



Republic of the Philippines
House of Representatives
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 3692



INTRODUCED BY REPRESENTATIVE MARLYN B. ALONTE

EXPLANATORY NOTE

This bill aims to create food banks in every city and municipality to provide a system of redistributing and recycling of food surplus, promote food security and achieve zero hunger.

The United Nations 2030 Agenda for Sustainable Development identifies as Goal No. 2, the ending of hunger and the achievement of food security, along with the improvement of nutrition and the promotion of sustainable agriculture.

In the Philippines, involuntary hunger and food insecurity continue to be among its serious concerns. Worsened by the COVID-19 pandemic, the country's struggle in combating hunger towards the achievement of Goal No. 2 of the United Nations 2030 Agenda for Sustainable Development had been stalled as our fellowmen were unable to earn their daily sources of income due to continuous lockdowns.

Based on the 2021 Global Hunger Index (GHI) figures, which ranked the Philippines at 68th out of 116 countries combating and struggling against hunger, the world is very far from achieving a low level of hunger by 2030.

In mid-2021, a survey of the Social Weather Station reported that around 3.4 million families in the Philippines have gone hungry, much higher than the pre-COVID-19 pandemic years.

Ironically, even if millions of people go hungry, food wastage happens.

Earlier statistics of the Food and Nutrition Research Institute of the Department of Science and Technology showed that in 2008, each

Filipino wasted an average of 3.29 kilograms of rice per year which translated to about 296,869 metric tons and valued at P7.3 billion. This is just in terms of rice, excluding the other kinds of food and resources being wasted. With the same amount, millions of Filipinos could have been fed.

With all these facts, this bill seeks to institutionalize a national zero food waste campaign, educate the public of the present food wastage situation, and implement measures on how such edible surplus food could effectively be repurposed to alleviate hunger.

The essential and timely feature of this bill is the creation of food banks in every city and municipality all over the country. Food bank is considered as one of the ideal hunger relief interventions at the grassroots level. On the side of the manufacturers, farmers, and retailers, it is a mutually beneficial business solution in managing surplus and wastage of food.

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



REP. MARLYN B. ALONTE
Lone District of Binan

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AN ACT

CREATING FOOD BANKS IN EVERY CITY AND MUNICIPALITY TO
PROVIDE A SYSTEM OF REDISTRIBUTING AND RECYCLING FOOD
SURPLUS, PROMOTE FOOD SECURITY AND ACHIEVE ZERO HUNGER,
AND APPROPRIATING FUNDS THEREFOR

*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 “*Food Bank
Regulations Act.*”

SEC. 2. **Declaration of Policy.** – It is the policy of the State to promote
the efficient use of the country’s food resources to end hunger and safeguard food
security. The State recognizes the right of every person to sufficient, safe, quality,
and nutritious food.

Towards this end, the State shall adopt a system that promotes, facilitates, and
ensures the reduction of food waste through redistribution and recycling. The
massive amount of food waste and the considerable number of people going hungry
daily may be significantly reduced by institutionalizing a zero food waste campaign
program through the establishment of food banks all over the country and the
regulation of the operations of these facilities.

SEC. 3. **Definition of Terms.** – As used in this Act:

(a) *Edible food* surplus refers to excess food or surplus food in the
retail and consumption stages, not sold in the ordinary course of business
by food related-businesses, scheduled to be discarded, but determined to
be fit for human consumption based on applicable standards of food
quality and safety;

(b) *Food banks* refer to non-profit, charitable or other social
mission-driven organizations which are formed to procure, store and
distribute surplus food from the farm producers or food-related businesses
for distribution to the food insecure;

(c) *Food insecure* refers to persons or group of persons who have no means or have difficulty producing or purchasing food to avoid hunger;

(d) *Food-related businesses* refer to public and private businesses involved in the manufacture and processing of food products, private businesses involved in the wholesaling and retailing of food products, private businesses involved in serving cooked food products, and private institutions offering courses in the art and science of preparation, cooking and presentation of food;

(e) *Food waste reduction* refers to the minimization of food waste by redistribution of edible food surplus to the food insecure and the recycling of inedible food waste into fertilizers and other useful by-product;

(f) *Inedible food waste* refers to food discarded in the retail and consumption stages, determined to be unfit for human consumption, including pre-packaged food products that have gone beyond the declared expiry dates; and

(g) *Waste management and recycling enterprises* refer to organizations that manage inedible food waste by converting them into fertilizers and other useful by-product.

SEC. 4. *Food Bank in Cities and Municipalities.* – Food banks are established and maintained in every city and municipality all over the country for the collection, storage and delivery of edible food waste and the recycling of inedible food wastes.

SEC. 5. *National Nutrition Council and Other Lead Agencies.* – The National Nutrition Council (NNC) shall, in coordination with the Department of Social Welfare and Development (DSWD), Department of Agriculture (DA), Department of Health (DOH), the Department of Environment and Natural Resources (DENR), the Department of Education (DepEd), the Department of Trade and Industry (DTI), the Department of the Interior and Local Government (DILG), the National Anti-Poverty Commission, other concerned agencies and the different local government units (LGUs), undertake the national zero hunger and food waste campaign program to raise awareness on the impact of and strategies to propagate food waste reduction, promote redistribution of edible food surplus and recycling of inedible food wastes.

To educate the younger generation on the importance of the zero hunger and food waste campaign, the DepEd shall ensure that the prescribed curriculum includes informative materials on:

- (a) Current global and national food waste reduction platforms;
- (b) Systems and approaches to minimize food surplus;
- (c) National and local food surplus prevention and repurposing programs;
- (d) Food recovery techniques and best practices; and
- (e) Other initiatives relevant to this Act.

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2 **SEC 6. Powers and Functions of the NNC.** – In addition to the existing
3 powers and functions provided by Presidential Decree No. 491, Series of 1974, as
4 amended, the NNC shall:

5
6 (a) Provide technical assistance to non-profit, charitable or other
7 social mission-driven organizations operating food bank facilities in the
8 procurement of wholesome, safe and edible food surplus from the food-
9 related businesses;

10
11 (b) Conduct research studies for the development and
12 advancement of scientific methods and techniques in the collection,
13 storage and delivery of edible food surplus and the recycling of inedible
14 food waste;

15
16 (c) Upgrade skills of concerned government personnel by
17 providing them with sufficient trainings in the collection, storage and
18 delivery of edible food surplus and the recycling of inedible food waste;

19
20 (d) Promote awareness of the general public on matters relating
21 to collection, storage and delivery of edible food surplus and the recycling
22 of inedible food waste;

23
24 (e) Formulate measures and policies for the collection, storage
25 and delivery of edible food surplus and the recycling of inedible food
26 waste;

27
28 (f) Issue rules and regulations in the operation of food banks
29 and ensure that food banks are compliant with international standards,
30 with emphasis on the facilities, equipment and manpower trainings;

31
32 (g) Periodically assess the progress of the national zero hunger
33 and zero food waste campaign program of the government and submit
34 necessary policy recommendations to the Secretary of the DSWD and to
35 Congress to improve and strengthen the program, if necessary; and

36
37 (h) Perform any other acts necessary and indispensable for the
38 effective implementation of this Act.
39

40 **SEC. 7. Distribution of Edible Food Surplus.** – The following steps shall be
41 observed to facilitate distribution of edible food surplus:
42

43 (a) Owners of food related businesses covered under this Act shall
44 segregate the edible food surplus from the inedible food wastes;

45
46 (b) Food manufacturers may opt to perform the segregation of their
47 products at the supermarkets that sell their products in order to timely pull
48 out food in containers that are physically damaged, smashed, swollen, rusted
49 or corroded; food in containers with tainted, tarnished or unreadable labels;
50 and any similar condition which may render the food unsafe;

1 (c) Designated inspectors from the food quality and safety regulatory
2 agencies or the LGU shall evaluate the edible food surplus to ensure its fitness
3 for human consumption; and
4

5 (d) Food banks accredited by the DSWD shall distribute the edible food
6 surplus to the food insecure as identified by the LGUs.
7

8 **SEC. 8. *Determination of Food Insecure.*** – The DSWD shall, in
9 coordination with the LGUs provide the criteria for the determination of the food
10 insecure person or group of persons.
11

12 **SEC. 9. *Food-related Business Waste Reduction Strategy.*** – Food-
13 related businesses such as food manufacturers, supermarkets, restaurants, cafeterias,
14 and hotels shall:
15

16 (a) Submit an annual report to the NNC and DSWD containing the
17 amount of its edible food surplus and inedible food waste, organized
18 according to the manner of disposal, including donation, composting or
19 discarding;
20

21 (b) Enter into contract with food banks to redistribute edible food
22 surplus to the food insecure;
23

24 (c) Shoulder the costs of transporting edible food surplus from business
25 location to the food bank facilities or distribution center;
26

27 (d) Ensure that edible food surplus is unadulterated and fit for human
28 consumption upon arrival at the food bank's distribution center;
29

30 (e) Enter into contract with waste management and recycling
31 enterprises for the recycling of inedible food wastes into fertilizer or other
32 useful by-product; and
33

34 (f) Shoulder the costs of transporting inedible food waste from
35 collection areas to waste management and recycling sites.
36

37 **SEC. 10. *National Zero Food Waste Scheme.*** – As the coordinating
38 agencies between the food businesses and food banks, the NNC and DSWD shall
39 perform the following schemes:
40

41 (a) Provide guidelines and standards for the collection,
42 storage, and distribution of edible food surplus donated to food banks;
43

44 (b) Maintain records of contracts entered into between food-
45 related businesses and food banks with the corresponding issuance of
46 accreditation certificates to food-related businesses;
47

48 (c) Promote linkages between food banks and LGUs to create
49 a community-based food distribution system for the food insecure; and
50

1 (d) Create a self-sufficiency program that will provide the
2 food insecure with skills training on managing food banks and
3 livelihood programs to avoid the dependence on donation solely.
4

5 SEC. 11. ***Household and Local Government Unit Food Waste***
6 ***Reduction Strategy.*** – LGUs are required to:
7

8 (a) Submit to NNC an annual report that contains data on the amount
9 of inedible food wastes in their area which were recycled into raw material for
10 fertilizers or other useful by-product;
11

12 (b) Initiate waste segregation effort per household, ensuring that
13 inedible food wastes are not mixed with garbage, through local campaigns;
14

15 (c) Enter into contract with waste management and recycling
16 enterprises to recycle inedible food waste from households into fertilizer or
17 other useful by-product; and
18

19 (d) Shoulder the costs of transporting inedible food waste from
20 collection areas to waste management and recycling sites; and
21

22 (e) Facilitate the distribution of fertilizer or other useful by-product of
23 inedible food wastes to farms or community gardening associations.
24

25 SEC. 12. ***Training of Sanitary Inspectors.*** – The NNC shall, in
26 coordination with the University of the Philippines College of Public Health and the
27 LGUs, conduct regular trainings on the proper handling, collection, distribution and
28 determination of edible food surplus and inedible food wastes, including the
29 microbiology and parasitology of food contaminants, food quality and safety
30 standards, and food safety regulations under existing laws.
31

32 SEC. 13. ***Prohibited Acts.*** – It shall be unlawful for any person to:
33

34 (a) Repack and distribute for sale food and other goods intended for
35 donation, redirect or prevent food surplus or donations from reaching the
36 intended recipients, and derive profits as a result thereof;
37

38 (b) Deliberately contaminate or cause any act that makes the food
39 surplus unfit for donation and human consumption, resulting in an injury
40 or death of a recipient;
41

42 (c) Commit gross negligence or serious misconduct in the handling,
43 preparation or distribution of donated food surplus, directly resulting in
44 the injury of a recipient; and
45

46 (d) Commit gross negligence or serious misconduct in the handling,
47 preparation or distribution of donated food surplus, directly resulting in
48 the death of a recipient.
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2 SEC. 14. **Penalties.** –
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4 (a) Imprisonment ranging from six (6) years and one (1) day to twelve (12)
5 years or a fine of not less than One hundred thousand pesos
6 (P100,000.00) nor more than Three Hundred thousand pesos
7 (P300,000.00) or both, for any person found guilty of violating Section 12,
8 sub-sections (a) and (d) of this Act;
9

10 (b) Imprisonment ranging from Twelve (12) years and one (1) day to
11 Twenty (20) years or a fine of not less than Three hundred thousand pesos
12 (P300,000.00) nor more than Five hundred thousand pesos
13 (P500,000.00) or both, for any person found guilty of violating Section 12,
14 sub-section (b) of this Act, if the unlawful act resulted in multiple less
15 serious physical injuries or serious physical injury; or
16

17 An imprisonment ranging from Twenty (20) years and one (1) day to Forty
18 (40) years or a fine of not less than Five hundred thousand pesos (P500,000.00) nor
19 more than One million pesos (P1,000,000.00) or both, for any person found guilty of
20 violating Section 12, sub-section (b) of this Act, if the unlawful act resulted in
21 multiple serious physical injuries or death; and
22

23 (c) Imprisonment of six (6) months and one (1) day to six (6) years
24 or a fine of not less than Fifty thousand pesos (P50,000.00) nor more than
25 One hundred thousand pesos (P100,000.00) or both, for any person found
26 guilty of violating Section 12, sub-section (c) of this Act.
27

28 If the offender is a corporation or an association, the president, manager,
29 managing partner, or any officer of the corporation or association who directly
30 participated in the violation of Section 12 of this Act shall be held liable.
31

32 If the person found guilty is a public officer, in addition to the criminal
33 liabilities imposed under this Act, the public officer shall be dismissed from the
34 service and perpetually disqualified from holding public office. In addition, the
35 public officer shall also be administratively held liable under existing laws, rules and
36 regulations.
37

38 SEC. 15. **Periodic Review.** – The NNC, in coordination with all other
39 implementing agencies, shall submit an annual report to Congress for the assessment
40 of the progress and implementation of this Act.
41

42 SEC. 16. **Implementing Rules and Regulations.** – Within sixty (60)
43 days from the effectivity of this Act, the NNC, in coordination with the DSWD, DOH,
44 DA, and all other relevant government agencies, shall issue the necessary rules and
45 regulations for the effective implementation of this Act.
46

47 SEC. 17. **Appropriations.** – The amount necessary for the initial
48 implementation of this Act shall be charged against the current budgets of the NNC,
49 DSWD, DOH, DOST, and DA. Thereafter, the funds necessary for the continuous
50 implementation of this Act shall be included in the respective budgets of the
51 aforementioned agencies in the annual General Appropriations Act.

1 SEC. 18. ***Repealing Clause.*** – All laws, decrees, executive orders and rules
2 and regulations contrary to or inconsistent with the provisions of this Act are hereby
3 repealed or modified accordingly.
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5 SEC. 19. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its
6 publication in the *Official Gazette* or in a newspaper of general circulation.
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8 Approved,
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