



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Second Regular Session

House Bill No. **10389**



INTRODUCED BY REP. JOSE “BONG” J. TEVES, JR.

EXPLANATORY NOTE

Shrink wrap is a thin, flexible plastic sheet to lock and secure cased items onto a pallet. It is commonly constructed of polyethylene. When heated, shrink wrap can be used to cover products loosely. Once heated, the shrink wrap secures the goods. Beyond standard packaging, stretch and shrink wrap have been used in the logistics, pharmaceutical, and food and beverage industries. Shrink wrap, for instance, are used in the logistics industry to palletize and secure products during shipping.

Plastic wastes such as shrink wrap are proven by research and time, take hundreds of years to decompose. Before its decomposition, it has already created a substantial amount of damage to our environment and health due to its improper usage and disposal. Despite of the enactment of several environmental laws, this representation sees that additional measures are needed to further curb the garbage problem in our country.

It is high time that the government eliminate plastic shrink wraps which are considered single-use plastics in order to help curb the waste problems in our country. Consumers must shift to a more environmental-friendly alternative in lieu of the shrink wrap.

Under the Constitution, it is our duty as legislators to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Consistent with such Constitutional duty, and to address the pervasive waste problem and its negative impact to our health and environment, this representation seeks the urgent approval of this measure.



HON. JOSE “BONG” J. TEVES, JR.
Deputy Majority Leader
Representative, TGP Party-List



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AN ACT
PROHIBITING THE USAGE OF SHRINK WRAP PLASTIC PRODUCTS,
PROVIDING PENALTIES, AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. — This law shall be known as the “Shrink Wrap Prohibition Act”.

SEC. 2. Declaration of Policy. — It is the policy of the state in accordance with the Constitution, to protect and advance the right of the people to a balanced and healthful ecology in accordance with rhythm and harmony of nation.

In light with the enforcement of Republic Act No, 9003, otherwise known as the Ecological Solid Waste Management Act of 2000, the state acknowledges the role of business entities and consumers as key partners in attaining the ultimate purpose of prohibiting and regulating the single-use plastic usage.

SEC. 3. Definition of Terms. — As used in this Act, the term *Shrink Wrap* shall be defined as a thin, flexible plastic sheet when exposed to a heating process, shrinks to the contour of the merchandise.

SEC. 4. Prohibition. — Business entities engaged in the production and distribution of goods, medicine, food, and other merchandise shall be prohibited to use or utilize shrink wrap plastic products in packaging products.

SEC. 5. Research and Development for Alternatives to Shrink Wrap Plastics — The Department of Science and Technology (DOST) in coordination with the National Solid Management Waste Commission shall conduct research and development and as a result thereof, innovate an alternative to shrink wrap plastic products.

SEC. 6. Monitoring and Inspection — The Department of Trade and Industry (DTI) shall be the primary government agency tasked to monitor, inspect, and determine the compliance of business entities to this Act. The DTI may coordinate with the appropriate local government unit and the Philippine National Police to ensure compliance with this Act.

The local government unit, upon thorough determination of compliance with this Act, and upon the recommendation of DTI, shall issue the necessary Certificate of Compliance to business entities that are compliant with this Act. Business entities shall be required to submit the Certificate of Compliance for purposes of local business permit renewal.

SEC. 7. Penalties — Violations of any provisions of this Act shall be meted with the following penalties and sanctions:

For business entities or enterprises under R.A. 6977 as amended by R.A. 8289, otherwise known as the Magna Carta for Small Enterprises, and R.A. 9178 also known as the Barangay Micro Business Enterprises Act of 2002, and other non-VAT registered business entities:

First Offense: Fine of Fifteen Thousand Pesos (Php. 15,000.00);

Second Offense: Thirty Thousand Pesos (Php. 30,000.00) and suspension of business permit for six (6) months ;

Third Offense: Sixty Thousand Pesos (Php. 60,000.00) and suspension of business permit for one (1) year;

Fourth Offense: One Hundred Twenty Thousand Pesos (Php. 120,000.00) and immediate revocation of business permit and ineligibility for application of business permit for five (5) years;

For VAT registered persons or business entities and all other plastic manufacturers found violating this Act, the following penalties shall be imposed:

First Offense: One Hundred Twenty Thousand Pesos (Php. 120,000.00);

Second Offense: Two Hundred Fifty Thousand Pesos (Php. 250,000.00) and suspension of business permit for six (6) months;

Third Offense: Five Hundred Fifty Thousand Pesos (Php. 550,000.00) and suspension of business permit for one (1) year;

Fourth Offense: One Million Two Hundred Thousand Pesos (Php. 1,200,000.00) and immediate revocation of business permit and ineligibility for application for business permit for five (5) years.

Monetary penalties collected from the abovementioned violations of non-VAT registered and VAT registered business entities shall be remitted to the Solid Waste Management Fund in accordance with R.A. 9003.

Any local government officials or government agencies who fail to comply with and enforce this Act shall be held administratively liable under R.A. 7160 otherwise known as the Local Government Code and other existing laws and regulations.

SEC. 8. Disclosure and Information — Reports, records, or any information relating to the implementation of this Act shall be accessible to the public, unless such report, record,

or information are confidential as may be found by the DTI as when the effects thereof shall be adversary to the competitive competition of the manufacturer, seller, or distributor.

SEC. 9. Implementing Rules and Regulations — The DENR, DTI, DI LG, other concerned government agencies and representatives from the local government unit, shall issue and implement the necessary Implementing Rules and Regulations within one hundred twenty (120) days from the effectivity of this Act.

SEC. 10. Separability Clause — If any portion or provision of this Act is declared unconstitutional or invalid, the remainder of this Act or any of the provisions hereof not affected thereby shall continue to be in force and effect.

SEC. 11. Repealing Clause — Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent or contrary to any of the provisions of this Act is hereby repealed or modified accordingly.

SEC. 12. 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,