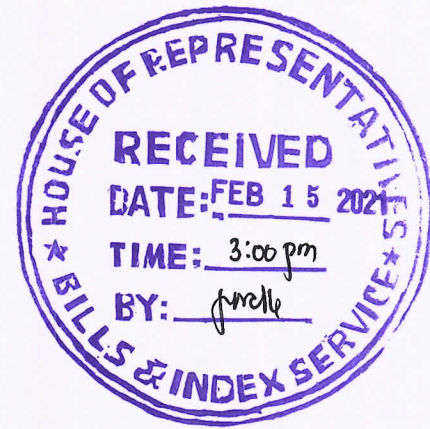


Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
*Second Regular Session*

House Bill No. 8691



---

BY REPRESENTATIVE CAMILLE A. VILLAR

---

**AN ACT**  
**INSTITUTIONALIZING THE PRACTICE OF EXTENDED PRODUCERS RESPONSIBILITY IN**  
**WASTE MANAGEMENT, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9003 OR THE**  
**ECOLOGICAL SOLID WASTE MANAGEMENT ACT OF 2000**

EXPLANATORY NOTE

The Philippines is among the 18 mega-biodiverse countries in the world, containing two-thirds of the earth's biodiversity and between 70% and 80% of the world's plant and animal species. It ranks fifth in the number of plant species and maintains 5% of the world's flora. Species endemism is very high, covering at least 25 genera of plants and 49% of terrestrial wildlife, while the country ranks fourth in bird endemism and considered to host the most number of marine species in the world. It is also one of the world's biodiversity hotspots with at least 700 threatened species, thus making it one of the top global conservation areas.<sup>1</sup>

The environment occupies pride of place in the fundamental law of the land and enjoins Filipino citizens to care for our nature. Section 16, Article II, of the 1987 Philippine Constitution instituted the following landmark provision on environmental preservation and protection: "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."

Subsequently, Philippine laws were passed to ensure that this constitutional precept is fully respected and truly honored: among them Republic Act No. 9003 or the Ecological Solid Waste Management Act of 2000, RA 9275 or the Clean Water Act of 2004 and RA 8749 or the Clean Air Act of 1999.

The Philippine Supreme Court is also a staunch ally of the environment when it issued "writ of kalikasan" and took to action government agencies to clean up the deteriorating Manila Bay. In its landmark decision, the High Court defined the phrase "in accord with the rhyme and rhythm of nature" (of Section 16) as the "judicious disposition, utilization, management, renewal and conservation of the country's forests, minerals, land, waters, fisheries, wildlife, offshore areas and other natural resources to the end that their exploitation, development and utilization be equitably accessible to the present as well as future generations."

---

<sup>1</sup> Convention on Biological Diversity. [www.cbd.int](http://www.cbd.int).

However, lack of enforcement hinders the realization of the objectives of the fundamental law and several legal issuances. Solid waste management continues to be a problem in the country.

Plastic waste also makes up a significant share of the overall generated waste in the Philippines. In fact, what is utterly shocking is that the Philippines is the third biggest polluter next to China and Indonesia. It produces 2.7 million metric tons of plastic waste each year.<sup>2</sup> Worse, plastic waste is highly like to aggravate pollution and worsen flooding in communities.

According to the World Wildlife Fund, Filipinos consume a yearly average of 20 kilograms of plastics and about 15 kilos of which becomes waste. Insufficient recycling capacities for high value recyclables (i.e. PET, PP, HDPE) and the high volume of low value plastics (including sachets) are factors that affect the country's low plastic recycling rate, at only 9%. The report further estimates that the Philippines leaks about 35% of plastic wastes into the environment.<sup>3</sup>

Environment group Global Alliance for Incinerator Alternatives revealed in its report that one of the biggest contributors to the growing plastic problem is the proliferation of single-use plastics such as sachets as they are perceived to be inexpensive but very difficult to recycle and manage.<sup>4</sup> Every day, almost 48 million shopping bags are used throughout the Philippines, to an aggregate 17 billion per year. Separately, around 16.5 billion of smaller and thinner transparent plastic bags, known as "labo" bags, are used per year.<sup>5</sup>

The recycling rate of post-consumption plastic packaging among Filipinos is also relatively low.<sup>6</sup>

There was also a surge in plastic use during the pandemic.

To address plastic pollution, global initiatives had been launched to address growing problems in waste pollution such as the Extended Producer Responsibility (EPR) which aims to require producers of products to manage the impacts of their products throughout their entire life cycle, including take-back, recycling and proper disposal. The EPR concept shifts the responsibility to importers and brand owners for the environmental impacts of their plastic products and packaging, which will effectively tackle the plastic problem.

This bill mandates producers to adopt mechanisms for the proper management of wastes generated from their discarded containers and packaging materials. Incentives also await firms that adopt EPR strategies that have to be submitted to the National Solid Waste Management Commission.

Through this measure, we intend to advance awareness on EPR programs although some private organizations and business entities have already adopted such mechanisms in some areas. Also, we are hopeful that Filipinos will pool their used plastic and packaging materials and learn to increase the recycling rate, reuse, or dispose of them at the cost of the manufacturers.

This proposal also helps local governments that pay hefty amounts annually for solid waste disposal, and such funds could be used for more social programs.

As such, approval of this measure is earnestly sought.

---

<sup>2</sup> Fernandez, H. "Why plastic-clogged Philippines must face up to dearth of waste disposal and recycling." Eco-Business. 10 June 2020. <https://www.eco-business.com/news/why-plastic-clogged-philippines-must-face-up-to-dearth-of-waste-disposal-and-recycling/#:~:text=After%20China%20and%20Indonesia%2C%20the,plastic%20waste%20generated%20each%20year>

<sup>3</sup> WWF. October 2020. "EPR Scheme Assessment for Plastic Packaging Waste in the Philippines." [https://wwf.org.ph/wp-content/uploads/2020/12/WWF\\_REPORT\\_EPR\\_Philippines\\_2020.pdf](https://wwf.org.ph/wp-content/uploads/2020/12/WWF_REPORT_EPR_Philippines_2020.pdf)

<sup>4</sup> Global Alliance for Incinerator Alternatives "Sachets fuel plastic waste crisis in the Philippines." 14 July 2020. [www.no-burn.org/sachets-fuel-plastic-waste-crisis-in-the-philippines/](http://www.no-burn.org/sachets-fuel-plastic-waste-crisis-in-the-philippines/)

<sup>5</sup> "Philippines survey shows 'shocking' plastic waste." 8 March 2019. [phys.org/news/2019-03-philippines-survey-plastic.html](http://phys.org/news/2019-03-philippines-survey-plastic.html)

<sup>6</sup> *Ibid.*

*Camille A. Villar*  
CAMILLE A. VILLAR

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
*Second Regular Session*

House Bill No. 8691

---

BY REPRESENTATIVE CAMILLE A. VILLAR

---

**AN ACT**  
**INSTITUTIONALIZING THE PRACTICE OF EXTENDED PRODUCERS RESPONSIBILITY IN**  
**WASTE MANAGEMENT, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9003 OR**  
**THE ECOLOGICAL SOLID WASTE MANAGEMENT ACT OF 2000**

*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 “Extended Producers Responsibility Act of 2021”.

**SECTION 2.** — A new subsection (n) under Section 3 of Republic Act No. 9003 is hereby inserted after subsection (m) to read as follows:

“SECTION 3. Definition of Terms. — For purposes of this Act:

- X X X -

**(N) EXTENDED PRODUCER RESPONSIBILITY (EPR) SHALL REFER TO EITHER THE ENVIRONMENTAL POLICY OR PRACTICE IN WHICH PRODUCERS, IN COORDINATION WITH DISTRIBUTORS AND RETAILERS, HAVE THE RESPONSIBILITY FOR THE PROPER AND EFFECTIVE DISPOSAL OF THEIR PRODUCTS AFTER THEY HAVE BEEN SOLD TO AND USED BY CONSUMERS WITH THE OBJECTIVES OF REDUCING WASTE GENERATION AND OF IMPROVING RECYCLABILITY OR REUSABILITY OF WASTES, WHICH INCLUDE PLASTIC CONTAINERS OR PACKAGING MATERIALS.”**

Thereafter, the succeeding subsections after this new subsection (m) shall be rearranged in sequence accordingly.

**SECTION 3.** — A new section, Section 14, is hereby inserted after Section 13, under

Chapter II, of Republic Act No. 9003, to read as follows:

**“SECTION 14. EXTENDED PRODUCERS RESPONSIBILITY. — ALL PRODUCERS, IN COORDINATION WITH DISTRIBUTORS AND RETAILERS, SHALL ADOPT MECHANISMS AND STRATEGIES FOR THE EFFECTIVE AND PROPER MANAGEMENT OF THE WASTES, SUCH AS DISCARDED CONTAINERS AND PACKAGING MATERIALS, GENERATED FROM THE USE OR CONSUMPTION OF THE PRODUCTS THEY PRODUCED, DISTRIBUTED, RETAILED OR SOLD, AS THE CASE MAY BE. PRODUCERS, DISTRIBUTORS AND RETAILERS PERFORMING THEIR RESPECTIVE EPR, AS DETERMINED BY THE DEPARTMENT, SHALL BE ELIGIBLE TO INCENTIVES; PROVIDED THAT THEIR MECHANISMS AND STRATEGIES ARE SUBMITTED TO THE NATIONAL SOLID WASTE MANAGEMENT COMMISSION, AS WELL AS THE CONCERNED PROVINCIAL SOLID WASTE MANAGEMENT BOARD AND/OR CITY OR MUNICIPAL SOLID WASTE MANAGEMENT BOARD, WHICH SHALL INCLUDE EPR INCENTIVES IN THEIR RESPECTIVE SOLID WASTE MANAGEMENT PLANS IN A MANNER CONSISTENT WITH THE PROVISIONS OF THIS ACT.**

**DEPENDING ON THE RELEVANCE AND APPLICABILITY TO THE BUSINESS THEY ARE ENGAGED IN, PRODUCERS, IN COORDINATION WITH DISTRIBUTORS AND RETAILERS, SHALL INCLUDE THE FOLLOWING ACTIVITIES AND UNDERTAKINGS IN THEIR MECHANISMS AND STRATEGIES, AMONG OTHERS:**

- (1) PROGRAMS FOR THE REDESIGN OR ADOPTION OF PACKAGING TO IMPROVE RECYCLABILITY OR REUSABILITY OF PLASTIC CONTAINERS AND OTHER PACKAGING MATERIALS OF THEIR PRODUCTS;**
- (2) PROGRAMS FOR THE WITHDRAWAL OR PHASE OUT OF NON-RECYCLABLE PRODUCTS AND PACKAGING MATERIALS AND TO REPLACE THEM WITH EXISTING ALTERNATIVES THAT ARE ENVIRONMENTALLY SOUND AND ECONOMICALLY VIABLE;**
- (3) PROGRAMS FOR THE ADOPTION OF ALTERNATIVE DELIVERY SYSTEMS THAT WILL ALLOW CUSTOMERS TO PURCHASE THEIR PRODUCTS WITH THE USE OF REFILLABLE CONTAINERS OR MULTI-USE PACKS;**
- (4) PROGRAMS INVOLVING THE EFFICIENT RETRIEVAL OF RECYCLABLE OR REUSABLE PLASTIC CONTAINERS AND PACKAGING MATERIALS OF THEIR PRODUCTS AND THE DESIGNATION OR ESTABLISHMENT OF COLLECTION AND/OR RECYCLING FACILITIES;**
- (5) PROGRAMS, IN COLLABORATION WITH LGUS, COMMUNITIES AND THE INFORMAL SECTORS IN WASTE MANAGEMENT, INVOLVING THE PROPER AND EFFECTIVE SOLID WASTE MANAGEMENT, INCLUDING THE PROPER SEGREGATION, RETRIEVAL, BUY BACK AND DISPOSAL OF PLASTIC CONTAINERS AND PACKAGING MATERIALS;**
- (6) CAMPAIGNS TO ENCOURAGE CONSUMERS TO AVOID USING SINGLE-USE PLASTICS AND TO VOLUNTEERING BRINGING USED PLASTIC CONTAINERS**

**AND PACKAGING MATERIALS TO IDENTIFIED COLLECTION AND RECYCLING FACILITIES OR MATERIALS RECOVERY FACILITIES; AND**

- (7) PROPER LABELING OR INCLUSION OF INFORMATION IN THE PACKAGING OF PRODUCTS REGARDING PROPER DISPOSAL OF THE CONTAINERS AND PACKAGING MATERIALS AND IDENTIFICATION OF COLLECTION AND RECYCLING FACILITIES, OR MATERIALS RECOVERY FACILITIES.**

**MANUFACTURERS, IN COORDINATION WITH DISTRIBUTORS AND RETAILERS, MAY ORGANIZE THEMSELVES OR FORM ASSOCIATIONS AND/OR ALLIANCES IN ORDER TO STREAMLINE THE OPERATION OF THE FOREGOING EPR MECHANISMS AND STRATEGIES. FURTHER, MANUFACTURERS, DISTRIBUTORS AND RETAILERS ARE ENCOURAGED TO DEVELOP EPR SYSTEMS THAT WILL INTEGRATE AND PROVIDE TRAINING TO THE INFORMAL SECTORS IN WASTE MANAGEMENT.**

**SECTION 4.** — The succeeding sections after the newly inserted Section 14 are hereby renumbered accordingly.

**SECTION 5.** *Appropriations.* — The sum necessary for the effective implementation of this Act shall be charged against the budget of the Department of Environment and Natural Resources under the annual General Appropriations Act. Thereafter, such amount, as may be necessary for the continued operation of the centers, shall be included in the General Appropriations Act.

**SECTION 6.** *Implementing Rules and Regulations.* — The Department of Environment and Natural Resources (DENR), in consultation with relevant government agencies and other stakeholders, shall formulate the rules and regulations necessary to implement the provisions of this Act within six (6) months from its effectivity.

**SECTION 7.** *Separability Clause.* — If any portion or provision of this Act is declared unconstitutional or invalid, the remainder of this Act or any provisions hereof not affected thereby shall continue to be in force and effect.

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

**SECTION 9.** *Effectivity.* — This Act shall take effect after fifteen (15) days following its complete publication in the Official Gazette or a newspaper of general circulation.

Approved,