

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 5467

Introduced by CIBAC Party-List Representatives
Eduardo "Bro. Eddie" C. Villanueva and Domingo C. Rivera

AN ACT
ESTABLISHING THE PAGKAIN PARA SA LAHAT PROGRAM,
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

According to the Global Hunger Index, 20% of the Philippine population is underweight and 32% has stunted growth, even while there has been an exponential growth in the number of food establishments operating in the country. In 2018 alone, it was reported that more than 2,000 food establishments have opened up. In Bonifacio Global City alone, there are already 889 operating food establishments.

Unfortunately, the growing number of restaurants also contributed to the amount of food wasted in the country. According to a report by the Asia Pacific Economic Cooperation or APEC, about 33% of food produced in the country goes to waste.

These figures tell us of the disturbing irony in the food market. On the one hand, the country is facing a crisis in malnourishment and hunger, but on the other, there is a boom in the culinary market. This picture is even made more appalling by the fact that a significant number of food produced does not go to the tables of the people who need it the most and simply ends up in the landfill.

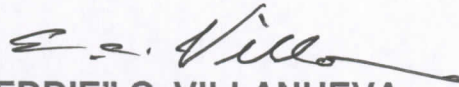
Indeed, the stark contrast between those who have access to food and those who have nothing is an inescapable reality which needs to be remedied in the soonest possible time.

To address this gap in food production and hunger and food waste in the country, this bill seeks to establish a Pagkain Para sa Lahat Program, which ensures that food surplus of all food-related businesses is channeled and distributed to food banks and soup kitchens established and/or accredited in accordance with this Act. In turn, the food banks and soup kitchens will store and utilize the food surplus for distribution and/or preparation to citizens who are in dire need of it.

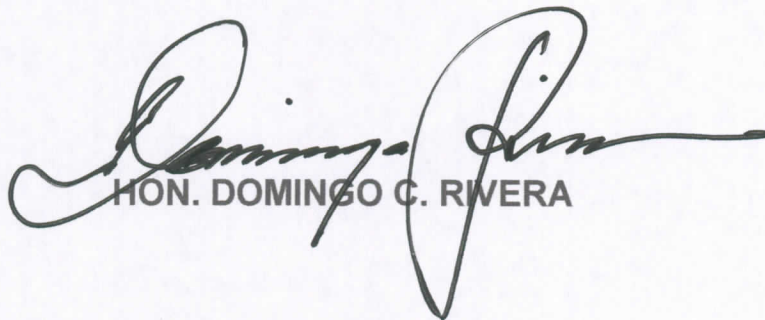
This bill also empowers local government units to establish their own food bank and/or soup kitchens to ensure that all Filipinos in every LGU have access to quality food.

All food-related businesses and other partners who participate in the Program can claim the full amount of their donation as a deduction to their gross income. All donations made are also not subject to donor's tax. In addition, the Department of Social Welfare and Development must establish an incentive system to recognize the best practices of all partners in the implementation of the Program.

Hence, the immediate passage of this bill is earnestly sought.



HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA



HON. DOMINGO C. RIVERA

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 5467

Introduced by CIBAC Party-List Representatives
Eduardo "Bro. Eddie" C. Villanueva and Domingo C. Rivera

AN ACT
ESTABLISHING THE PAGKAIN PARA SA LAHAT PROGRAM,
AND FOR OTHER PURPOSES

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

1 **SECTION 1. Short Title.** – This Act shall be known as the "Pagkain Para sa Lahat
2 Act."

3
4 **SECTION 2. Declaration of Policy.** – It is hereby declared the policy of the State to
5 safeguard food security, end hunger, and promote the efficient use of the country's
6 food resources. Towards this end, the State shall adopt a system to promote,
7 facilitate, and ensure that food surplus in establishments and food manufacturers are
8 distributed to food banks and soup kitchens.

9
10 **SECTION 3. Definition of Terms.** – As used in this Act, the following terms shall
11 mean:

- 12
13 a) **Food banks** refer to either public, private, non-profit, charitable or other social
14 mission-driven organizations that store food surplus and distribute it to soup
15 kitchens or other establishments or sell it to consumers;
16
17 b) **Food surplus** refers to food inventory from food-related businesses which
18 have been left unsold during the ordinary course of business, but still fit for
19 consumption based on standards set by relevant laws, rules, and regulations;
20

- 1 c) **Food-related businesses** refer to public and private businesses involved in
2 the manufacturing and processing of food products, private businesses
3 involved in the wholesaling and retailing of food products, and private
4 businesses involved in serving food products, which may include, but are not
5 limited to, farms, factories, supermarkets, restaurants, cafeterias, and hotels;
6
7 d) **Logistics service providers** refer to persons or entities engaged in the
8 transport or delivery of goods;
9
10 e) **National Nutrition Council (Council)** is the agency in-charge of developing an
11 integrated national nutrition program and supervises, coordinates, and
12 integrates the implementation of policies concerning nutrition.
13
14 f) **Soup Kitchens** refer to either public, private, non-profit, charitable or other
15 social mission-driven organizations that prepare and serve food given by food
16 banks or other donors.
17

18 **SECTION 4. Establishment of Pagkain Para sa Lahat Program; Role of DSWD.**

19 – There shall be created a Pagkain Para sa Lahat Program which shall ensure that
20 food surplus of all food-related businesses shall be channeled and distributed to food
21 banks and soup kitchens established and/or accredited in accordance with this Act.
22

23 The Department of Social Welfare and Development (DSWD) shall be the lead and
24 coordinating agency for the proper implementation of the Program. In the
25 performance of this function, the DSWD shall:
26

- 27 a) Provide the framework, guidelines and standards for the collection, storage and
28 distribution of food surplus donated to food banks and/or soup kitchens.
29
30 b) Coordinate with local government units on the establishment of local food
31 banks and/or soup kitchens;
32
33 c) Promote linkages between food-related businesses, food banks, and soup
34 kitchens to create a community-based food distribution system; and
35
36 d) Coordinate with food-manufacturers, food banks, and other government
37 agencies for the development of programs to bolster food distribution to
38 beneficiaries.
39

40 **SECTION 5. Accreditation and Establishment of Food Banks and Soup**
41 **Kitchens.** – The DSWD shall establish a system of accreditation of private food
42 banks and soup kitchens. The DSWD shall also ensure that at least one (1) food
43 bank and soup kitchen is available in every city or municipality. In the absence
44 thereof, the DSWD shall immediately inform and coordinate with the LGU concerned,
45 for the establishment of a food bank and soup kitchen in such locality.
46

47 To ensure that all food surplus is consumed properly and in a timely fashion, a food
48 bank shall, as far as practicable, have a partner a soup kitchen. All food banks and
49 soup kitchens established and/or accredited in accordance with this Act shall offer
50 their products to the public without any qualification.

1 **SECTION 6. Duties of Food-related Businesses.** – To achieve the objectives of
2 this Act, all food-related businesses shall:

- 3
- 4 a) Determine the amount, type, and quantity of surplus food that can be delivered
5 for consumption of beneficiaries of food banks and/or soup kitchens;
6
 - 7 b) Enter into contracts or agreements with food banks and soup kitchens to
8 redistribute food surplus to beneficiaries of food banks and/or soup kitchens;
9
 - 10 c) Shoulder the costs, on its own or in partnership with a logistics service provider,
11 of transporting food surplus from the business or storage site to the food bank
12 or soup kitchen, or to their respective warehouse or distribution center; and
13
 - 14 d) Ensure that the food surplus is unadulterated, fit for human consumption, and in
15 good condition upon arrival at the food bank's distribution center. For this
16 purpose, prior to the delivery of the food surplus to food banks and soup
17 kitchens, all food-related businesses shall be tested by the National Nutrition
18 Council to ensure that food surplus is fit for human consumption.
19

20 **SECTION 7. Duties of Food Banks.** – To ensure that all food surplus given or
21 donated to food banks benefit all citizens, all food banks shall:

- 22
- 23 a) Submit periodic reports to the DSWD and the concerned LGU on the type of
24 food donated, quantity donated, and other pertinent information on the
25 distribution of food surplus in their establishments;
26
 - 27 b) Ensure that all food surplus given or donated to it is fit for human consumption,
28 and shall require as proof a certification from the National Nutrition Council for
29 this purpose;
30
 - 31 c) Establish linkages with soup kitchens;
32
 - 33 d) Store food surplus for distribution to beneficiaries and partner-soup kitchens;
34 and
35
 - 36 e) Ensure that their facilities follow best practices and procedures on food storage.
37

38 **SECTION 8. Duties of Soup Kitchens.** – To ensure that all food ingredients used
39 by soup kitchens are fit for human consumption, soup kitchens shall:

- 40
- 41 a) Ensure that all food surplus given or donated to it is fit for human consumption,
42 and shall require as proof a certification from the National Nutrition Council for
43 this purpose; and
44
 - 45 b) Prepare food surplus to cooked or processed form fit for consumption, and
46 such is free from contamination.
47
48
49

SECTION 9. Duties of the Local Government Units. – LGUs are hereby required to:

- a) As far as practicable and in the absence of a food bank and/or soup kitchen located in their respective localities, establish local food banks and soup kitchens in their area;
- b) Utilize food banks and/or soup kitchens and, if possible, merge the latter with its community development programs;
- c) Provide technical, financial, and logistical support for food bank and/or soup kitchen operation within its territorial jurisdiction; and
- d) Regularly inspect the establishments of food-related businesses, food banks and soup kitchens to ensure that the same is compliant with all sanitation and other related laws.

SECTION 10. Incentives for Participation. – All donations of surplus food or service donated by food-related businesses or logistics service providers, respectively, shall be exempt from donor's tax. In addition, the full amount of such surplus food and service shall be claimed as a deduction from the gross income of a food-related business or logistics service provider, as the case may be.

The DSWD, in coordination with the Department of Interior and Local Government and the LGUs, shall also establish a system of incentives to participants of the Program to recognize their best practices with regard to achieving the objectives of this Act, such as training packages, technical guidance, awards and other similar incentives.

SECTION 11. Liability. – The certification issued by the National Nutrition Council shall serve as sufficient proof that the surplus food donated or distributed are fit for human consumption; *Provided*, That the distribution or preparation of food surplus, processed or otherwise, was done in good faith and in compliance with good food handling processes.

SECTION 12. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the DSWD, in coordination with the DILG, Department of Health (DOH), the Bureau of Internal Revenue (BIR) and other relevant government agencies, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SECTION 13. Annual Report. – The DSWD, in coordination with the DILG, DOH and other relevant agencies, shall submit an annual report on the implementation of this Act to the President of the Philippines and both Houses of Congress on or before April 30 of each year.

SECTION 14. Appropriations. – The funds needed to implement the provisions of this Act shall be included in the annual General Appropriations Act.

1 **SECTION 15. *Separability Clause.*** – Should any provision herein be declared
2 unconstitutional or invalid, the same shall not affect the validity of the other
3 provisions of this Act.
4

5 **SECTION 16. *Repealing Clause.*** – All laws, decrees, orders, rules, and regulations
6 or other issuances or parts inconsistent with the provisions of this Act are hereby
7 repealed or modified accordingly.
8

9 **SECTION 17. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
10 publication in the Official Gazette or in any two (2) newspapers of general circulation
11 in the Philippines.
12

13
14 **Approved,**