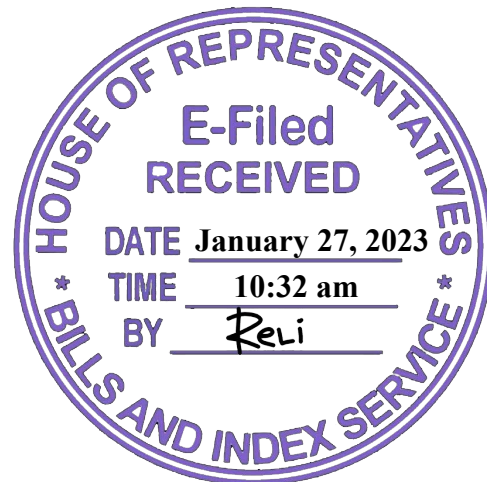


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
NINETEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 6944

Introduced by HON. GUS S. TAMBUNTING

**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**

EXPLANATORY NOTE

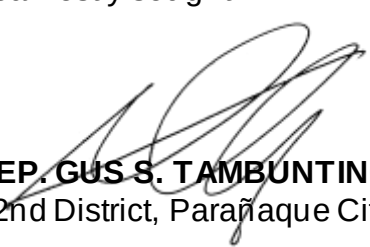
Sec. 12, Art. XIII of the 1987 Constitution states that "The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health, manpower development, and research, responsive to the country's health needs and problems."

In a report published on Saturday, October 29, SWS said 11.3% of Filipino families – or around 2.9 million – had nothing to eat at least once in the past three months, almost similar to the 11.6% hunger rate in June 2022.¹

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

The United Nations 2030 Agenda for Sustainable Development identifies 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.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. GUS S. TAMBUNTING
2nd District, Parañaque City

¹ <https://www.rappler.com/nation/hunger-rate-philippines-october-2022-social-weather-stations/>

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

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

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

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

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

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

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

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

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

SEC. 7. Distribution of Edible Food Surplus. – The following steps shall be

observed to facilitate distribution of edible food surplus:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) Commit gross negligence or serious misconduct in the handling, preparation or distribution of donated food surplus, directly resulting in the death of a recipient.

SEC. 14. Penalties.

(a) Imprisonment ranging from six (6) years and one (1) day to twelve (12) years or a fine of not less than One hundred thousand pesos (P100,000.00) nor more than Three Hundred thousand pesos (P300,000.00) or both, for any person found guilty of violating Section 12, sub-sections (a) and (d) of this Act;

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

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

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

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

If the person found guilty is a public officer, in addition to the criminal

liabilities imposed under this Act, the public officer shall be dismissed from the service and perpetually disqualified from holding public office. In addition, the public officer shall also be administratively held liable under existing laws, rules and regulations.

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

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

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

SEC. 18. Repealing Clause. – All laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 19. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,