

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Constitution Hills, Quezon City

EIGHTEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 6468



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Introduced by Representative FAUSTINO 'INNO' A. DY V

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EXPLANATORY NOTE

Pursuant to the United Nation's Agenda for Sustainable Development, the Philippines committed to end involuntary hunger by 2030. In 2015, the Philippines renewed its commitment to end involuntary hunger. But in 2019 (or a mere four years after the country renewed its commitment), an SWS study revealed that, in the first three months of the year, at least 2.3 million Filipino families are *food insecure* as they suffer from involuntary hunger. And as the prices of food and other basic commodities continue to rise, the number of Filipino families who are *food insecure* will likewise rise too.

Despite the number of starving Filipinos, the PSA reports that almost 800,000<sup>1</sup> sacks of rice (representing almost 40<sup>2</sup> million kilograms) needlessly end up as food waste every year. Much of this food remains edible but needlessly go to waste for lack of government support to redistribute it to needy Filipinos. In addition, unsold but edible food represents sunk costs that suppliers and sellers cannot recover.

Clearly, there is an urgent need for the Government to enact measures to confront the shocking discrepancy between the millions of *food insecure* Filipinos and the millions of kilos of surplus food that needlessly go to waste every year. In addition, the Government likewise needs to comply with its commitment to the UN to end involuntary hunger by 2030.

As a result, this measure urgently seeks to institute a system to redistribute surplus edible food to Filipinos who are *food insecure*. To attain its goal, it shall:

- a) Empower the DSWD, in coordination with LGUs, to identify Filipinos who are *food insecure*;
- b) Institute a system to bring surplus edible food to *food insecure* Filipinos—starting from donation and segregation up to redistribution and consumption;

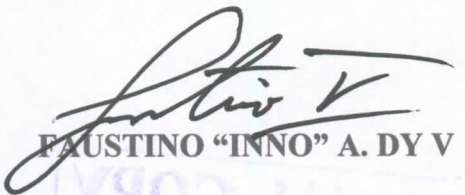
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<sup>1</sup> 770,140

<sup>2</sup> 38.507 million kilograms

- c) Authorize the DSWD as coordinating agency to accredit, monitor, and regulate food banks, the non-profit or charitable organizations that will distribute food to the *food insecure*;
- d) Launch a National Food Surplus Campaign to inform Filipinos of the harmful impact of food surplus in addition to giving them strategies to reduce food waste;
- e) Vest responsibilities on LGUs and relevant government agencies in pursuit of this measure's goal of eliminating involuntary hunger in the Philippines;
- f) Grant tax incentives to food-related businesses for donating edible food surplus; and
- g) Punish persons who make edible food surplus unfit for consumption and who prevent the redistribution of edible food surplus to food banks.

Hence, the urgent passage of this measure is immediately sought.

  
FAUSTINO "INNO" A. DY V

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**AN ACT**  
**REDUCING FOOD WASTE THROUGH FOOD DONATIONS AND FOOD WASTE**  
**RECYCLING**

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

**SEC. 1. *Short Title.*** – This Act shall be known as the "*Food Waste Reduction Act.*"

**SEC. 2. *Declaration of Policy.*** – The State recognizes that each person has a right to an adequate standard of living, including sufficient, safe, and nutritious food. It is hereby declared a policy of the State to achieve food security, end hunger, and promote the efficient use of the country's food resources. The considerable number of people going hungry daily is a breach of a human right that this Act intends to correct, and the massive amount of food waste produced presents an opportunity for the State to address hunger and raise the quality of life of the underprivileged. Towards this end, the State shall adopt a system to promote, facilitate, and ensure the reduction of food waste through redistribution and recycling. The State shall likewise implement measures to make it mandatory to donate edible food surplus for charitable purposes.

**SEC. 3. *Definition of Terms.*** – As used in this Act:

- a) Edible food surplus - refers to excess food or surplus food in the retail and consumption stages, determined to be fit for consumption based on standards set by the National Nutrition Council (NNC) and the Food and Drug Administration (FDA);



- b) Food insecure - refers to persons or groups of persons who have no means and/or have difficulty producing or purchasing food;
- c) Food surplus reduction - refers to the decrease in food surplus generation, the redistribution of food surplus to the food insecure or the recycling of food as fertilizer or compost;
- d) Food-related business - refers to public and private businesses involved in the manufacturing and processing of food products, private businesses involved in the wholesaling and retailing of food products, private businesses involved in serving food products, and private institutions offering courses in the art and science of preparation, cooking, and presentation of food;
- e) Food banks - refer to nonprofit, charitable or other social mission-oriented organizations that distribute food to the food insecure; and
- f) Inedible food surplus - refers to food discarded in the retail and consumption stages, determined to be unfit for consumption based on the standards set by the NNC and the FDA, including but not limited to prepackaged food products that have gone beyond their expiry dates.

**SEC. 4. *Covered Establishments.*** – The establishments covered by this Act are as follows:

- a) Food manufacturers, notwithstanding any restriction imposed by any existing law and regulation on food manufacturers: Provided, that any donation made by such manufacturers under the provisions of this Act shall constitute an exception to the applicability of restrictions under existing laws and regulations;
- b) Food establishments (restaurants, cafes, diners, fast food chains or hotels);
- c) Supermarkets with at least five hundred (500) square meters of selling space; and
- d) Culinary schools with at least fifty (50) students.

**SEC. 5. *Determination of Food Insecure.*** – The criteria for the determination of food insecure will be made by the Department of Social Welfare and Development (DSWD), in coordination with the local government units (LGUs).

**SEC. 6. *National Food Surplus Campaign.*** – The NNC, in close coordination with the DSWD, Department of the Interior and Local Government (DILG), Department of Environment and Natural Resources (DENR), Department of Education (DepEd), Department of Trade and Industry (DTI), Department of Health (DOH), Department of Science and Technology (DOST), Department of Agriculture (DA), FDA, and other concerned agencies and LGUs, shall undertake a National Food Surplus Campaign to raise awareness on the impact of food

surplus and strategies to decrease wasted food starting at the household level. The campaign shall also promote the food surplus reduction hierarchy and recommend means of reducing individual food waste.

To educate the younger generation, the DepEd shall have the duty to ensure that the prescribed curriculum includes informative materials on the following:

- a) Current global and national food waste situation;
- b) Ways to minimize food surplus;
- c) National and local food surplus prevention programs;
- d) Food recovery; and
- e) Pertinent provisions of this Act

**SEC. 7. *Edible Food Surplus Distribution Steps.*** – The following steps shall be followed in edible food surplus distribution;

- a) The owners of the covered establishments will segregate their edible and inedible food surplus;
- b) To facilitate distribution, food manufacturers may opt to perform the segregation of their products at the supermarkets that sell their products;
- c) Before a donation is made, a duly accredited health inspector of the LGU will check if the food surplus is fit for consumption based on the standards set by the NNC and FDA;
- d) Upon certifying that the food surplus is fit for consumption, the edible food surplus will be donated to accredited food banks, as determined by the DSWD; and
- e) Food banks, in coordination with the DSWD and LGUs, will distribute the edible food surplus to the food insecure.

**SEC. 8. *Food-related Business Waste Reduction Strategy.*** – The owners of food-related businesses such as food manufacturers, supermarkets, restaurants, cafeterias, culinary schools, and hotels shall:

- a) Submit their respective reports to the DSWD and DENR containing data on the amount (in tons) of its edible and inedible food surplus, organized according to the manner of disposal, including donation, composting, or discarding;
- b) Enter into a contract with food banks to redistribute edible food surplus to the food insecure; and



- c) Ensure that the edible food surplus is unadulterated and in good condition upon arrival at the food bank's distribution center, in accordance with the standards set by the NNC and FDA.

**SEC. 9. *National Food Surplus Scheme.*** – The DSWD, as the coordinating agency between food businesses and food banks, shall:

- a) Provide guidelines and standards for the collection, storage, and distribution of edible food donated for food banks;
- b) Ensure that food businesses have entered into contracts with food banks and issue acceptance certificates to food businesses;
- c) Ensure that food banks have adequate storage for edible food surplus;
- d) Promote linkages between food banks and LGUs to create a community-based food distribution system for the food insecure; and
- e) Create a self-sufficiency program that will provide the food insecure with skills training in managing food banks and livelihood programs to avoid the dependence on donation solely.

**SEC. 10. *Responsibility of LGUs in Waste Reduction Strategy.*** – LGUs are hereby required to:

- a) Submit a report to the DENR containing data on the amount (in tons) of inedible food surplus that can be recycled as raw materials for fertilizer or compost, in accordance with the standards set by said department;
- b) Initiate waste segregation efforts per household through local campaigns;
- c) Shoulder the cost of transporting inedible food surplus from collection areas to waste management sites;
- d) Enter into contract with waste management and recycling enterprises to recycle inedible food waste into fertilizer or compost; and
- e) Facilitate the distribution of fertilizer or compost to farms and community gardening associations.

**SEC. 11. *Accreditation and Training of Health Inspectors.*** – The DOH, in coordination with the FDA, shall conduct seminars and provide adequate training to LGU health inspectors regarding the proper sorting, collection, and determination of edible and inedible food surplus.

**SEC. 12. *Supervision.*** – The NNC, in coordination with the DSWD, shall supervise the enforcement and implementation of this Act.

**SEC. 13. *Liability Protection.*** – To protect the food donors from possible abuses and encourage donations, the liability of owners of the food-related businesses is limited only to the time that they have possession of the food surplus. Once a donation has been made to the accredited food banks, the owners shall be exempt from any liability and/or injury arising therefrom.

**SEC. 14. *Tax Incentive.*** – Donations of edible food surplus by food-related businesses shall be exempt from donor's tax and the same shall be considered as allowable deductions from their gross income, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

**SEC. 15. *Prohibition of Selling Edible and Inedible Food Surplus.*** – The reselling of donated edible and inedible food surplus is strictly prohibited. The penalty of *prision mayor* shall be imposed upon anyone caught reselling donated food surplus. If the offender is a juridical entity, the responsible officers will be held liable for said violation.

**SEC. 16. *Penal Provisions/Penalties.*** – The penalty of a fine amounting to Five Hundred Thousand Pesos (P500,000.00) shall be imposed upon any individual or entity who makes edible food surplus unfit for consumption. Penalties shall also be imposed upon any individual or entity who prevents the redirection of edible food surplus to food banks or inedible food surplus to waste management and recycling enterprises. The fines shall be imposed as follows:

First time offenders	P1,000,000.00
Second time offenders	P1,500,000.00
Third time offenders	P2,000,000.00
Fourth time offenders	P3,000,000.00
Fifth time offenders	P5,000,000.00

**SEC. 17. *Implementing Rules and Regulations.*** – Within sixty (60) days from the effectivity of this Act, the NNC, in coordination with the DSWD, DILG, DENR, DOST, DepEd, and DOH, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

**SEC. 18. *Separability Clause.*** – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

**SEC. 19. *Repealing Clause.*** – Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

**SEC. 20. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation.

*Approved,*