

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. 7903



Introduced by **HON. ROZZANO RUFINO B. BIAZON**

EXPLANATORY NOTE

This bill seeks to provide for the phase-out of single-use plastic products. It mandates the formulation of a Single-Use Plastic Products Phase-out Plan that shall contain strategies and concrete action plans in order to carry out this objective. If enacted into law, this proposed measure shall be an addition to existing laws that seek to protect, conserve and preserve our environment and natural resources.

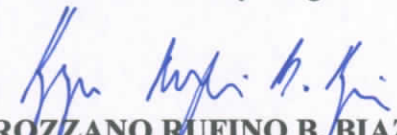
Single-use plastics are plastic products used only once before they are thrown away or recycled. These items are things like plastic bags, straws, coffee stirrers, soda and water bottles and most food packaging. Just like any plastic product, single-use plastics are a bane to the environment. Several studies have already shown that these are a major source of marine litter and they present a physical danger for marine life.

A 2015 study conducted by Jambeck, Jenna R., Roland Geyer, Chris Wilcox, Theodore R. Siegler, Miriam Perryman, Anthony Andrady, Ramani Narayan, and Kara Lavender Law entitled "Plastic Waste Inputs from Land into the Ocean," named five member-countries of the Association of Southeast Asian Nations (ASEAN) among the biggest sources of plastics pollution in the world's oceans. These are: Indonesia, Malaysia, the Philippines, Thailand, and Vietnam.

There have been global efforts among governments to reduce the impact of single-use plastic products on the environment. Measures to either reduce or ban the use of these products have been enacted by the legislative bodies of some countries.

As a responsible member of the global community, we must do our share in preserving and conserving our planet for future generations, most especially for Filipinos yet unborn.

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


ROZZANO RUFINO B. BIAZON
Representative
Lone District, Muntinlupa City

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AN ACT
PROVIDING FOR THE PHASE-OUT OF SINGLE-USE PLASTIC PRODUCTS
IN THE COUNTRY AND FOR OTHER PURPOSES

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 “*Single-Use Plastic Products Phase-Out Law.*”

Sec. 2. *Declaration of Policy.* – It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology. Toward this end, it shall institute mechanisms to prevent and reduce the impact of certain plastic products on the environment, in particular, the aquatic environment, and on human health.

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

- a. *Collection* means the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste treatment facility;
- b. *Extended producer responsibility schemes* means measures that are intended to ensure that the responsibilities of any natural or legal person who professionally develops, manufactures, processes, treats, sells or imports single-use plastic products shall extend beyond the production of these products. These responsibilities are mechanisms intended to strengthen the re-use and the prevention, recycling and other recovery of waste from these products. Such measures may include an acceptance of returned products and of the waste that remains after those products have been used, as well as the subsequent management of the waste and financial responsibility for such activities;
- c. *Plastic* means a material consisting of a polymer to which additives or other substances may have been added, and which can function as a main structural component of final products, with the exception of natural polymers that have not been chemically modified;
- d. *Single-use plastic product* means a product that is made wholly or partly from plastic and that is not conceived, designed or placed on the market to accomplish, within its life

span, multiple trips or rotations by being returned to the producer for refill or reused for the same purpose for which it was conceived such as, but not limited to plastic straws, plastic cups and lids, shrink wrap and other packaging for products;

- e. *Treatment* means recovery or disposal operations, including preparation prior to recovery or disposal; and
- f. *Waste* means any substance or object which the holder discards or intends or is required to discard.

Sec. 4. *Prohibition.* – The sale and use of single-use plastic products shall be prohibited three years after the effectivity of this Act. Thereafter, the production, manufacture and importation of such products shall no longer be allowed. Groceries, supermarkets, public markets, restaurants, fast food chains, department stores, retail stores and other similar establishments shall likewise be prohibited from using or selling single-use plastic products.

Sec 5. *Phase-out Plan for Single-Use Plastic Products.* – A Phase-Out Plan, hereinafter referred to as the Plan, shall, within six months upon the effectivity of this Act, be formulated by the Department of Environment and Natural Resources (DENR) with the cooperation of Department of Trade and Industry (DTI), the Department of the Interior and Local Government (DILG), the Department of Finance (DOF) Department of Science and Technology (DOST) and other relevant departments and agencies of the government in consultation with all stakeholders. The Plan shall contain strategies and concrete action plans in order to carry out the objective of phasing out single-use plastic products in the country within the given time frame provided in this Act.

Specifically, the Plan shall, at the minimum, have the following components:

- a. *Consumption Reduction Program.* – The DTI, in cooperation with the DENR, and the Department of Science and Technology (DOST), in consultation with stakeholders, shall formulate a Consumption Reduction Program to achieve a significant reduction in the consumption of single-use plastic products within the three years prior to their total phase-out as provided in this Act. Such measures shall include, but not be limited to, national consumption reduction targets, measures ensuring that reusable alternatives to those products are made available at the point of sale to the final consumer and economic instruments such as ensuring that single-use plastic products are not provided free of charge at the point of sale to the final consumer.
- b. *Extended Producer Responsibility Schemes.* – Extended producer responsibility schemes shall be formulated by the DENR as part of interim measures in order to cushion the impact of single-use plastic products on the environment within the three years prior to their total phase-out as provided in this Act.
- c. *Biodegradable Alternatives for Single-Use Plastic Products.* – The DOST is hereby tasked with assisting local manufacturers in developing or acquiring the appropriate technology for the production or manufacture of biodegradable alternatives.
- d. *Fiscal and Non-Fiscal Rewards and Incentives.* – The DOF, the DILG and the DTI are hereby mandated to establish mechanisms that would provide fiscal and/or non-fiscal rewards and incentives that shall encourage manufacturers, importers, sellers

and end-users to help in the objective to phase out single-use plastic products in the country.

- e. *Separate Collection Plan.* – As an additional interim measure in order to cushion the impact of single-use plastic products on the environment, local government units shall institute mechanisms to collect separately, waste single-use plastic products. For this purpose, the Barangays, through their Barangay Councils, shall be tasked with the primary role of ensuring that waste single-use plastic products are separately collected. The Barangay Councils shall establish a volunteer program that shall ensure the participation of the members of their respective communities in monitoring the separation of waste single-use plastic products from other wastes so that they may be separately collected.
- f. *Awareness-Raising Measures.* – The DENR shall formulate an information dissemination plan to inform consumers of, among others, the impact of littering and other inappropriate waste disposal of single-use plastic products on the environment, available re-use systems and waste management options for these products as well as best practices in sound waste management.

Sec. 6. *Penalties.* – The following penalties shall be meted for violations of the provisions of Section 4 hereof:

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| First Offense | - | A fine of Ten thousand pesos (PhP10,000.00); |
| Second Offense | - | A fine of Fifty thousand pesos (PhP50,000.00); |
| Third Offense | - | A fine of Two hundred thousand pesos (PhP200,000.00) and the suspension of its Business Permit for a period of one year. |

The penalties herein provided shall be imposed:

- a. Upon the owner, manager, administrator, or proprietor, for individual proprietorships;
- b. Upon all partners for general partnerships and the general partner/s for limited partnerships;
- c. 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
- d. All such persons, not falling within any of the descriptions/titles abovementioned, being in charge of the particular offending corporation, company or business establishment, and failing to follow the prohibitions herein defined.

Sec. 7. *Implementing Rules.* – The Department of Environment and Natural Resources (DENR), in cooperation with the DILG, the DTI, the DOF, and the DOST, in consultation with all stakeholders, shall promulgate the implementing rules and regulations of this Act.

Sec. 8. *Separability Clause.* – If any part or provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall remain in force and effect.

Sec. 9. *Repealing Clause.* – The provisions of any law, whether general or special, rules and regulations and other issuances or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

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

Approved,