



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

**EIGHTEENTH CONGRESS**  
First Regular Session

HOUSE BILL NO. 3370

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**Introduced by Representative Sharon S. Garin**

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### **EXPLANATORY NOTE**

According to the Food and Agriculture Organization (FAO) of the United Nations, the world is producing more than enough food to feed everyone, yet hunger is still one of the most urgent development challenges. On a global scale, the annual production of food can feed about 10 billion people; however, about 30 percent of these food are wasted and more than 50,000 people are dying every day because of poverty and poverty-related disease.

Food that is fit for human consumption, but is not consumed because it is or left to spoil or discarded by retailers or consumers is called food waste. This may be because of rigid or misunderstood date marking rules, improper storage, buying or cooking practices.

In the Philippines, based on the First Quarter 2017 Social Weather Survey, 11.9% or an estimated 2.7 million families experiencing involuntary hunger at least once in the past three months. This is 2 points below the 13.9% (est. 3.1 million families) quarterly Hunger in December 2016.

Currently, there is no law in the Philippines that specifically tackles combatting the increasing amount of food waste in the country.

In other countries, there have already been measures done to prevent food waste. Italy has a law that enables schools, supermarkets, and restaurants to donate clean surpluses and leftovers to those in need. One city in Belgium requires supermarkets to donate their surpluses to food banks. Japan implements a "Food Recycling Law" which requires food businesses to safely convert their food wastage into raw materials for animal feeds or fertilizers.

With this in mind, this bill seeks to initiate a nationwide campaign against food waste, tapping the National Nutrition Council (NNC) to closely coordinate


problem

For the foregoing reason

with different government agencies such as the Department of Environment and Natural Resources (DENR), the Department of Social Welfare and Development (DSWD), the Department of Education (DepEd), the Department of Trade and Industry (DTI), the Department of Health (DOH), other concerned agencies and Local Government Units (LGUs). This campaign aims to educate the people about the consequences of wasted food, the No Food Waste Act, and the food waste reduction efforts required of food-related businesses and households through LGUs. This bill also enumerates various food-waste reduction strategies for food-related businesses, LGUs, and households, among others.

Much is needed to be done to reduce food wastage. Behavioral change is necessary to combat this problem. It is high time for the government do its part not only for the Philippines, but also because this has become an alarming global problem.

For the foregoing reasons, the passage of this bill is earnestly sought.



**SHARON S. GARIN**  
AAMBIS-Owa Partylist





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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:*

**SECTION 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 attain 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 wastage  
produced presents an opportunity for the State to address hunger and its efforts  
on quality of life of the underprivileged.

Toward 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 of 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 refers to non-profit, charitable or other social mission-oriented organizations that distribute food to the food insecure.
- 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 NNC and FDA, including but not limited to prepackaged food products that have gone beyond their declared 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 which offer culinary, baking and pastry courses with at least fifty (50) students.



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**SEC. 5. Determination of Food Insecures.** - The criteria for determination of food insecures 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 DSWD, Department of 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, 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 local government unit will check if the edible food surplus is fit for consumption based on the standards set by the NNC and FDA;
- d) Upon certifying that the edible 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;
- c. Ensure that edible food surplus is unadulterated and in good condition upon arrival at the food bank's distribution center, in accordance with the standard set by 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 to 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 Local Government Units in Waste Reduction Strategy.** - LGUs are hereby required to:

- a. Submit a report that contains data on the amount (in tons) of inedible food surplus that can be recycled as raw materials for fertilizers or compost to the DENR in accordance with the standard set by it;
- 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;



10 supervise the enforcement and implementation of this Act.

11 **SEC. 10. Liability Protection.** - To protect the food donors from possible  
12 abuses and encourage donations, the liability of owners of the food-related  
13 businesses is limited only to the time that they have possession of the food  
14 surplus. Once a donation has been made to the accredited food banks and/or to  
15 farms, the owners shall be exempt from any liability and/or injury arising  
16 therefrom.

1 d. Enter into contract with waste management and recycling enterprises  
12 to recycle inedible food waste into fertilizer or compost; and

13 e. Facilitate the distribution of fertilizer or compost to farms and  
14 community gardening associations.

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

29 **SEC. 12. Supervision.** - The NNC, in coordination with the DSWD, shall  
10 supervise the enforcement and implementation of this Act.  
28 imposed as follows.

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

17 **SEC. 14. Prohibition of Selling Edible and Inedible Food Surplus.** The  
18 reselling of donated edible and inedible food surplus is strictly prohibited. The  
19 penalty of *prision mayor* shall be imposed upon anyone caught reselling donated  
20 food surplus. If the offender is a juridical entity, the responsible officers will be  
21 held liable for said violation.

22 **SEC. 15. Penal Provisions / Penalties.** - The penalty of a fine amounting to  
23 Five hundred thousand pesos (Php500,000) shall be imposed upon any  
24 individual, private or public entity, who makes edible food surplus unfit for  
25 consumption. The same penalty is applicable to private or public persons/entities  
26 who prevent the redirection of edible food surplus to food banks or inedible food  
27 surplus to waste management and recycling enterprises. The fines shall be  
28 imposed as follows:

29	First time offenders	Php1,000,000.00
30	Second time offenders	Php1,500,000.00
31	Third time offenders	Php2,000,000.00
32	Fourth time offenders	Php3,000,000.00
33	Fifth time offenders and up	Php5,000,000.00

34 **SEC. 16. Implementing Rules and Regulations.** - Within sixty (60) days  
35 from the effectivity of this Act, the NNC, in coordination with DSWD, DILG,  
36 DENR, DOST, DepEd and DOH, shall promulgate the necessary rules and  
37 regulations for the effective implementation of this Act.

1       **SEC. 17. *Separability Clause.*** - If any provision or part hereof is held  
2 invalid, or unconstitutional, the remainder of the law or the provision not  
3 otherwise affected shall remain valid and subsisting.

4       **SEC. 18. *Repealing Clause.*** - All other laws, presidential decrees or  
5 issuances, executive orders, letters of instruction, administrative orders, rules  
6 and regulations contrary to or inconsistent with the provisions of this Act are  
7 hereby repealed, modified, or amended accordingly.

8       **SEC. 19. *Effectivity.*** - This Act shall take effect fifteen (15) days after its  
9 publication in the Official Gazette or a newspaper of general circulation.

Approved,