

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4055

Introduced by HONORABLE OSCAR G. MALAPITAN

EXPLANATORY NOTE

Purchasing food, household needs and other commodities are a way of life. The purchase of commodities is ended by securing the needed commodities in a plastic shopping bag. The plastic shopping bag has been our aid and partner whenever we do our grocery shopping.

The Polymer scientists did a good job when they invented plastic. It is a technology that has brought forth to mankind the convenience of using plastic products such as grocery bags, packaging materials and other plastic bags. This plastic technology delivered to us a plastic bag which is thin and yet strong and can be reused several times. Plastic bags are much cheaper than any other bags because they are manufactured using lesser raw materials. The raw material used to produce plastic is only a by-product of crude oil or natural gas. Trees are not cut to produce plastic bags. The plastic industry created hundreds of thousands of jobs including the Plastic Bag Recycling which alone employs about 180,000 people in the year 2006. These recyclable dealers are the ones servicing the local government units to ensure that the recovered plastic shopping bags are properly recycled.

Plastic is a wonder technology made ugly by its own advantage. It does not degrade and because of this, it has become a threat to the environment because uncollected plastic bag is in the environment. Uncollected plastic bag float in the ocean and clog waterways. Plastic does not degrade – that was some decades ago. Technologies have now become available which can produce plastic products such as shopping bags and packaging materials which harmoniously degrade at the end of their useful life. The plastic industry classifies the plastic shopping bags currently used in the market for a better analysis of plastic bags:

- a) Single Use Plastic Bags – commonly used in the wet markets and may be considered as “ultra thin” with thickness ranging from 6 microns to 12 microns. These bags can carry a 1 kilo load and are often discarded after first use.
- b) Reusable Plastic Bags – with thickness above 15 microns, often kept and reused by households and eventually used as garbage bags for sanitary disposal.
- c) Oxo-Biodegradable Plastic Bags – are plastics that biodegrade through a two stage process. In the first stage, additives in the plastic help to catalyze and accelerate oxidation. This aids in the breakdown of polymer chains in the plastics to smaller and wettable fragments. In the second stage, microorganisms access the carbon and hydrogen making the remaining fragments biodegrade into carbon dioxide, water, and biomass, leaving no plastic or harmful residues behind.

Oxo-bio degradable plastic degrade on land or sea, in the light or the dark in heat or cold leaving no methane and no harmful residues. This is being supported by the Oxo-Biodegradable Plastic Association of London, England, which consist of the World's most distinguished Polymer Scientist and has worldwide membership.

Plastic is degradable and emits only carbon dioxide when degraded, which in turn is absorbed and used by the plants to manufacture their food. Oxo-bio degradable plastic is environment-friendly and it is even safe for food contact. Oxo-bio degradable plastic is a very viable alternative to eliminating plastic pollution. The best option is to require the use of oxo-bio degradable plastic. Oxo-bio degradable plastic shopping bags when collected can be recycled into other plastic products. Oxo-bio degradable plastic if not collected will degrade and disappear leaving no harmful residues in the environment.

The plastic bag manufacturers have taken the initiative of self regulation by submitting samples of these degradable plastic products for evaluation to the Department of Science and Technology – Industrial Technology Development Institute. The Institute has issued an Environmental Technology Verification (ETV) certificate to these manufacturers which in turn is now being required by retailers to plastic manufacturers to ensure that these degradable plastic will not pose any harmful effect to the environment when disposed.

The recovery system mandated by this bill shall lead all citizens to exert effort and give their share to protect our environment by bringing the used plastic bags to stores and commercial establishments who in turn shall provide the logistics for recovery of these plastic shopping bags.

This bill seeks to encourage the use of degradable plastic shopping bags and support the program of 3Rs (Reuse, Retrieve and Recycle) to protect our environment from plastic pollution, to promote and protect employment and to make the best use of the technology of polymer science by using degradable plastic. In short, this new invention is an environment-friendly plastic bags that will replace those which have harmful effects to our Mother Nature.

In view of the foregoing considerations, approval of this bill is requested.


REP. OSCAR G. MALAPITAN
First District, Caloocan City

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AN ACT
REQUIRING MALLS, SUPERMARKETS, GROCERY STORES,
CONVENIENCE STORES, WET AND PUBLIC MARKET TO USE
OXO-BIODEGRADABLE PLASTIC SHOPPING BAGS

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

SECTION 1. Title. - This Act shall be known as the “ Degradable Plastic Bag Act of 2011”

SEC. 2. Declaration of Policy. - Consistent with the policy of the State to ensure the conservation and preservation of our natural environment, the State shall promote the use of oxo-biodegradable plastic shopping bag as a carry bag in all malls, supermarkets, grocery stores, convenience store, wet markets, public markets and other stores. This oxo-biodegradable plastic bag will pose no danger to the environment and to the people both during their use, reuse and disposal.

SEC. 3. Definitions. As used in this bill, the following terms shall have the meanings indicated:

- a) **OPERATOR** – A person who may include, but is not limited to, the owner of the store, managing or responsible for the daily operation of a store.
- b) **STORE** – A retail establishment that provides plastic shopping bags to its customers as a result of a sale of merchandise which may include, but not limited to malls, supermarkets, grocery stores, convenience stores, wet market and public market.

- c) MANUFACTURER – plastic bag and degradable plastic bag maker including recyclers.
- d) DEGRADABLE PLASTIC BAG – plastic bag which are designed to breakdown and disintegrate within a given period of time.
- e) OXO-BIODEGRADABLE PLASTIC BAGS – are plastics that biodegrade through a two stage process. In the first stage, additives in the plastic help to catalyze and accelerate oxidation. This aids in the breakdown of polymer chains in the plastics to smaller and wettable fragments. In the second stage, microorganisms access the carbon and hydrogen making the remaining fragments biodegrade into carbon dioxide, water, and biomass, leaving no plastic or harmful residues behind.
- f) PLASTIC – polymer shopping bag or carry bag which does not degrade or decompose given a period of time.
- g) PPIA – Philippine Plastic industry Association
- h) PAGASA – Philippine Amalgamated Supermarkets Association, Inc.
- i) PASI – Philippine Association of Supermarket, Inc.

SEC. 4. Degradable Plastic Bag Identification Requirements. – The degradable plastic bag shall contain the following:

- a) The degradable plastic bag shall bear with it the prints or label of “oxo-biodegradable” or “degradable” on a readable font type and size.
- b) The name of the manufacturer of the degradable plastic bag must be printed on the bag.
- c) Degradable plastic bag must be printed with the international logo of the Plastic Coding System for the proper reuse and recycle of the plastic bag.
- d) The Environmental Technology Verification Registration (ETV Registration No.) of the manufacturer of the degradable plastic bag must also be printed on the plastic bag.

SEC. 5. Environmental Technology Verification Registration. – The manufacturer of degradable plastic bag must obtain an Environmental Technology Verification Registration under the Industrial Technology Development Institute of the Department of Science & Technology.

SEC. 6 - Minimum Thickness of Degradable Plastic Bag. -

To encourage recycling and reuse of plastic shopping bag and discourage the use of the so-called 'one-time use' plastic bag, the minimum thickness for degradable plastic bag is 15 microns.

SEC. 7. Coverage. - This Act shall cover stores such as malls, supermarkets, grocery stores, convenience stores, wet markets, public markets, and the like.

SEC. 8. Linkage Coordination for 3Rs (Reuse, Retrieve and Recycle). - The coordination of the following groups and association is sought to form alliances for the mutual assistance and partnership whenever applicable for the promotion and implementation of 3Rs, Reuse, Retrieval and Recycling of used plastic bag.

- 6.1 Plastic Bag manufacturer
- 6.2 Philippine Plastic Industry Association (PPIA)
- 6.3 Philippine Association of Supermarket, Inc. (PASI)
- 6.4 Philippine Amalgamated Supermarkets Association, Inc. (PAGASA)
- 6.5 All other stores

SEC. 9. Implementing Rules and Regulations. - The Department of Environment and Natural Resources together with the Department of Trade and Industry with the stakeholders shall promulgate the rules and regulations as it may deem necessary and appropriate for the implementation and enforcement of the provisions of this Act.

SEC. 10. Repealing Clause. - All laws, presidential decrees, executive orders, ordinances, rules and regulations, and part thereof, which are inconsistent with the provisions of this Act, are hereby amended, repealed or modified accordingly.

SEC. 11. Effectivity. - This Act shall take effect upon its approval.

Approved,