



HOUSE OF REPRESENTATIVES

H. No. 8043

BY REPRESENTATIVES SUNTAY, PRIMICIAS-AGABAS, POE, DEGAMO, SALCEDA, RODRIGUEZ (R.),
RODRIGUEZ (M.), CRUZ (A.), ZUBIRI, PLEYTO, LAGDAMEO (J.M.), CAYTON, GATO, YNARES,
LAGBAS, MERCADO-REVILLA, RODRIGUEZ (E.), AYON, NAZAL, ELAGO, RIVERA, MONTES, CAGAS
AND CHUA-TAI

AN ACT
REDUCING FOOD SURPLUS THROUGH FOOD DONATIONS
AND FOOD WASTE RECYCLING

*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 Waste Reduction
2 and Prevention Act.”

3 **SEC. 2. Declaration of Policy.** – The State recognizes every person’s right to an
4 adequate standard of living, including sufficient, safe, and nutritious food. It shall be the
5 policy of the State to attain food security, end hunger, promote the efficient use of the
6 country’s food resources, and protect the environment by reducing food waste and its
7 greenhouse gas emissions.

8 To this end, the State shall: (a) mandate the donation of edible food surplus to
9 accredited food banks for distribution to food-insecure beneficiaries; (b) require covered
10 establishments to adopt food waste prevention measures; (c) promote the recycling of
11 inedible surplus into useful products such as compost, fertilizer, or energy; and (d)
12 integrate food waste reduction into climate mitigation strategies and sustainable
13 development planning.

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, fit for human consumption based on standards set by the National Nutrition Council (NNC) and the Food and Drug Administration (FDA);

(b) *Food banks* refer to non-profit, charitable or social mission-oriented organizations that distribute food to the food insecure, accredited under this Act;

(c) *Food insecure* refers to persons or groups with no means and/or have difficulty producing or purchasing sufficient food;

(d) *Food surplus management hierarchy* refers to the preferred order of managing surplus: (1) prevention at source; (2) redistribution for human consumption; (3) use as animal feed; (4) recycling; (5) disposal as last resort;

(e) *Food surplus reduction* refers to the decrease in surplus generation through prevention, redistribution to the food insecure, or recycling into useful products;

(f) *Food waste prevention plan* refers to a documented strategy by a food-related business detailing actions to avoid generating food surplus at the source, including overproduction reduction, improved inventory management, demand forecasting, and staff training;

(g) *Food-related business* refers to entities engaged in food manufacturing, processing, wholesaling, retailing, food service, or culinary education;

(h) *Inedible food surplus* refers to food unfit for consumption as determined by NNC and FDA standards, including expired prepackaged food; and

(i) *Waste management and recycling enterprises* refer to organizations converting inedible food waste into compost, fertilizer, animal feed, or energy.

SEC. 4. Covered Establishments. – This Act applies to: (a) Food manufacturers, exempt from existing restrictions when donating surplus; (b) Restaurants, cafes, diners, fast food chains, and hotels; (c) Supermarkets with at least five hundred (500) square meters of selling space; and (d) Culinary schools with at least fifty (50) students, and similar businesses, as may be determined in the Implementing Rules and Regulations.

SEC. 5. Determination of Food Insecure Individuals or Groups. – The Department of Social Welfare and Development (DSWD), in coordination with local government units (LGUs), shall set criteria to identify food-insecure individuals or groups.

SEC. 6. National Food Surplus Campaign and Consumer Awareness. – The NNC, with the DSWD, Department of the Interior and Local Government, Department of Environment and Natural Resources (DENR), Department of Education (DepEd), Department of Trade and Industry (DTI), Department of Health, Department of Agriculture (DA), FDA, and LGUs, shall conduct a nationwide campaign to raise awareness on food waste, its impacts, and reduction strategies starting at household level.

The DepEd shall include in its curriculum:

(a) Current global and national food waste situation;

(b) Methods to minimize surplus;

(c) National and local prevention programs;

- (d) Food recovery; and
- (e) Pertinent provisions of this Act.

The DTI and DepEd shall require clear “best before” and “use by” date labeling on packaged food and educate consumers on their difference to prevent avoidable household waste.

SEC. 7. *Edible Food Surplus Distribution.* – In an effort to reduce food waste and support the food insecure, specific guidelines have been established for the distribution of edible food surplus. The following enumerations outline the responsibilities of covered establishments in managing and donating surplus food. Covered establishments shall:

- (a) Segregate edible and inedible food surplus;
- (b) Food manufacturers may opt to segregate at supermarkets;
- (c) LGU health inspectors shall certify edible surplus fit for consumption;
- (d) Certified surplus shall be donated to accredited food banks designated by the DSWD;
- (e) Food banks shall distribute to food-insecure beneficiaries; and
- (f) Food banks shall maintain storage, hygiene, and handling standards, and keep donation records for six (6) months for traceability.

SEC. 8. *Food-related Business Surplus Reduction Strategy.* – To promote sustainability and reduce food waste, specific responsibilities for businesses within the food industry are established. Covered businesses shall:

- (a) Submit annual reports to the DSWD and DENR detailing amounts and disposal methods of surplus;
- (b) Enter into contracts with accredited food banks;
- (c) Ensure donated surplus is unadulterated and safe upon delivery;
- (d) Submit and implement a Food Waste Prevention Plan; and
- (e) Businesses achieving at least twenty percent (20%) annual reduction in edible surplus at source shall be entitled to a one hundred fifty percent (150%) tax deduction on documented prevention investments.

SEC. 9. *National Food Surplus Scheme and Food Bank Certification.* – In response to the increasing need for food security and efficient resource management, the DSWD, as the coordinating agency between covered businesses and food banks, shall:

- (a) Issue guidelines for collection, storage, and distribution;
- (b) Ensure that food businesses have entered into contracts with food banks and issue acceptance certificates;
- (c) Promote partnerships with LGUs for community-based distribution;
- (d) Develop a Self-Sufficiency Program for skills and livelihood training; and
- (e) Accredite food banks through a certification program with annual inspections.

SEC. 10. Responsibilities of Local Government Units. – LGUs play a crucial role in promoting sustainable waste management practices within their communities. To effectively address the challenges of waste disposal and recycling, LGUs shall:

- (a) Submit annual reports on recyclable inedible surplus to the DENR;
- (b) Conduct household-level segregation campaigns;
- (c) Shoulder transport costs to recycling sites;
- (d) Contract waste management enterprises;
- (e) Maintain inedible waste levels within DENR targets; and
- (f) Support community composting and animal feeding.

SEC. 11. Liability Protection. – Food donors are exempt from civil or criminal liability once donations are accepted by accredited food banks or farms.

SEC. 12. Prohibition on Resale. – Reselling donated edible or inedible surplus is strictly prohibited and punishable by *prision mayor*. If the offender is a juridical entity, its responsible officers shall be liable.

SEC. 13. Penalties. – A fine of Five hundred thousand pesos (P500,000.00) shall apply to anyone who renders edible surplus unfit for consumption or obstructs redistribution. The same penalty is applicable to anyone who prevent the redirection of edible food surplus to food banks or inedible food surplus to waste management and recycling enterprises. Fines shall escalate per offense:

Second offense	One million pesos (P1,000,000.00)
Third offense	One million five hundred thousand pesos (P1,500,000.00)
Fourth offense	Two million pesos (P2,000,000.00)
Fifth and subsequent	Three million pesos (P3,000,000.00)

SEC. 14. National Food Waste Reduction Target and Climate Reporting. – The DA shall, in consultation with the Department of Economy, Planning, and Development, DSWD, and DENR, set a national target to reduce food waste by at least fifty percent (50%) by 2030. The NNC shall publish annual inventories and the DENR shall report estimated greenhouse gas emissions avoided.

SEC. 15. Implementing Rules and Regulations. – Within ninety (90) days after the effectivity of this Act, the NNC, in coordination with all concerned agencies, shall promulgate the necessary rules and regulations.

SEC. 16. Separability Clause. – If any provision or part hereof is held invalid, or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

1 **SEC. 17. *Repealing Clause.*** – All other laws, presidential decrees or issuances,
2 executive orders, letters of instruction, administrative orders, rules and regulations
3 contrary to or inconsistent with the provisions of this Act are hereby repealed, modified,
4 or amended accordingly.

5 **SEC. 18. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
6 in the *Official Gazette* or in a newspaper of general circulation.

Approved,