

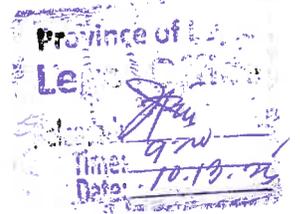


Republic of the Philippines
PROVINCE OF LEYTE
 Provincial Capitol
 Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Item No.: 03
 Date: 21 2025 OCT



Sangguniang-Panalalawigan
 Province of Leyte
RECEIVED
 Date: OCT 11 3 2025

2nd INDORSEMENT
 October 3, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2025-06, series of 2025 of the Sangguniang Bayan of San Miguel, Leyte.

Issues/ concerns for review/ recommendation/ legal opinion is/ are as follows:

- Ordinance No. 2025-06, series of 2025 entitled: **“An Ordinance promoting breastfeeding and the use of breast milk, and requiring all offices and establishments within the Municipality of San Miguel with 15 or more female employees of reproductive age (15-49) years old to provide their female employees with lactation stations pursuant to RA 7600 and RA 10028”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance to its power under Section 447(a)¹ of the Local Government Code of 1991 (R.A 7160), pursuant to RA 10028². Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹;(a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code,

² “Expanded Breastfeeding Promotion Act of 2009”

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-o0o-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
29 September 2025

Province of Leyte
Legal Office
Received: *Jico*
Date: *9.30.25*

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2025-06, s. 2025** of the **Municipality of San Miguel, Leyte**, entitled: **An Ordinance promoting breastfeeding and the use of breast milk, and requiring all offices and establishments within the Municipality of San Miguel with fifteen (15) or more female employees of reproductive age (15-49 years old) to provide their female employees with lactation stations pursuant to Republic Act 7600 and Republic Act 10028.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF SAN MIGUEL
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

September 16, 2025
SANGGUNIANG PANLALAWIGAN

The Honorable Members of the Sangguniang Panlalawigan of Leyte
Thru: The Sangguniang Panlalawigan Secretary
Provincial Legislative Building,
Candahug, Palo, Leyte



Gentlemen/Ladies:

I have the honor to forward herewith pertinent documents of the Sangguniang Bayan of the Municipality of San Miguel, Leyte for review and approval, to wit:

1. Sixteen (16) copies of Municipal Ordinance No. 2025-06, Series of 2025 as embodied under Resolution No. 163, Series of 2025 entitled: **"AN ORDINANCE ON PROMOTING BREASTFEEDING AND THE USE OF BREAST MILK AND REQUIRING ALL OFFICES AND ESTABLISHMENTS WITHIN THE MUNICIPALITY OF SAN MIGUEL WITH FIFTEEN (15) OR MORE FEMALE EMPLOYEES OF REPRODUCTIVE AGE (15-49 YEARS OLD) TO PROVIDE THEIR FEMALE EMPLOYEES WITH LACTATION STATIONS PURSUANT TO REPUBLIC ACT 7600 AND REPUBLIC ACT 10028."**

Kindly acknowledge receipt hereof.

Very truly yours,


BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan



Republic of the Philippines
PROVINCE OF LEYTE
 MUNICIPALITY OF SAN MIGUEL

SANGGUNIANG PANLALAWIGAN

RECEIVED
 17 SEP 2025
 9:05 PM

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN, SAN MIGUEL, LEYTE, HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, SAN MIGUEL, LEYTE ON AUGUST 29, 2025

PRESENT:

- Hon. Letecia G. Espos - SB Member/ Temporary Presiding Officer
- Hon. Jerome P. Peñaranda - SB Member
- Hon. Danilo L. Aureo - SB Member
- Hon. Norman Niel G. Martija - SB Member
- Hon. Francis Jay D. Sabdao - SB Member
- Hon. Thelma M. Brazil - SB Member
- Hon. Raul A. Salas - SB Member
- Hon. Richard Len B. Lapidario - SB Member
- Hon. Samuel P. Salomon - Ex-Officio Member, President, Liga ng mga Barangay
- Hon. Joss Novem B. Labaclado - Ex-Officio Member, President, Sangguniang Pambayang Pederasyon

Hon. Estanislao D. Sabdao, Jr. - Municipal Vice-Mayor/Presiding Officer (OIC-Municipal Mayor)

**Resolution No. 163
 Series of 2025**

AN ORDINANCE ON PROMOTING BREASTFEEDING AND THE USE OF BREAST MILK AND REQUIRING ALL OFFICES AND ESTABLISHMENTS WITHIN THE MUNICIPALITY OF SAN MIGUEL WITH FIFTEEN (15) OR MORE FEMALE EMPLOYEES OF REPRODUCTIVE AGE (15-49 YEARS OLD) TO PROVIDE THEIR FEMALE EMPLOYEES WITH LACTATION STATIONS PURSUANT TO REPUBLIC ACT 7600 AND REPUBLIC ACT 10028.

WHEREAS, Article II Section 15 of the 1987 Constitution of the Republic of the Philippines states that "The state 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 or emotional bonding between the mother and child, bestow 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 447 (a) of Republic Act 7160 otherwise known as the "Local Government Code of 1991" states that the Sangguniang Bayan as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the Municipality 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 otherwise known as "The Rooming-in and Breastfeeding Act of 1992" and Republic Act 10028 otherwise known as "Expanded Breastfeeding Promotion Act of 2009" declares the breastfeeding and breast milk as the National Policy;

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 Child Feeding" which recommends exclusive breast milk feeding for newborn, and with

WHEREFORE, on motion of Hon. Francis Jay D. Sabdao and duly seconded by all members present

Certified Correct:

BRYAN NEIL B. BRAZIL
 Secretary to the Sangguniang Bayan

Attested by:

HON. LETECIA G. ESPOS
 SB MEMBER/Temporary Presiding Officer

Concurred:

HON. JEROME P. PEÑARANDA
 SB MEMBER

HON. DANILLO L. AUREO
 SB MEMBER

HON. NORMAN NIEL G. MARTIJA
 SB MEMBER

Approved:

HON. FRANCIS JAY D. SABDAO
 SB MEMBER

HON. THELMA M. BRAZIL
 SB MEMBER

HON. RAUL A. SALAS
 SB MEMBER

HON. RICHARD LEN B. LAPIDARIO
 SB MEMBER

HON. SAMUEL P. SALOMON
 President, Liga ng mga Barangay

HON. JOSS NOVEM B. LABACLADO
 President, SK Pambayang Pederasyon

HON. ESTANISLAO D. SABDAO, JR.
 OIC-Municipal Mayor

BE IT ORDAINED by the Sangguniang Bayan of San Miguel, Leyte assembled in session to enact the foregoing ordinance, to wit:

**MUNICIPAL ORDINANCE NO. 2025-06
Series of 2025**

AN ORDINANCE PROMOTING BREASTFEEDING AND THE USE OF BREAST MILK, AND REQUIRING ALL OFFICES AND ESTABLISHMENTS WITHIN THE MUNICIPALITY OF SAN MIGUEL WITH FIFTEEN (15) OR MORE FEMALE EMPLOYEES OF REPRODUCTIVE AGE (15-49 YEARS OLD) TO PROVIDE THEIR FEMALE EMPLOYEES WITH LACTATION STATIONS PURSUANT TO REPUBLIC ACT 7600 AND REPUBLIC ACT 10028

**Sponsor: HON. FRANCIS JAY D. SABDAO
SB Member/Chairman on Rules, Privileges, Ordinances,
Legal Matters and Ways & Means**

SECTION 1. TITLE. This Ordinance shall be known as "AN ORDINANCE ON PROMOTING BREASTFEEDING AND THE USE OF BREAST MILK AND REQUIRING ALL OFFICES AND ESTABLISHMENTS WITHIN THE MUNICIPALITY OF SAN MIGUEL WITH FIFTEEN (15) OR MORE FEMALE EMPLOYEES OF REPRODUCTIVE AGE (15-49 YEARS OLD) TO PROVIDE THEIR FEMALE EMPLOYEES WITH LACTATION STATIONS PURSUANT TO REPUBLIC ACT 7600 AND REPUBLIC ACT 10028".

SECTION 2. DEFINITION OF TERMS. For 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 suitable for cat purpose;
 - e) Expressed Breast Milk- the human milk which has been extracted from the breast by hand or by breast pump. It can be tended 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;
- Health Workers - all persons who are engaged in health and health related work and all persons employed in all hospitals, sanitaria, 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
- Infant - a child within zero (0) to twelve (12) months of age;
- Infant Formula - the breast milk substitute formulated industrially in accordance with applicable Codex Alimentarius Standards, to satisfy normal nutritional requirements of infants up to six (6) months of age, and adapted to their psychological characteristics;
- 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 breastmilk substitutes and milk products not suitable as Breast milk substitute such as, but not limited to, condensed milk and evaporated milk the monitoring of breastfeeding mothers by workers and breastfeeding peer counselors for service patients to ensure compliance with the Department of Health (DOH), Organization (WHO) and the United World Health Nations International Children's Emergency Fund (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, such other matters that would contribute to successful breastfeeding;

Certified Correct:

BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan

Attested by:

HON. LETICIA G. ESPOS
SB Member/Temporary Presiding Officer

Concurred:

HON. JEROME B. PENTRABANDA
SB Member

HON. DANILLO L. AUREO
SB Member

HON. NORMAN M. JARITUA
SB Member

Approved:

HON. FRANCIS JAY D. SABDAO
SB MEMBER

HON. THELMA M. BRAZIL
SB MEMBER

HON. RAUL A. SALANO
SB MEMBER

HON. RICHARDLEN B. LAPIDARIO
SB MEMBER

HON. SAMUEL P. SALOMON
President, Liga ng mga Barangay

HON. JOSS NOVENI B. LABACIADO
President, Sangguniang Pambayang Pederasyon

HON. ESTANISLAO D. SABDAO, JR.
OIC-Municipal Mayor

Certified Correct:

BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan

HON. FRANCIS JAY D. SABBAD
SB MEMBER

HON. THELMA M. BRAZIL
SB MEMBER

HON. RAUL A. SALAÑO
SB MEMBER

HON. RICHARD LENI B. LAPIDARIO
SB MEMBER

HON. SAMUEL P. SALOMON
President, Liga ng mga Barangay

HON. JOSS NOVEN B. LABACILADO
President, SK Pambarangay Pederasyon

HON. ESTANISLAO F. OIC-M

Attested by:

HON. LETECIA G. ESPINO
SB MEMBER/Temporary Presiding Officer

Concurred:

HON. JEROME P. JENKARANDA
SB MEMBER

HON. DANIL O. L. AURO
SB MEMBER

HON. NORMANNIEL G. MARTELIA
SB MEMBER

Approved:

- m) Lactation Stations - private, Clean, sanitary, 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:
- (u) Mother's Milk- the breast milk from the newborn's own mother:
- b) Non-health Institutions - public places and working places, as defined in 11 subparagraph's (s) and (u) respectively;
- d) Nursing Employee - any female worker, regardless of employment status, who is breastfeeding her infant and/or young child;
- e) 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 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,
- t) Rooming-in - practice or 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 corporations; 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 Municipality of Real. The provisions shall apply to 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 size will be at least 3-4 sqm, shall be adequately ventilated and 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) Table; 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.

4.2. All health and non-health institutions 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 conducive 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 and from the workplace to the lactation station, shall be counted 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 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.

Certified Correct:

BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan

HON. FRANCIS JAY D. SABDAO
SB MEMBER

Attested by:

HON. LETECIA G. ESPOS
SB MEMBER/Temporary Presiding Officer

HON. THELMA M. BRAZIL
SB MEMBER

HON. RAUL A. SALAÑO
SB MEMBER

Concurred:

HON. JEROME P. GRANERANDA
SB MEMBER

HON. RICHARD LEN B. LAPIDARIO
SB MEMBER

HON. DANIL D. L. AURO
SB MEMBER

HON. SAMUEL P. SALOMON
President, Liga ng Liga Barangay

HON. NORMANIEL G. MARTILLA
SB MEMBER

HON. JOSS NOVEM B. LABACLADO
President, SIK Pambarangay Pederasyon

Approved:

HON. ESTANISLAO
OIC-M

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 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 Municipal 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 Municipal Health Office is likewise mandated to produce and make available relevant information and programs which should be disseminated to the Municipality.

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 every year throughout the Municipality of Real shall be known "Breastfeeding Awareness Month"

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

- a) To protect, promote and support breastfeeding in the Philippines 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 national health policy that must be enforced;
- c) To provide information about the benefits and superiority of breastfeeding and the high risks and costs of
- d) To generate awareness on, and full enforcement of, national and international laws, codes, policies and programs on the promotion and protection or safe and adequate nutrition for infants and children by promoting and protecting breastfeeding and regulating of certain foods and feeding bottles, teats 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 Municipal Health Office shall be principally responsible for the implementation and enforcement of the provisions of this Ordinance.

SECTION 10: INCENTIVES

10.1 All exclusive lactating mothers shall be rewarded an amount of Three Thousand Pesos Only (Php 3,000.00).

10.2 Those who are eligible are mothers lactating within Zero to Six (0-6) Months or One Hundred Eighty (180) Days.

SECTION 11. IMPLEMENTING RULES AND REGULATIONS. The Office of the Municipal Mayor shall promulgate rules and regulations to effectively implement the provisions of this Ordinance.

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 hereby 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. EFFECTIVITY CLAUSE. This Ordinance shall take effect three (3) months after the approval of this Ordinance.

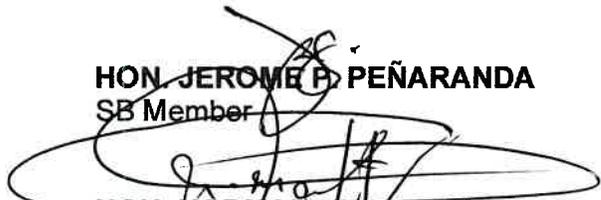
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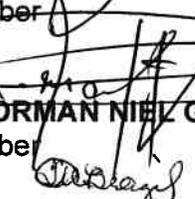
- **August 29, 2025**

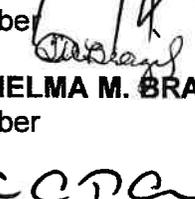
I HEREBY CERTIFY to the correctness of the foregoing resolution/ordinance.


BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan

Concurred:

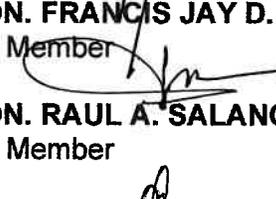

HON. JEROME P. PEÑARANDA
SB Member

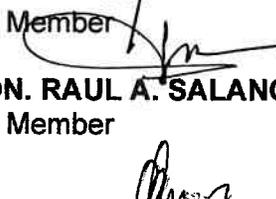

HON. NORMAN NIEL G. MARTIJA
SB Member

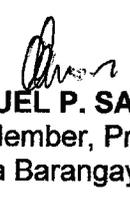

HON. THELMA M. BRAZIL
SB Member

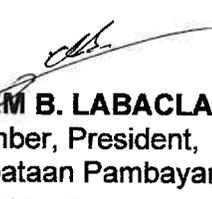

HON. RICHARD LEN B. LAPIDARIO
SB Member


HON. DANILO L. AUREO
SB Member

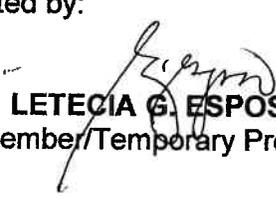

HON. FRANCIS JAY D. SABDAO
SB Member


HON. RAUL A. SALANO
SB Member


HON. SAMUEL P. SALOMON
Ex-Officio Member, President
Liga ng mga Barangay


HON. JOSS NOVEM B. LABACLADO
Ex-Officio Member, President,
Sangguniang Kabataan Pambayang
Pederasyon

Attested by:


HON. LETECIA G. ESPOS
SB Member/Temporary Presiding Officer

Approved:


HON. ESTANISALO D. SABDAO, JR.
OIC-Municipal Mayor



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF SAN MIGUEL
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

THIS IS TO CERTIFY that Municipal Ordinance No. 2025-06, Series of 2025 as embodied under Resolution No. 163, Series of 2025 entitled: **“AN ORDINANCE ON PROMOTING BREASTFEEDING AND THE USE OF BREAST MILK AND REQUIRING ALL OFFICES AND ESTABLISHMENTS WITHIN THE MUNICIPALITY OF SAN MIGUEL WITH FIFTEEN (15) OR MORE FEMALE EMPLOYEES OF REPRODUCTIVE AGE (15-49 YEARS OLD) TO PROVIDE THEIR FEMALE EMPLOYEES WITH LACTATION STATIONS PURSUANT TO REPUBLIC ACT 7600 AND REPUBLIC ACT 10028.”** has been posted in three (3) conspicuous places within the municipality and shall remain posted for three (3) consecutive weeks.

Done this day 16th day of September at San Miguel, Leyte.



BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan