

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



SIXTEENTH CONGRESS
Second Regular Session

House Bill No. 5379

Introduced by Representative ESTRELLITA "GING" B. SUANSING

EXPLANATORY NOTE

Plastic bags have been around for half a century, and no doubt one of the most useful inventions of our time. This time, however, the disadvantageous use of plastic bags has outweighed their benefits.

Every year, four to five trillion plastic bags are used worldwide, with billions of bags ending up as litter. 430,000 gallons of oil are needed to produce 100 million non-biodegradable plastic bags. These bags take hundreds to thousands of years to disintegrate.

It is a known fact that plastic bags contaminate soil and waterways. These are harmful to humans and animals alike, especially when accidentally ingested. Plastic marine debris has been documented to harm at least 267 species and is especially lethal to sea turtles.

Plastic bags and plastic bag composition account for 51.4% of flotsam¹ in Manila Bay in 2006. In a follow-up survey in 2010, this figure increased to 75.55%.² In Laguna de Bay, a 2011 discard survey showed that plastic

¹ Flotsam (noun): floating debris. Merriam-Webster Dictionary

² Klar, M. et al. Report: Everything you (don't) want to know about plastics. Annex 2: The Philippine plastic waste problem: Environmental, social, and economic dimensions. 2014. Eco Waste Coalition.
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bags compose 23% of the flotsam. Plastic bags are the top marine debris collected in the Philippines, amounting to 679,957 pounds.³

Moreover, plastic bags contribute, sometimes even magnify, the damage caused by natural calamities that visit the country. One of the major causes of the massive flooding that is experienced by our country during the rainy season is the huge amount of garbage that block water drainage.⁴

This bill aims to regulate the use of plastic bags by providing retail stores that provide plastic bags to consumers to implement a plastic bag collection and recycling program. A plastic carry-out bag collection bin shall be placed in each store and shall be visible, easily accessible to the consumer, and clearly marked that the collection bin is available for the purpose of collecting and recycling plastic carry-out bags. These plastic bags shall then be collected, transported, and recycled.

To show compliance, the store shall maintain records describing the collection, transport, and recycling of plastic carry-out bags collected for a minimum of three (3) years and shall make the records available to the DENR or LGU concerned.

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


ESTRELLITA B. SUANSING
1st District, Nueva Ecija

³ The Marine Debris Index. 2009. Ocean Conservancy.
http://act.oceanconservancy.org/pdf/2009_Marine_Debris_Index.pdf

⁴ Klar, M. et al. Report: Everything you (don't) want to know about plastics. Annex 2: The Philippine plastic waste problem: Environmental, social, and economic dimensions. 2014. Eco Waste Coalition.
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AN ACT
REQUIRING RETAIL STORES THAT PROVIDE PLASTIC BAGS TO
CONSUMERS TO IMPLEMENT A PLASTIC BAG COLLECTION AND
RECYCLING PROGRAM

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

SECTION 1. Short Title. – This Act shall be known as the “Plastic Bag Recycling Act of 2014.”

SECTION 2. Declaration of Policies. – The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

The State shall promote and protect the global environment to attain sustainable development while recognizing the primary responsibility of local government units to deal with environmental problems.

The State recognizes that the responsibility of cleaning the habitat and environment is primarily area-based.

Finally, the State recognizes that a clean and healthy environment is for the good of all and should, therefore, be the concern of all.

SECTION 3. Definition of Terms. – As used in this Act, the term:

- A) "Consumer" means any person who makes a purchase at retail for any purpose other than resale;
- B) "Manufacturer" means the producer of a plastic carry-out bag sold to a store;
- C) "Operator" means a person in control of, or having daily responsibility for, the daily operation of a store, which may include, but is not limited to, the owner of the store;
- D) "Plastic carry-out bag" means any plastic, latex, or polypropylene carry-out bag provided by a store to a consumer at the point of sale;
- E) "Providing plastic bags to consumers" means the act of a retail store of giving to a consumer a plastic bag to store or transport goods purchased at retail;
- F) "Purchase at retail" means the acquisition of the ownership to or title to tangible personal property through a sale at retail;
- G) "Reusable bag" means either of the following:
 - a) A bag made of cloth or other machine washable fabric that has handles, or
 - b) A durable plastic bag with handles that is specifically designed and manufactured for reuse.
- H) "Store" means a retail establishment that has gross sales of over One Hundred Thousand Pesos (PhP 100,000.00) each month that provides plastic carry-out bags to its consumers as a result of the sale of a product.

SECTION 4. *In-Store Recycling Program.* –

- A) Within sixty (60) days within the effectivity of this Act, the operator of a store that provides plastic carry-out bags to consumers as part of a purchase at retail shall establish an in-store recycling program pursuant to this Act that provides an opportunity for consumers of the store to return to the store the plastic carry-out bags.
- B) A retail establishment that does not meet the definition of a store in this Act and that provides plastic carry-out bags to consumers at the

point of sale may also adopt an in-store recycling program as specified in this Act.

C) An in-store recycling program provided by the operator of a store shall include all of the following:

- a. A plastic carry-out bag provided by the store shall have printed or displayed on the bag, in a manner visible to a consumer, the words "PLEASE RETURN TO A PARTICIPATING STORE FOR RECYCLING."
- b. A plastic carry-out bag collection bin shall be placed in each store and shall be visible, easily accessible to the consumer, and clearly marked that the collection bin is available for the purpose of collecting and recycling plastic carry-out bags.
- c. All plastic carry-out bags collected by the store shall be collected, transported, and recycled.
- d. The store shall maintain records describing the collection, transport, and recycling of plastic carry-out bags collected for a minimum of three (3) years and shall make the records available to the Department of Environment and Natural Resources or to the local government unit concerned, upon request, to demonstrate compliance with this Act.
- e. The operator of the store shall make reusable bags available to consumers within the store, which may be purchased and used in lieu of using a plastic carry-out bag or paper bag. This subsection is not applicable to a retail establishment specified pursuant to Section 4 (B).

SECTION 5. Penalties. –

- A) A civil liability in the amount of One Hundred Thousand Pesos (Php100,000.00) for the first violation of this Act, Two Hundred Thousand Pesos (Php200,000.00) for the second violation, and Three Hundred Thousand Pesos (Php300,000.00) for the third and subsequent violations shall be imposed upon stores violating this Act.

B) Any civil penalties collected pursuant to paragraph (A) of this Section shall be paid to the local government of the local government unit where the store is located. The penalties collected pursuant to this Section shall go to an Environmental Protection Fund to be used by the local government to enforce this Act.

SECTION 6. Appropriations. – The national government shall appropriate such amounts as may be necessary to carry out the provisions and objectives of this Act.

SECTION 7. Separability Clause. – If any provision, or part thereof, is held invalid or unconstitutional, the remainder of the law of the provision not otherwise affected shall remain valid and subsisting.

SECTION 8. Repealing Clause. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 9. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved.