

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4465



Introduced by Hon. Anthony Peter "Onyx" D. Crisologo

AN ACT
MANDATING FOOD ESTABLISHMENTS TO DONATE UNSOLD
AND SAFE TO EAT PRODUCTS FOR DISPOSAL TO
CHARITABLE INSTITUTIONS AND PRESCRIBING PENALTIES
FOR VIOLATION

EXPLANATORY NOTE

In a survey¹ conducted by the Social Weather Stations (SWS) Poll, approximately 2.3 million Filipino families experienced hunger in the first quarter of 2019. Although a percentage lower than the hunger incidence recorded in the last quarter of 2018, the number of families suffering from this issue remains significant, and should be impermissible.

The issue of involuntary starvation causes serious health problems that could result to death if left unresolved. This necessitates the government to be more stringent with its efforts in arresting food insecurity to stay true to the constitutional mandate that directs it to serve and protect the people. With a plethora of Filipino families enduring food deprivation, it should be declared unlawful to waste food.

This bill pushes for the proper utilization of all available resources in the country by prohibiting food establishments from disposing food that are still fit for human consumption, and mandating these businesses to channel their unsold products to charitable institutions that need them.

In view of the foregoing, the passage of this bill is earnestly sought.


ANTHONY PETER "ONYX" D. CRISOLOGO

Representative
First District, Quezon City

¹ Published in inquirer.net, April 25, 2019

1 **Republic of the Philippines**
2 **HOUSE OF REPRESENTATIVES**
3 **Quezon City, Metro Manila**
4
5 **EIGHTEENTH CONGRESS**
6 **First Regular Session**
7 **HOUSE BILL NO. 4465**
8
9

10
11 **Introduced by Hon. Anthony Peter “Onyx” D. Crisologo**
12

13
14 **AN ACT**
15 **MANDATING FOOD ESTABLISHMENTS TO DONATE UNSOLD**
16 **AND SAFE TO EAT PRODUCTS FOR DISPOSAL TO**
17 **CHARITABLE INSTITUTIONS AND PRESCRIBING PENALTIES**
18 **FOR VIOLATION**
19

20 *Be it enacted by the Senate and House of Representatives of the*
21 *Philippines in Congress assembled.*
22

23 **SECTION 1. Declaration of Policy.** It is hereby declared the policy of
24 the state to ensure food security by creating a sustainable system that
25 directly addresses the issue of involuntary starvation.
26

27 **SECTION 2. Mandatory Donation of Unsold Food Fit for Human**
28 **Consumption.** Food establishments are prohibited from disposing unsold
29 food, fit for human consumption in the next 12 hours, and are mandated to
30 donate them to qualified charitable institutions.
31

32 **SECTION 3. Coverage.** The businesses covered by this Act are food
33 establishments that manufacture large quantity of their products on a daily
34 basis such as; fast food chains, bakeries, pastry shops and other similar
35 businesses.
36

37 **SECTION 4. Agencies Concerned and their Responsibilities.** The
38 Government Agencies relevant to this Act are as follows:
39

40 a. The Department of Trade and Industry (DTI) shall
41 identify the food establishments covered by this Act.
42

43 b. The Department of Social Welfare and Development
44 (DSWD) shall facilitate the distribution of the donations from
45 the identified food establishments and shall determine the
46 qualified beneficiaries of this Act.
47

48 c. The Department of the Interior and Local
49 Government (DILG) shall ensure that all Local Government

1 Units adhere to the provisions of this Act, and should require
2 them to provide annual evaluation report.

3
4 **SECTION 5. *Implementing Rules and Regulations.*** DTI in close
5 coordination with DSWD, and DILG shall promulgate the rules and
6 regulations of this Act.

7
8 Further, the strict implementation of this Act shall be under the direct
9 supervision of the Local Government Unit where the permit of the
10 establishment was issued, in consultation with the Department of the Interior
11 and Local Government.

12
13 **SECTION 6. *Penalty.*** It is prohibited for the identified food
14 establishments or other similar businesses to discard any food that are still fit
15 for human consumption in at least the next 12 hours.

16
17 Any food establishment violating this provision shall be penalized
18 with a minimum fine of Twenty five thousand pesos (₱ 25,000) but not to
19 exceed Fifty thousand pesos (₱ 50,000) for every violation.

20
21 Moreover, Local Government Units are given the authority to revoke
22 the license to operate of the establishments that are found liable under this
23 Act for more than five (5) times, and the establishments that fail to settle
24 within the period of one (1) the penalties imposed against them.

25
26 **SECTION 7. *Separability Clause.*** The provisions of this Act are
27 hereby declared separable, and in the event one or more of such provisions
28 or part thereof are declared unconstitutional, such declaration of
29 unconstitutionality shall not affect the validity of the other provisions
30 thereof.

31
32 **SECTION 8. *Repealing Clause.*** All laws, acts, presidential decrees,
33 executive orders, proclamations and/or administrative regulations which are
34 inconsistent with the provisions of this Act, are hereby amended, modified,
35 superseded or repealed accordingly.

36
37 **SECTION 9. *Effectivity.*** This Act shall take effect fifteen (15) days
38 following the completion of its publication in two (2) national newspapers of
39 general circulation.

40
41 Approved,