

HOUSE of REPRESENTATIVES
House Bill No. 6836



Introduced by: MA. THERESA B. BONOAN-DAVID
4th District, City of Manila

EXPLANATORY NOTE

Municipalities, cities as well as countries have been aware with the negative impact of use of plastic bags in the environment. To avoid its continued use, ordinance and laws were passed totally banning the use of plastic bags in supermarkets as well as in other establishments.

However, plastic bags or plastic in itself is not the only dangerous product to human health and environment—an equally, if not more dangerous product is the Styrofoam.

Styrofoam is a Dupont trade name for a substance more generically referred to as polystyrene, a petroleum-based plastic. Polystyrene is very light weight, because it is produced with air filling 95 percent of its bulk. Polystyrene's airy composition makes it a very good insulator, which is why it is used extensively in disposable coolers and disposable cups for hot drinks. However, some dangers exist in using this airy plastic.¹

The substance in polystyrene that generates the most concern is styrene. Styrene is the main ingredient in polystyrene, and is used in the manufacture of numerous other products. Styrene is a possible carcinogen, according to the United States Environmental Protection Agency. Workers producing polystyrene and other styrene products have reported acute problems as well, including headaches, skin and eye irritation, breathing problems and gastrointestinal maladies. Some central nervous system issues have also been identified, including depression after chronic exposure.²

Further, along with the health risks associated with the manufacture of products that use polystyrene, The National Bureau of Standards Center for Fire Research noted 57 chemical by-products released during the creation of Styrofoam. This not only pollutes the air, but also produces loads of liquid and solid waste that need disposal. The brominated flame retardants that are used

¹ What Are the Dangers of Styrofoam? By: Stanley Goff, eHow (health) Contributor

² Ibid.

on Styrofoam are also causing concern, and some research suggests that these chemicals might have negative environmental and health effects.³

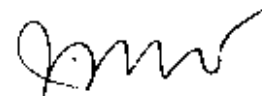
A 1986 EPA report on solid waste named the polystyrene manufacturing process as the fifth largest creator of hazardous waste in the United States. In the product manufacturing process as well as the use and disposal of the products, energy consumption, greenhouse gas effect, and total environmental effect, polystyrene's environmental impacts were second highest, behind aluminium, according to the California Integrated Waste Management Board.⁴

Extruded polystyrene is usually made with hydro chlorofluorocarbons blowing agents which have effects on ozone depletion and on global warming. Their ozone depletion potential is greatly reduced relative to chlorofluorocarbons which were formerly used, but it still has 1000 times greater effect on global warming than carbon dioxide.⁵

Styrofoam appears to last forever, as it is resistant to photolysis, or the breaking down of materials by protons originating from a light source. This, combined with the fact that Styrofoam is lightweight and therefore floats, means that over time a great deal of polystyrene has accumulated along coasts and waterways around the world. It is now considered the main component of marine debris.⁶

Considering the foregoing facts, and to have the same awareness as to the effects of the use of plastic bags, the best way to eradicate styrofoam waste, is to completely ban its usage by establishments. To help save the environment, it is imperative upon the State to promote the use of any alternative to styrofoam.

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



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³ How Styrofoam is Bad for the Environment, By: Karen Frazier (love to know green living)

⁴ The Dangers Of Polystyrene, By Future Centre Trust, July 6, 2010

⁵ Ibid.

⁶ How Styrofoam is Bad for the Environment, By: Karen Frazier (love to know green living)

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

HOUSE of REPRESENTATIVES
House Bill No. 6836

Introduced by: MA. THERESA B. BONOAN-DAVID
4th District, City of Manila

AN ACT BANNING THE USE OF STYROFOAM IN FASTFOOD CHAINS, RESTAURANTS AND OTHER FOOD ESTABLISHMENTS, AS WELL AS THE SALE OF THE SAME IN ALL RETAIL ESTABLISHMENTS, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

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

SECTION 1. Short Title. - This Act shall be known as the *"Total Styrofoam Ban Act of 2012."*

SECTION 2. Declaration of Policy. - It is the policy of the State to afford full protection and the advancement of the right of the people to a healthful ecology in accord with the rhythm and harmony of nature.

SECTION 3. Definition of Term. - As used in this Act, the following terms shall mean:

"Styrofoam" – means any product produced with the use of polystyrene, a petroleum-based plastic

SECTION 4. Prohibitions. - Groceries, supermarkets, public markets, restaurants, fast food chains, department stores, retail stores and other similar establishments are hereby prohibited from selling and using styrofoam in any form and kind and for whatever purpose.

SECTION 5. Establishments caught using or selling styrofoam shall be penalized as follows:

First Offense: A fine of ten thousand pesos (P10,000)

Second Offense: A fine of fifty thousand pesos (P50,000)

Third Offense: A fine of two hundred thousand pesos (P200,000) and the suspension of their Business Permit for a period of one year.

The penalty herein provided shall be imposed: upon the owner, manager, administrator, or proprietor, for individual proprietorships; upon all partners for general partnerships and the general partner/s for limited partnerships; upon the branch manager of a particular offending business establishment; and solidarily upon the president, vice-president, corporate officers as well as the chief operating officer for incorporated businesses; and all such persons, not falling within any of the descriptions/ titles above-mentioned, being in charge of the particular offending business establishment, and failing to follow the prohibitions herein defined. This is without prejudice to the right of the person paying the appropriate fine to seek reimbursement of the amount paid from the owner of the enterprise or establishment.

SECTION 6. - The Market Supervisors are hereby deputized to implement the provisions of this Act in the public markets under their jurisdiction.

SECTION 7. Implementing Rules. - The Department of Environment and Natural Resources, Department of Interior and Local Government, and the Department of Trade and Industry shall promulgate the implementing rules and regulations of this Act after consultation with consumer groups, styrofoam producers and other affected groups.

SECTION 8. - The Department of Science and Technology is hereby tasked with assisting styrofoam manufacturers in acquiring the appropriate technology required in the manufacture of recyclable and/or biodegradable materials that can serve as a replacement for the use of styrofoam.

SECTION 9. Annual Report to Congress. - The Secretary of Environment and Natural Resources shall submit to both Houses of Congress a report within one year from the effectivity of this Act, and every year thereafter, on the implementation of this Act.

SECTION 10. Separability Clause. - If any provision of this Act is declared unconstitutional, the other provisions not affected thereby shall remain valid.

SECTION 11. Repealing Clause. - All laws, presidential decrees and other executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 12. This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.