

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10872



Introduced by **Representative Wilbert “Manoy” T. Lee**

AN ACT
REDUCING WASTAGE BY DONATING AND RECYCLING EXCESS EDIBLE
FOOD

EXPLANATORY NOTE

Article XV, Section 3 (2) of the 1987 Constitution states that “[t]he State shall defend the right of children to assistance, including proper care and nutrition.” In the same vein, Article II, Section 9 of the same provides that “[t]he State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.”

A study found that 39% of Filipino families waste rice, 11% waste vegetables, and 8% waste meat, with the DOST reporting a staggering 930 million tons of food waste in 2019.¹ In 2023, the Philippines is ranked 69th out of 119 countries on the Global Hunger Index, signifying a significant hunger crisis, while food waste also contributes to greenhouse gas emissions that intensify global warming.

In the 2024 Waste Index Report by the UN Environment Programme (UNEP),² households in the Philippines discarded about 2.95 million tons of food, which translates to 26 kilograms (kg) per individual. This index evaluates the quantity of food and its non-edible parts that are wasted in households, retail, and food service sectors. On a global scale, the household sector is responsible for 60% of total food waste, amounting to 631 million tons,

¹ Soriano, MJ. (2023, March 17). DOST: Rice, veggies and meat top waste list; urges public-private action. Inquirer.net. Accessed on September 2, 2024, from <https://newsinfo.inquirer.net/1744485/dost-researchers-urge-filipinos-to-address-food-waste-problem>.

² Cruz, Beatriz Marie D. (2024, March 27). PHL household food waste falls sharply to nearly 3 million tonnes a year — UNEP. BusinessWorld. Accessed on September 2, 2024, from <https://www.bworldonline.com/economy/2024/03/27/584555/phl-household-food-waste-falls-sharply-to-nearly-3-million-tonnes-a-year-unep/>.

with food service contributing 28% (290 million tons) and retail making up 12% (131 million tons).

In July 2024, the Philippine Statistics Authority reported food inflation for the lowest 30% of income households surged to 8.7%, up from 8.4% in June, driven by a significant rise in the index for meat and other slaughtered land animals, which climbed to 4.7% from 3.0%. This rise in food costs reveals a troubling inconsistency: as food prices soar, a staggering amount of food is wasted throughout the country. This contradiction of food waste occurring alongside hunger emphasizes the critical need for robust policies and initiatives aimed at enhancing both food security and sustainable consumption practices in the Philippines.

Thus, through this measure, this Representation aims to promote food security and eliminate hunger by facilitating the redistribution and recycling of edible food surplus, recognizing the human right to adequate nutrition. It requires food-related businesses to donate surplus food to accredited food banks and provides guidelines for the collection and distribution of this food to those in need. The Act also initiates a National Zero-Food Waste Campaign to educate the public, especially youth, on reducing food surplus and emphasizing food recovery strategies.

Additionally, it includes provisions for training sanitary inspectors to ensure the proper handling and classification of food surplus while providing liability protection for food donors. Strict prohibitions against the resale of donated food surplus are enforced, with significant penalties for violations that increase with repeated offenses. Finally, the Act mandates the National Nutrition Council (NNC) to oversee enforcement and develop implementing rules within sixty days of its enactment.

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



HON. WILBERT "MANOY" T. LEE
Representative
AGRI PARTYLIST

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REDUCING WASTAGE BY DONATING AND RECYCLING EXCESS EDIBLE
FOOD

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

1 **Section. 1. Short Title.** This Act shall be known as the “*Food Surplus Reduction*
2 *Act.*”

3
4 **Sec. 2. Declaration of Policy.** The State recognition that each person has a right to an
5 adequate standard of living, including sufficient, safe, quality and nutritious food. It is hereby
6 declared a policy of the State to attain food security, end hunger, and promote the efficient
7 use of the country’s food resources. The considerable number of people going hungry daily is
8 a breach of a human right that this Act intends to address and correct and the massive amount
9 of food surplus presents an opportunity for the State to address hunger and its efforts on
10 quality of life of the underprivileged.

11
12 Toward this end, the State shall adopt a system to promote, facilitate and ensure the
13 reduction of food surplus through redistribution and recycling. The State shall likewise
14 implement measures to make it mandatory to donate edible food surplus for charitable
15 purposes.

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

- 2 a) Edible food surplus - refers to excess food or surplus food in the retail and
3 consumption stages, determined to be fit for human consumption based on the
4 applicable standards of food quality and safety;
- 5 b) Food banks - refer to non-profit, charitable or other social mission-oriented
6 organization that collect donations of edible food items and distribute them to the
7 food insecure;
- 8 c) Food insecure - refers to the decrease of food surplus through the redistribution of
9 food surplus to the food insecure or the recycling of food as fertilized or compost;
- 10 d) Food-related business - refers to public and private businesses involved in the
11 manufacturing and processing of food products, private businesses involved in the
12 wholesaling and retailing of food products, private businesses involved in serving
13 food products, and private institutions offering courses in the art and science of
14 preparation, cooking and presentation of food; and
- 15 e) Inedible food surplus - refers to food discarded in the retail and consumption
16 stages, determined to be unfit for human consumption, including, pre-packaged
17 food products that have gone beyond their declared expiry dates.

18
19 **Sec. 4. Covered Establishments.** – The establishments covered by this Act are as
20 follow:

- 21 a) Food manufacturers, notwithstanding any restriction imposed by any existing law
22 and regulation on food manufacturers: *Provided*, That any donation made by such
23 manufacturers under the provisions of this Act shall constitute an exception to the
24 applicability of restrictions under existing laws and regulations as long as the
25 product to be donated has no safety and quality issue, no untruthful information or
26 health claims or any information that can mislead the consumers;
- 27 b) Food establishment (restaurants, cafes, diners, fast food chains or hotels);
- 28 c) Supermarkets with at least five hundred (500) square meters of selling space; and
- 29 d) Culinary schools with offer culinary, baking and pastry courses with at least fifty
30 (50) students.

31
32 **Sec. 5. Determination of Food Insecure.** – The criteria for the determination of a
33 food insecure person or group, will be made by the Department of Social Welfare and
34 Development (DSWD), in coordination with local government units (LGUs).

1 **Sec. 6. National Zero-Food Waste Campaign.** – The National Nutrition Council
2 (NNC), in close cooperation with the DSWD, Department of Interior and Local Government
3 (DILG), Department of Environment and Natural Resources (DENR), Department of
4 Education (DepEd), Department of Trade and Industry (DTI), Department of Health (DOH),
5 Department of Science and Technology (DOST), Department of Agriculture (DA), and other
6 concerned agencies and LGUs, shall undertake a National Zero-Food Waste Campaign to
7 raise awareness on the impact of food surplus and strategies to decrease wasted food starting
8 at the household level. The campaign shall also promote the food surplus reduction hierarchy
9 and recommend means of reducing individual food waste.

10 To educate the younger generation, the DepEd shall have the duty to ensure that the
11 prescribed curriculum includes information materials on the following:

- 12 a) Current global and national food waste situations;
- 13 b) Ways to minimize food surplus;
- 14 c) National and local food surplus prevention programs;
- 15 d) Food recovery; and
- 16 e) Pertinent provisions of this Act.

17
18 **Sec. 7. Edible Food Surplus Distribution Steps.** – The following steps shall be
19 followed in edible food surplus distribution:

- 20 a) The owner of the covered establishments will segregate their edible and inedible food
21 surplus;
- 22 b) To facilitate distribution, food manufacturers may opt to perform the segregation of
23 their products at the supermarkets that sell their products, bearing in mind the
24 exclusion of all physically damaged food container such as tainted or tarnished label
25 which may render it unreadable, dented, smashed, rusted, swollen, corroded food
26 container or any similar condition which may render the food unsafe. For consumer
27 protection and consistency with the existing policy, any processed food for donation
28 shall at least 12 months remaining shelf-life;
- 29 c) Before a donation is made, a duly trained sanitary inspector of the LGU or accredited
30 food and safety officer will check if the edible food surplus is fit for human
31 consumption
- 32 d) Upon determination that the edible food surplus conforms to the standard and policy,
33 it will be donated to accredited food banks, as determined by the DSWD; and

- 1 e) Food banks, in coordination with the DSWD and LGUs will distribute the edible food
2 surplus to the food insecure.
3

4 **SEC. 8. *Food-related Business Surplus Reduction Strategy.*** – The owners of food-
5 related businesses such as food manufacturers, supermarkets, restaurants, cafeterias, culinary
6 schools and hotels shall:

- 7 a) Submit their respective reports to the DSWD and DENR containing data on the
8 amount (in tons) of its edible and inedible food surplus, organized according to the
9 manner of disposal, including donation, composting, or discarding;
10 b) Enter into a contract with food banks to redistribute edible food surplus to the food
11 insecure;
12 c) Ensure that edible food surplus is unadulterated and in good condition upon arrival at
13 the food bank's distribution center; and
14 d) Enter into a contract with waste management and recycling enterprises to recycle
15 inedible food surplus.
16

17 **SEC. 9. *National Food Surplus Scheme.*** – The DSWD, as the coordinating agency
18 between food businesses and food banks, shall:

- 19 a) Provide guidelines and standards for the collection, storage, and distribution of edible
20 food donated to food banks;
21 b) Ensure that food businesses have entered into contracts with food banks and issue
22 acceptance certificates to food businesses;
23 c) Ensure that food banks have adequate and appropriate storage for the edible food
24 surplus especially the highly perishable food;
25 d) Promote linkages between food banks and LGUs to create a community-based food
26 distribution system for the food insecure; and
27 e) Create a Self-Sufficiency Program that will provide the food insecure with skills
28 training in managing food banks and livelihood programs to avoid the dependence on
29 donation solely.
30

31 **SEC. 10. *Responsibility of LGUs in Waste Reduction Strategy.*** – LGUs are hereby
32 required to:
33

- 1 A) Submit a report that contains data on the amount (in tons) of inedible food surplus that
2 can be recycled as raw materials for fertilizers or compost, livestock feed or sources
3 of biofuel to the DA and DENR;
- 4 B) Initiate a waste segregation effort per household, ensuring inedible food surplus are
5 not mixed with garbage otherwise garbage found with food waste will not be
6 collected;
- 7 C) Shoulder the cost of transporting inedible food surplus from collection areas to waste
8 management sites;
- 9 D) Enter into contract with waste management and recycling enterprises to recycle
10 inedible food waste into fertilizer or compost, livestock feed or sources of biofuel;
11 and
- 12 E) Facilitate the distribution of fertilizer or compost to farms and community gardening
13 associations.
14

15 **SEC. 11. *Training of Sanitary Inspectors.*** – The NNC shall, in coordination with the
16 University of the Philippines College of Public Health and LGUs, conduct regular trainings
17 on the proper handling, collection, distribution and determination of edible and inedible food
18 surplus which includes microbiology, parasitology of food contaminant and the standards for
19 the classification of food quality.
20

21 **SEC. 12. *Liability Protection.*** – To protect the food donors from possible abuses, and
22 encourage donations, the liability of owners of the food-related businesses is limited only to
23 the time that they have possession of the food surplus.

24 Once a donation is received by the accredited food banks and/or farms, the owners shall
25 be exempt from any liability or injury arising therefrom.
26

27 **SEC. 13. *Prohibition of Selling Edible and Inedible Food Surplus.*** The reselling of
28 donated edible food surplus is strictly prohibited. The penalty of *prision mayor* shall be
29 imposed upon anyone caught reselling donated food surplus. If the offender is a juridical
30 entity, the responsible officers will be held liable for said violation.
31

32 **SEC. 14. *Penal Provisions Penalties.*** – The penalty of a fine amounting to Five
33 Hundred Thousand Pesos (P500,000.com) shall be imposed upon any individual, private or
34 public entity, who makes edible food surplus unfit for human consumption. The same penalty

1 is applicable to private or public persons or entities who prevent the redirection of edible food
2 surplus to food banks or inedible food surplus to waste management and recycling
3 enterprises. The fines shall be imposed as follows:

First Time Offenders	One Million Pesos (P1,000,000.00)
Third Time Offenders	Two Million Pesos (P2,000,000.00)
Fourth Time Offenders	Three Million Pesos (P3,000,000.00)
Fifth Time Offenders and Up	Five Million Pesos (P5,000,000.00)

5
6 **SEC. 15. *Supervision.*** – The NNC, in coordination with the DSWD, shall supervise the
7 enforcement and implementation of this Act.

8
9 **SEC. 16. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
10 effectivity of this Act, the NNC, in coordination with DWSD, DILG, DENR, DOST, DepEd,
11 and DOH, shall promulgate the necessary rules and regulations for the effective
12 implementation of this Act.

13
14 **SEC. 17. *Separability Clause.*** – If for any reason, any part or provision of this Act is
15 declared invalid or unconstitutional, the remaining parts or provisions not affected thereby
16 shall remain in full force and effect.

17
18 **SEC. 18. *Repealing Clause.*** - All laws, executive orders, presidential decrees, rules
19 and regulations, or part thereof contrary to or are inconsistent with any provision of this Act
20 are hereby repealed, amended, or modified accordingly.

21
22 **SEC. 19. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
23 publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,