

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

**FIFTEENTH CONGRESS
Second Regular Session**

House Bill No. 5138

Introduced by: Honorable Ryan Luis V. Singson

EXPLANATORY NOTE

This bill seeks to discourage the use of Plastic Bags in all major grocery stores and supermarkets by disallowing the distribution of plastic bags and instead imposing a certain fee for every plastic bag requested by the consumer and prescribing penalties for violation thereof

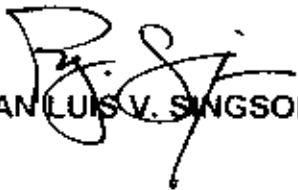
Plastics are manufactured through a chemical called Polystyrene which is not biodegradable and is not easily recycled because of its light weight. Furthermore, it is produced using blowing agents which contributes to ozone depletion and on global warming

Plastics, according to environmental organizations, are now a principal component of marine debris. Worse, plastics are extremely harmful to wild animals if it is ingested by them. Another harmful property of plastic materials is its inability to hold hot food in excess of 70 degrees Celsius.

The Asian Development Bank recently warned that the Philippines is especially vulnerable to global warming. In fact, there already is a serious threat to Southeast Asia's families, food supply and financial prosperity. ADB further advised that Southeast Asian nations should act immediately on climate change before their economies and people suffer.

Considering the detrimental effects of polystyrene to mankind, it is imperative that the government enact proper measures to discourage its use in all major grocery stores and supermarkets in order to cut down significantly the consumption of plastic bags. It should be replaced with recyclable, environmentally accepted materials for packaging goods and commodities.

In view of the foregoing, approval of this bill is earnestly sought.


RYAN LUIS V. SINGSON

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House Bill No. 5138

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**AN ACT
REGULATING THE USE OF PLASTIC BAGS IN ALL MAJOR GROCERY
STORES AND SUPERMARKETS BY DISALLOWING THE DISTRIBUTION OF
FREE OF CHARGE PLASTIC BAGS AND PRESCRIBING PENALTIES FOR
VIOLATIONS THEREOF**

*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 *"Reduction of Plastic Bags
Act of 2011"*.

Sec. 2. Declaration of Policy. It is hereby declared 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. For this purpose, consumers and retailers in all commercial establishments are encouraged to use reusable or recyclable grocery bags and to stop using plastic bags to carry the retail goods which commonly block and clog sewerage that cause floods which endanger lives and property, and destroy the ecosystem

Sec. 3. Definition of Terms. As used in this Act:

- a. *Plastic Bags* shall refer to polymer carry bags provided or used in all major grocery stores and supermarkets to carry and transport retail goods;
- b. *Commercial Establishments* shall refer to the establishments engaged in sale of goods or services that shall include but not limited to markets, shopping mall outlets, supermarkets, department stores, restaurants, cafes, bars, sari-sari stores and the like;
- c. *Reusable environment-friendly bags* shall refer to either a bag made of cloth or other washable fabric that has handles; or durable plastic bag with handles that is

specifically designed and manufactured for multiple reuse,

SEC.4 Use of Reusable Bags. all owners of major grocery stores and supermarkets are encourage to use and utilize environment-friendly shopping bags which shall be provided free of charge to the consumers and patrons; Provided, however, That in case any consumer who wants to use the usual plastic bags the consumer shall be charged Five Pesos (P5.00) per bag regardless of the size in which a portion of the amount shall be given to the said establishment, and to the respective government units adopting this practice, most of which will go to the Environment Management Bureau to be used for its environment protection programs.

Three years after the effectivity of this Act, the use of reusable and environment-friendly shopping bags is hereby mandated in all major grocery stores and supermarkets and likewise, a requirement for registration, licensing, or renewal of license to operate a business and commercial endeavors.

SEC. 5. Phase –out Period. – Three (3) years after the effectivity of this Act, all major grocery stores and supermarkets shall completely phase-out the use of plastic bags, and shall use only reusable environment-friendly bags.

Sec. 6. Penalty. The owner or operator of the commercial establishment who violates the provisions of this Act shall pay a fine of One Hundred Thousand Pesos (P100, 000.00) for the first offense, Two Hundred Thousand Pesos (P200, 000.00) for the second offense and Three Hundred Thousand pesos (P 300,000.00) and closure of the establishment for the third offense.

Sec. 7. Implementation. The Department of Trade and Industry in coordination with the Department of Environment and Natural Resources shall issue the necessary rules and regulations for the effective implementation of this Act.

Sec.8. Separability Clause. If, for any reason, any provision of this Act or part thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the other provisions or parts thereof not affected thereby shall remain in full force and effect.

Sec.9. Repealing Clause. All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provision of this Act are hereby repealed, amended or modified accordingly.

Sec.10. Effectivity. This Act shall take effect after fifteen (15) days following its publication in the official Gazette or in two (2) national newspapers of general circulation

Approved,