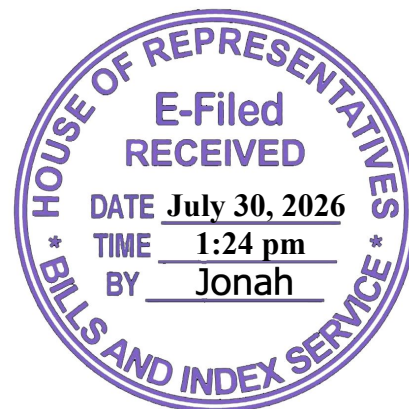


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 10448



Introduced by **ANG PROBINSYANO**
Party-List Representative Alfred Delos Santos

EXPLANATORY NOTE

Access to food remains an urgent issue for a large percentage of the Philippine population. As recently as March 2026, a Social Weather Station (SWS) survey¹ showed that almost a quarter of the country's population experienced involuntary hunger (23.2%), of which 5.5% experienced severe hunger. Such issues arise from the precarious state of the nation's food security and the inadequate access to safe, reliable, and nutritious food sources.

Tackling food waste goes hand-in-hand with helping alleviate food insecurity in the country and reducing greenhouse gas emissions. As part of global and national actions to end hunger and curb carbon pollution, an Act that mandates food establishments to donate edible food surplus can help tackle the twin problems of food security and reduced emissions.

Although the Philippines is making progress in fulfilling its commitments to SDG 2 (Zero Hunger) and SDG 12 (Responsible Consumption and Production), more rigorous legislation is needed to sustain this progress and divert food waste towards food banks. Child stunting, for instance, remains prevalent, with as many as 23.6 of the population experiencing stunting due to malnutrition².

The ongoing 2026 fuel crisis brought on by the conflict in West Asia is also having negative impacts on the nation's inflation, which has detrimental

¹ Isabelle Pechay (2026), "SWS: Hunger among Filipino families rises to 23.2% in March 2026," *Inquirer*, May 13, 2026, available at

<https://newsinfo.inquirer.net/2227801/sws-hunger-among-filipino-families-rises-to-23-2-in-march-2026>

² World Food Programme, "Philippines Country Brief," available at

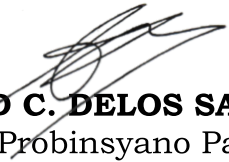
<https://docs.wfp.org/api/documents/WFP-0000174216/download/>

effects on the price of food, groceries, and other necessities. As Super El-Niño is expected this year, it may compound the issue of food insecurity further³.

There is a very pressing need to establish clear guidelines for determining what food surplus is safe to eat, enforcing donations to curb food wastage, protecting good samaritans from damage liabilities, and empowering LGUs to distribute food surplus to their constituents. This bill aims to establish just such a framework and invite transformative, sustainable change by filling in the policy gaps. This is only the first step towards solving a long-term, systemic issue⁴.

There is enough food for everyone if everyone has equal access to it. This bill effectively aims to tackle the pressure points that prevent a large percentage of the population from accessing safe and nutritious food. By mandating food establishments to donate their excess edible food and distributing it to the marginalized via food banks, we can slowly solve malnutrition, childhood stunting, and hunger in our Philippine islands.

In view of the foregoing, the passage of this measure is urgently sought.



ALFRED C. DELOS SANTOS
Representative, Ang Probinsyano Partylist

³ Derco Rosal (2026), "Inflation could de-anchor as 'super' El Niño threatens food prices—EIU," *Manila Bulletin*, June 24, 2026, Available at

<https://mb.com.ph/2026/06/24/inflation-could-de-anchor-as-super-el-nino-threatens-food-pricesciu>

⁴ Joe Zaldarriaga (2026), "Addressing hunger," *Philippine News Agency*, January 27, 2026, Available at <https://www.pna.gov.ph/opinion/pieces/1147-addressing-hunger>

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**AN ACT TO REDUCE FOOD WASTE BY REQUIRING EDIBLE FOOD
SURPLUS TO BE DONATED TO FOOD BANKS AND CHARITIES**

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

SECTION 1. *Short Title.* – This Act shall be known as the “Anti Food
Waste Act of 2026”

SECTION 2. *Declaration of Policy.* – The State recognizes the universal
right to access safe and edible food. It is the purview of the State to provide the
necessary conditions not only for the survival of its citizens, but of their safety
and comfort, and this begins at the assurance that every Filipino has food on
their table. The high number of food waste is both a tragedy and a solution.
This Act intends to divert such waste, which may by all standards, still fit for
human consumption and be given to those that live in hunger. Towards this
end, the State shall adopt a system to promote, facilitate, and ensure the
reduction of food waste through redistribution, diversion, and repurposing.

SECTION 3. *Definitions.* – For purposes of this Act, the following terms
shall mean:

(a) **Food waste** is defined as food removed from the human food supply
chain, including all the crop and livestock human-edible food that,
directly or indirectly, completely exit the human food supply chain by
being discarded, incinerated or otherwise, and do not reenter in any
other utilization (such as animal feed, industrial use, etc.), up to, and
excluding, the retail level. Losses that occur during storage, transport
and processing, also of imported quantities, are therefore all included;

(b) **Food** refers to any raw, cooked, processed, or prepared edible substance, ice, beverage, or ingredient used or intended for use in whole or in part for human consumption. “Food” includes drink, and any substance that has been used in the manufacture, preparation or treatment of food. Therefore food waste includes both;

(c) **Edible food surplus** refers to wholesome edible food that is unsold, unserved, or unused but still fit for human consumption based on standards set by the National Nutrition Council, the Food and Drugs Administration, the Department of Agriculture, and other relevant government agencies;

(d) **Inedible food surplus** refers to components associated with a food that are not intended to be consumed by humans such as bones, rinds and pits/stones;

(e) **Wholesome edible food** refers to food that meets all quality and labeling standards imposed by pertinent laws and administrative regulations regardless if it may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions. It does not include milk products as defined and covered under Executive Order No. 51, otherwise known as the Milk Code, which prohibits donation of milk products of any kind;

(f) **Food insecure** is defined as the failure to access necessary food needs for human consumption, nutrition, and survival;

(g) **Food Service Sector** encompasses private and public establishments where food is manufactured or sold in substantial quantities, in either retail or wholesale settings. This could include large subsectors such as hotels, cafes, and bars; caterers, eateries, and cafeterias; retailers, grocery stores, supermarkets, and convenience stores;

(h) **Food banks** encompass non-profit, non-stock organizations operating to serve social, public, and charitable causes and directly involved in storing and distributing donated food to feeding programs, social welfare missions, and other charitable organizations;

SECTION 4. *Covered Establishments in the Food Service Sector.* – The Act applies to establishments within the Food Service Sector. These include:

(a) Food manufacturers involved in producing raw food materials to wholesome, edible food. Provided that the discarded food is labeled wholesome and edible and does not go against pertinent laws related to food manufacturing and food safety;

- (b) Retailers (markets, major grocery stores, and formal supermarkets);
- (c) Food establishments (restaurants, fast food chains, cafes, bars, canteens, and catering services); and
- (d) Hospitality (hotels, resorts, and inns).

SECTION 5. *Mandatory Food Donation Mechanisms.* – Establishments and manufacturers within the Food Service Sector are mandated to donate their edible food surplus to accredited food banks, government social welfare programs, and to LGU-facilitated redistribution schemes:

- (a) Waste Segregation. The owners and operators of food manufacturers must segregate their surplus to edible and inedible food. To facilitate distribution, food manufacturers may perform segregation at the retailers/supermarkets that sell their products;
- (b) Those deemed edible food, upon inspection of a duly-accredited Health Inspector from the LGU, in accordance with NNC and FDA standards, can be donated;
- (c) Food that are edible and certified for donation can be distributed to food banks as determined by the DSWD;
- (d) Food banks, in coordination with DSWD and LGUs, will distribute the edible food to the food insecure;
- (e) Establishments may opt to post their surplus at the close of business operations, where DSWD-recognized charities and non-profit organizations may claim the surplus for distribution to the food insecure; and
- (f) Barangay-Facilitated Redistribution. LGUs may mandate the formation of barangay food distribution systems for rapid deployment of edible food surpluses. Establishments may report their daily surplus to the barangay, which deploys trained LGU health inspectors to verify food safety prior to immediate dispatch to food-insecure households.

SECTION 6. *Food Waste Reduction Mechanisms.* – Food Service Sector establishments are hereby required to:

- (a) Submit their respective reports to the DSWD and DENR that contains data on the amount (in tonnes) of its edible and inedible

food waste in the past year, organized according to the manner of disposal, including donation, composting or discarding;

- (b) Enter into a contract with food banks to redistribute edible food waste to the food insecure;
- (c) Ensure that the edible food waste is unadulterated and in good condition upon arrival at the food bank's distribution center;
- (d) Enter into a contract with waste management and recycling enterprises to recycle inedible food waste into fertilizer or compost;
- (e) Enter into contract with animal industries and farms to divert food scraps to animal food; and
- (f) Reach and maintain food waste levels at the target set by the DENR.

SECTION 7. *National Anti-Food Waste Framework.* – DSWD, serving as the primary coordinating agency between food service sector establishments and food banks, shall be mandated to:

- (a) Formulate comprehensive guidelines and minimum standards governing the safe collection, warehousing, and redistribution of edible surplus food directed to food banks;
- (b) Ensure that food businesses have executed formal agreements with accredited food banks or designated barangay-level initiatives, and issue corresponding certificates of compliance to participating establishments;
- (c) Promote linkages between food banks and LCDs to create a community-based food distribution system for the food insecure; and
- (d) Institute a Self-Sufficiency Program that will provide the food insecure with skills training on managing food banks and livelihood programs to mitigate the sole dependence on food donations.

SECTION 8. *Household and Local Government Unit Waste Reduction Strategy.* – LGUs are hereby required to:

- (a) Submit an annual report that contains data on the amount (in tonnes) of inedible food waste that can be recycled as raw material for fertilizers or compost to the DENR;

- (b) Initiate waste segregation efforts per household through local campaigns;
- (c) Enter into a contract with waste management and recycling enterprises to recycle inedible food waste from households into fertilizer or compost;
- (d) Shoulder the costs of transporting inedible food waste from collection areas to waste management sites; and
- (e) Reach and maintain inedible food waste levels at the target set by DENR.

SECTION 9. *Training and accreditation of Health Inspectors.* – The DOH, in coordination with the FDA, shall conduct seminars and provide training to LGU health inspectors regarding the proper segregation and identification of wholesome edible food surplus and inedible food surplus.

SECTION 10. *Tax Incentive.* - Food Service Sector-related businesses that donate edible food to food banks shall be exempt from donor's tax and the same shall be considered as an allowable deduction from their gross income, in accordance with the provisions of the National Internal Revenue Code (NIRC), as amended.

SECTION 11. *Penalties.* - The penalty of a fine amounting to one hundred thousand pesos (Php 100,000.00) will be imposed on any individual, private or public, who deliberately makes food loss unfit for consumption for the first offense and escalating fines and mandatory closure for succeeding offenses, without prejudice to other applicable laws. The same penalty is applicable to private or public actors who prevent the redirection of food loss to food distributing institutions or food waste to waste management and recycling enterprises.

SECTION 12. *Liability of Damage from Food Donations.* – A donating food service sector establishment shall not be held liable for damages arising from the nature, age, packaging, or condition of apparently wholesome food that is donated in good faith for charitable purposes, and as deemed edible by duly-accredited health inspectors. This shall not apply, however, to an injury or death of an ultimate beneficiary of the donated food that results from an act or omission of a constituting gross negligence or intentional misconduct.

SECTION 13. *Implementing Rules and Regulations.* – The DSWD, in coordination with the DOH, the NNC; DENR, DOST, DA, FDA, and other relevant government agencies, recognized non-government organizations and private entities shall formulate and issue the necessary rules and regulations

for the implementation of this Act within ninety (60) days after the effectivity of this Act.

SECTION 14. *Separability Clause.* – If any provision or part of this Act is held invalid or unconstitutional, the remaining provisions or parts unaffected shall remain in full force and effect.

SECTION 15. *Repealing Clause.* – All laws, executive orders, presidential decrees or issuances, letters of instruction, administrative orders, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 16. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,