



HOUSE OF REPRESENTATIVES

H. No. 8873

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BY REPRESENTATIVES ESTRELLA, ESCUDERO, NIETO, MACEDA,  
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PRIMICIAS-AGABAS AND RELAMPAGOS, PER COMMITTEE  
REPORT NO. 1081

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AN ACT REDUCING FOOD WASTE 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  
2 “Food Waste Reduction Act”.

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

1           Towards this end, the State shall adopt a system to promote,  
2 facilitate and ensure the reduction of food waste through  
3 redistribution and recycling. The State shall likewise implement  
4 measures to make it mandatory to donate edible food surplus for  
5 charitable purposes.

6           SEC. 3. *Definition of Terms.* – As used in this Act:

7           (a) *Edible food surplus* refers to excess food or surplus food in  
8 the retail and consumption stages, determined to be fit for  
9 consumption based on standards set by the National Nutrition  
10 Council (NNC) and the Food and Drug Administration (FDA);

11           (b) *Food insecure* refers to persons or groups of persons who  
12 have no means and/or have difficulty producing or purchasing food;

13           (c) *Food surplus reduction* refers to the decrease in food  
14 surplus generation, the redistribution of food surplus to the food  
15 insecure or the recycling of food as fertilizer or compost;

16           (d) *Food-related business* refers to public and private  
17 businesses involved in the manufacturing and processing of food  
18 products, private businesses involved in the wholesaling and  
19 retailing of food products, private businesses involved in serving  
20 food products, and private institutions offering courses in the art  
21 and science of preparation, cooking and presentation of food;

22           (e) *Food banks* refer to nonprofit, charitable or other social  
23 mission-oriented organizations that distribute food to the food  
24 insecure; and

25           (f) *Inedible food surplus* refers to food discarded in the retail  
26 and consumption stages, determined to be unfit for consumption  
27 based on the standards set by the NNC and FDA, including but not

1 limited to prepackaged food products that have gone beyond their  
2 declared expiry dates.

3         SEC. 4. *Covered Establishments.* – The establishments  
4 covered by this Act are as follows:

5             (a) Food manufacturers, notwithstanding any restriction  
6 imposed by any existing law and regulation on food manufacturers:  
7 *Provided,* That any donation made by such manufacturers under  
8 the provisions of this Act shall constitute an exception to the  
9 applicability of restrictions under existing laws and regulations;

10            (b) Food establishments (restaurants, cafes, diners, fast food  
11 chains or hotels);

12            (c) Supermarkets with at least five hundred (500) square  
13 meters of selling space; and

14            (d) Culinary schools which offer culinary, baking and pastry  
15 courses with at least fifty (50) students.

16         SEC. 5. *Determination of Food Insecures.* – The criteria for  
17 the determination of food insecures will be made by the Department  
18 of Social Welfare and Development (DSWD), in coordination with  
19 the local government units (LGUs).

20         SEC. 6. *National Food Surplus Campaign.* – The NNC, in  
21 close coordination with the DSWD, Department of the Interior and  
22 Local Government (DILG), Department of Environment and  
23 Natural Resources (DENR), Department of Education (DepEd),  
24 Department of Trade and Industry (DTI), Department of Health  
25 (DOH), Department of Science and Technology (DOST), Department  
26 of Agriculture (DA), FDA, other concerned agencies and LGUs, shall  
27 undertake a National Food Surplus Campaign to raise awareness

1 on the impact of food surplus and strategies to decrease wasted food  
2 starting at the household level. The campaign shall also promote  
3 the food surplus reduction hierarchy and recommend means of  
4 reducing individual food waste.

5 To educate the younger generation, the DepEd shall have the  
6 duty to ensure that the prescribed curriculum includes informative  
7 materials on the following:

- 8 (a) Current global and national food waste situation;
- 9 (b) Ways to minimize food surplus;
- 10 (c) National and local food surplus prevention programs;
- 11 (d) Food recovery; and
- 12 (e) Pertinent provision of this Act.

13 *SEC. 7. Edible Food Surplus Distribution Steps.* – The  
14 following steps shall be followed in edible food surplus distribution:

15 (a) The owners of the covered establishments will segregate  
16 their edible and inedible food surplus;

17 (b) To facilitate distribution, food manufacturers may opt to  
18 perform the segregation of their products at the supermarkets that  
19 sell their products;

20 (c) Before a donation is made, a duly accredited health  
21 inspector of the LGU will check if the edible food surplus is fit for  
22 consumption based on the standards set by the NNC and FDA;

23 (d) Upon certifying that the edible food surplus is fit for  
24 consumption, the edible food surplus will be donated to accredited  
25 food banks, as determined by the DSWD; and

26 (e) Food banks, in coordination with the DSWD and LGUs,  
27 will distribute the edible food surplus to the food insecure.

1           SEC. 8. *Food-related Business Waste Reduction Strategy.* –

2     The owners of food-related businesses such as food manufacturers,  
3     supermarkets, restaurants, cafeterias, culinary schools and hotels  
4     shall:

5           (a) Submit their respective reports to the DSWD and DENR  
6     containing data on the amount (in tons) of its edible and inedible  
7     food surplus, organized according to the manner of disposal,  
8     including donation, composting, or discarding;

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

11          (c) Ensure that edible food surplus is unadulterated and in  
12    good condition upon arrival at the food bank's distribution center, in  
13    accordance with the standard set by the NNC and FDA.

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

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

18          (b) Ensure that food businesses have entered into contracts  
19    with food banks and issue acceptance certificates to food businesses;

20          (c) Ensure that food banks have adequate storage for edible  
21    food surplus;

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

25          (e) Create a Self-Sufficiency Program that will provide the  
26    food insecure with skills training in managing food banks and  
27    livelihood programs to avoid the dependence on donation solely.



1           SEC. 10. *Responsibility of LGUs in Waste Reduction Strategy.*

2   – LGUs are hereby required to:

3           (a) Submit a report that contains data on the amount (in  
4   tons) of inedible food surplus that can be recycled as raw materials  
5   for fertilizers or compost to the DENR in accordance with the  
6   standard set by it;

7           (b) Initiate waste segregation efforts per household through  
8   local campaigns;

9           (c) Shoulder the cost of transporting inedible food surplus  
10   from collection areas to waste management sites;

11          (d) Enter into contract with waste management and recycling  
12   enterprises to recycle inedible food waste into fertilizer or compost;  
13   and

14          (e) Facilitate the distribution of fertilizer or compost to farms  
15   and community gardening associations.

16           SEC. 11. *Accreditation and Training of Health Inspectors.* –

17   The DOH, in coordination with the FDA, shall conduct seminars  
18   and provide adequate training to LGU health inspectors regarding  
19   the proper sorting, collection and determination of edible and  
20   inedible food surplus.

21           SEC. 12. *Supervision.* – The NNC, in coordination with the  
22   DSWD, shall supervise the enforcement and implementation of  
23   this Act.

24           SEC. 13. *Liability Protection.* – To protect the food donors  
25   from possible abuses, and encourage donations, the liability of  
26   owners of the food-related businesses is limited only to the time that  
27   they have possession of the food surplus. Once a donation has been

1 made to the accredited food banks and/or farms, the owners shall be  
2 exempt from any liability and/or injury arising therefrom.

3 SEC. 14. *Prohibition of Selling Edible and Inedible Food*  
4 *Surplus.* – The reselling of donated edible and inedible food  
5 surplus is strictly prohibited. The penalty of *prision mayor* shall be  
6 imposed upon anyone caught reselling donated food surplus. If the  
7 offender is a juridical entity, the responsible officers will be held  
8 liable for said violation.

9 SEC. 15. *Penal Provisions/Penalties.* – The penalty of a fine  
10 amounting to Five hundred thousand pesos (P500,000.00) shall be  
11 imposed upon any individual, private or public entity, who makes  
12 edible food surplus unfit for consumption. The same penalty is  
13 applicable to private or public persons/entities who prevent the  
14 redirection of edible food surplus to food banks or inedible food  
15 surplus to waste management and recycling enterprises. The fines  
16 shall be imposed as follows:

17	First time offenders	P1,000,000.00
18	Second time offenders	P1,500,000.00
19	Third time offenders	P2,000,000.00
20	Fourth time offenders	P3,000,000.00
21	Fifth time offenders and up	P5,000,000.00

22 SEC. 16. *Implementing Rules and Regulations.* – Within  
23 sixty (60) days from the effectivity of this Act, the NNC, in  
24 coordination with the DSWD, DILG, DENR, DOST, DepEd and  
25 DOH, shall promulgate the necessary rules and regulations for the  
26 effective implementation of this Act.

1           SEC. 17. *Separability Clause.* – If any provision or part hereof  
2 is held invalid or unconstitutional, the remainder of the law or the  
3 provision not otherwise affected shall remain valid and subsisting.

4           SEC. 18. *Repealing Clause.* – All other laws, presidential  
5 decrees or issuances, executive orders, letters of instruction,  
6 administrative orders, rules and regulations contrary to or  
7 inconsistent with the provisions of this Act are hereby repealed,  
8 modified, or amended accordingly.

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

Approved,

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