungsod members, including names like 'M. P. ...' and 'M. ...'.



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
**I HEREBY CERTIFY** to the correctness of the foregoing ordinance consisting of six (6) pages including this page.

ATTESTED:

  
**JOSE ANTONIO MIGUEL Y. PEREZ**  
City Vice Mayor/Presiding Officer

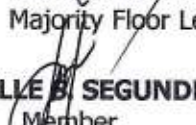
  
**APOLONIA G. BACAY**  
Presiding Officer Pro-Tempore

  
**CIRILO B. RADO**  
Majority Floor Leader


  
**LUZ B. VALE**  
Secretary

  
**OSCAR A. BOLING**  
Minority Floor Leader

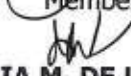
  
**CAROLYN D. SISON**  
Member

  
**MICHELLE B. SEGUNDERA**  
Member

  
**JOSELITO O. FONTELERA**  
Member

  
**VERNA S. D. RABAGO**  
Member


  
**FROEBEL A. RANOY**  
Member

  
**DAHLIA M. DE LEON**  
Member

  
**ALFRED FELIX E. DE CASTRO**  
Member

  
**RAUL B. BACAY, LBP**  
Ex-Officio Member

APPROVED BY:

  
**ARTH BRYAN C. CELESTE**  
City Mayor  
01/14/20  
Date