

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 2676

Introduced by **Kabataan Party-List Rep. Raymond V. Palatino**

EXPLANATORY NOTE

Article 11, Section 16 of the Constitution recognizes the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. In compliance with this provision, the State is thereby mandated to exert all efforts to enact legislation that addresses situations and practices that adversely affect the environment and the health and safety of the public.

Among the most pressing environmental concerns today is the wholesale and indiscriminate use of Styrofoam, plastic and other non-biodegradable materials. Major producers of food products package consumer products in "disposable" form as it helps them maximize profit and sales. The result is that they create and continuously tap a consumer market that equates convenience with simply throwing away the refuse of the commodities they consume.

Yet, leading researches have shown that these materials are hazardous to the environment. Styrofoam, if not properly disposed, continually releases chlorofluorocarbons or CFCs into the atmosphere. CFCs are the same elements found in aerosol propellants and Freon refrigerants that have been contributing to the thinning of the ozone layer in the earth's atmosphere. Furthermore, Styrofoam is non-biodegradable and resists compacting, thereby taking up extra landfill space for long periods of time. The damage exacted by the continued use of Styrofoam is manifest in the perennial problem of waste management in the Philippines. Despite the development of recycling methods for Styrofoam, these mechanisms are not readily and widely available especially in our country.

This bill discourages the use of Styrofoam in all educational institutions in accordance with Republic Act 9512, which mandates the Department of Education and the Commission on Higher Education to promote environmental awareness through environmental education. Students should not only learn, but practice environmental protection. Moreover, this bill encourages the search for truly safer alternatives.

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


Hon. Raymond V. Palatino
Representative, Kabataan Party-List

REPUBLIC OF THE PHILIPPINES
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FIFTEENTH CONGRESS
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House Bill No. 2976

Introduced by **KABATAAN Party-list Rep. Raymond V. Palatino**

AN ACT
PROHIBITING THE USE OF POLYCARBON PLASTICS, STYROFOAM AND
OTHER SYNTHETIC MATERIALS HARMFUL TO THE ENVIRONMENT IN ALL
FOOD SERVICE ESTABLISHMENTS IN ALL EDUCATIONAL INSTITUTIONS AND
FOR OTHER PURPOSES

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

SECTION 1. *Declaration of Policy.* – Consistent with the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature under the Constitution, the State shall promote national awareness among the students on the importance of environmental conservation and ecological balance.

It is hereby declared the policy of the State to minimize the use of ecologically harmful synthetic materials, components, ingredients or packaging of consumer products. The State recognizes that it is in the best interest of the health and safety of the people that laws and regulations prohibit the use of Styrofoam and plastic food service products to reduce the cost of solid waste disposal and to protect the environment.

It is also the policy of the State to encourage the use of alternative materials to Styrofoam and plastic food service containers for packaging consumer products. These alternative materials shall be biodegradable and shall pose no danger to the environment both during their use and upon their disposal.

SECTION 2. *Definition of Terms.* – For purposes of this Act, the following are hereby defined as follows:

- (a) Polycarbon Plastics and Plastics shall mean any plastic product or other synthetic material made from petroleum-based ingredients including, but not limited to

polyethylene, polythene, vinyl, polyvinyl, phenolic vinyl, urethane, polyurethane, Styrofoam and similar materials and their extracts.

- (b) Food Service Establishments shall refer to full-service restaurants, fast food restaurants, canteens, cafes, coffee shops, carinderias, or other businesses selling or providing food within campus premises for consumption on or off the premises, owned either publicly or privately.

SECTION 3. *Unlawful use of Polycarbon Plastics, Styrofoam and Other Synthetic Materials*

– It shall be unlawful for all food service establishments inside school premises to utilize polycarbon plastics, Styrofoam and other synthetic materials harmful to the environment as container or packaging for any food product for consumption on or off premises.

SECTION 4. *Coverage.* – This Act shall cover both private and public learning institutions—preparatory, primary, secondary and tertiary levels.

SECTION 5. *Penalty.* – Owners of food service establishments caught violating this Act shall be sent a warning for first offense. For the succeeding offenses, they shall be imposed a penalty equivalent to ten (10) percent of their monthly profits.

SECTION 6. *Alternatives.* – In lieu of polycarbon plastics, Styrofoam and other synthetic materials, food service establishments shall use paper products as container or packaging for any food product.

To assist in the implementation of the Styrofoam and plastic ban in schools, local health and environment units shall develop a report on the availability, cost and performance of recyclable and biodegradable alternatives to Styrofoam food service products.

SECTION 7. *Implementing Guidelines.* – The Department of Education, for primary and secondary schools, and the Commission on Higher Education, for tertiary schools, shall promulgate the implementing guidelines necessary to enforce the objectives of this Act within sixty (60) days after the effectivity of this Act. Both agencies shall coordinate with the Department of the Interior and Local Government, Department of Health, and Department of Environment and Natural Resources.

SECTION 8. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 9. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provision of this Act is hereby repealed, modified or amended accordingly.

SECTION 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,