

NINETEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
First Regular Session



22 JUL 14 AIO 24

SENATE

RECEIVED BY: 

S. B. NO. 562

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Introduced by SENATOR JOEL VILLANUEVA

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**AN ACT  
ESTABLISHING THE PAGKAIN PARA SA LAHAT PROGRAM,  
AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

In a Social Weather Stations (SWS) Survey conducted from April 9 to 27 of this year, it was reported that 12.2% or an estimated 3.1 million families experienced hunger during the first quarter of 2022.<sup>1</sup> In the 2021 Global Hunger Index, the Philippines ranked 68<sup>th</sup> among 116 countries.<sup>2</sup> To make matters worse, the Philippine Chamber of Agriculture and Food Inc. (PCAFI) is predicting a possible food shortage in the Philippines this year as a result of the Ukraine-Russia conflict.<sup>3</sup> In spite of all these statistics, the Food and Nutrition Research Institute of the Department of Science and Technology (DOST-FNRI) reported that 1,717 metric tons of food is wasted each day.<sup>4</sup>

This tells us of the disturbing irony in the food market. On the one hand, the country is facing a crisis in malnourishment and hunger, but on the other, there is a boom in the culinary market. This picture is even made more appalling by the fact that a significant number of food produced does not go to the tables of the people who need it the most and simply ends up in the landfill.

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<sup>1</sup> Inquirer.net, 3.1 million Filipino families experienced hunger in Q1 of 2022, June 7, 2022, *accessible at* <https://newsinfo.inquirer.net/1607293/3-1m-filipinos-experienced-hunger-in-q1-of-2022-sws-survey-shows> (*last accessed July 11, 2022*).

<sup>2</sup> Global Hunger Index 2021: Philippines, *accessible at* <https://www.globalhungerindex.org/pdf/en/2021/Philippines.pdf> (*last accessed July 11, 2022*).

<sup>3</sup> CNN Philippines, Agri groups appeal for more support for local farmers amid looming food crisis, *accessible at* <https://www.cnnphilippines.com/news/2022/5/29/Agri-groups-appeal-for-more-support-for-local-farmers-amid-looming-food-crisis.html> (*last accessed July 11, 2022*).

<sup>4</sup> Inquirer.net, The malady of food waste: Millions starve as trash bins fill with leftovers, *accessible at* <https://newsinfo.inquirer.net/1505252/the-malady-of-food-waste-millions-starve-as-trash-bins-fill-with-leftovers> (*last accessed July 11, 2022*).

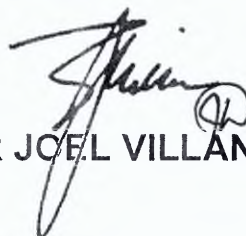
Indeed, the stark contrast between those who have access to food and those who have not is an inescapable reality which needs to be remedied the soonest possible time.

To address this gap in food production and hunger and food waste in the country, this bill seeks to establish a *Pagkain Para sa Lahat* Program, which ensures that food surplus of all food-related businesses is channeled and distributed to food banks and soup kitchens established and/or accredited in accordance with this Act. In turn, the food banks and soup kitchens store and utilize the food surplus for distribution and/or preparation to citizens who need food the most.

This bill also empowers local government units to establish their own food bank and/or soup kitchens to ensure that all Filipinos in every LGU have access to quality food.

All food-related businesses and other partners who participate in the Program can claim the full amount of their donation as a deduction to their gross income. All donations made are also not subject to donor's tax. In addition, the Department of Social Welfare and Development must establish an incentive system to recognize the best practices of all partners in the implementation of the Program.

The immediate passage of this bill is earnestly sought.

  
**SENATOR JOEL VILLANUEVA**

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**AN ACT  
ESTABLISHING THE PAGKAIN PARA SA LAHAT PROGRAM,  
AND FOR OTHER PURPOSES**

*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 "Pagkain Para sa  
2    Lahat Act."  
3
- 4    **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State  
5    to safeguard food security, end hunger, and promote the efficient distribution of  
6    the country's food resources. Towards this end, the State shall adopt a system  
7    to promote, facilitate, and ensure that food surplus produced by establishments  
8    and food manufacturers are distributed to food banks and soup kitchens.  
9
- 10   **SEC. 3. Definition of Terms.** – As used in this Act, the following terms shall  
11   mean:  
12
- 13   a)   **Food banks** refer to either public, private, non-profit, charitable or other  
14   social mission-driven organizations that store food surplus and distribute  
15   it to soup kitchens or other establishments or sell it to consumers;  
16
- 17   b)   **Food surplus** refers to food inventory from food-related businesses which  
18   have been left unsold during the ordinary course of business, but still fit  
19   for consumption based on standards set by relevant laws, rules, and  
20   regulations;  
21
- 22   c)   **Food-related businesses** refer to public and private businesses involved  
23   in the manufacturing and processing of food products, private businesses  
24   involved in the wholesaling and retailing of food products, and private  
25   businesses involved in serving food products, which may include, but are

- 1 not limited to, farms, factories, supermarkets, groceries, wholesalers,  
2 convenient stores, restaurants, fast food chains, cafeterias, and hotels;  
3
- 4 d) **Logistics service providers** refer to persons or entities engaged in the  
5 transport or delivery of goods;  
6
- 7 e) **National Nutrition Council (Council)** is the agency in-charge of  
8 developing an integrated national nutrition program and supervises,  
9 coordinates, and integrates the implementation of policies concerning  
10 nutrition.  
11
- 12 f) **Soup Kitchens** refer to either public, private, non-profit, charitable or  
13 other social mission-driven organizations that prepare and serve food  
14 given by food banks or other donors.  
15

16 **SEC. 4. Establishment of Pagkain Para sa Lahat Program; Role of DSWD.**

17 – There shall be created a Pagkain Para sa Lahat Program which shall ensure  
18 that food surplus of all food-related businesses shall be channeled and  
19 distributed to food banks and soup kitchens established and/or accredited in  
20 accordance with this Act.  
21

22 The Department of Social Welfare and Development (DSWD) shall be the lead  
23 and coordinating agency for the proper implementation of the Program. In the  
24 performance of this function, the DSWD shall:  
25

- 26 a) Provide the framework, guidelines and standards for the collection,  
27 storage and distribution of food surplus donated to food banks and/or soup  
28 kitchens.  
29
- 30 b) Coordinate with local government units on the establishment of local food  
31 banks and/or soup kitchens;  
32
- 33 c) Promote linkages between food-related businesses, food banks, and soup  
34 kitchens to create a community-based food distribution system; and  
35
- 36 d) Coordinate with food-manufacturers, food-related businesses, food  
37 banks, and other government agencies for the development of programs  
38 to bolster food distribution to beneficiaries.  
39

40 **SEC. 5. Accreditation and Establishment of Food Banks and Soup**

41 **Kitchens.** – The DSWD shall establish a system of accreditation of private food  
42 banks and soup kitchens. It shall also ensure that at least one (1) food bank  
43 and soup kitchen is available in every city or municipality. In the absence  
44 thereof, the DSWD shall immediately inform and coordinate with the LGU  
45 concerned, for the establishment of a food bank and soup kitchen in such  
46 locality.  
47

48 To ensure that all food surplus is consumed properly and in a timely fashion, a  
49 food bank shall, as far as practicable, have a partner soup kitchen. All food



1 banks and soup kitchens established and/or accredited in accordance with this  
2 Act shall offer their products to the public without any qualification.

3  
4 **SEC. 6. Duties of Food-related Businesses.** – To achieve the objectives of  
5 this Act, all food-related businesses shall:

- 6  
7 a) Determine the amount, type, and quantity of surplus food that can be  
8 delivered for consumption of beneficiaries of food banks and/or soup  
9 kitchens;  
10  
11 b) Enter into contracts or agreements with food banks and soup kitchens to  
12 redistribute food surplus to beneficiaries of food banks and/or soup  
13 kitchens;  
14  
15 c) Shoulder the costs, on its own or in partnership with a logistics service  
16 provider, of transporting food surplus from the business or storage site to  
17 the food bank or soup kitchen, or to their respective warehouse or  
18 distribution center; and  
19  
20 d) Ensure that the food surplus is unadulterated, fit for human consumption,  
21 and in good condition upon arrival at the food bank's distribution center.  
22 For this purpose, prior to the delivery of the food surplus to food banks  
23 and soup kitchens, all food-related businesses shall be tested by the  
24 National Nutrition Council to ensure that food surplus is fit for human  
25 consumption.

26  
27 **SEC. 7. Duties of Food Banks.** – To ensure that all food surplus given or  
28 donated to food banks benefit all citizens, all food banks shall:

- 29  
30 a) Submit periodic reports to the DSWD and the concerned LGU on the type  
31 of food donated, quantity donated, and other pertinent information on the  
32 distribution of food surplus in their establishments;  
33  
34 b) Ensure that all food surplus given or donated to it is fit for human  
35 consumption, and shall require as proof a certification from the National  
36 Nutrition Council for this purpose;  
37  
38 c) Establish linkages with soup kitchens;  
39  
40 d) Store food surplus for distribution to beneficiaries and partner-soup  
41 kitchens; and  
42  
43 e) Ensure that their facilities follow best practices and procedures on food  
44 storage.

45  
46 **SEC. 8. Duties of Soup Kitchens.** – To ensure that all food ingredients used  
47 by soup kitchens are fit for human consumption, soup kitchens shall:  
48

- 1 a) Ensure that all food surplus given or donated to it is fit for human  
2 consumption, and shall require as proof a certification from the National  
3 Nutrition Council for this purpose; and  
4
- 5 b) Prepare food surplus to cooked or processed form fit for consumption, and  
6 such is free from contamination.  
7

8 **SEC. 9. Duties of the Local Government Units.** – LGUs are hereby required  
9 to:

- 10
- 11 a) As far as practicable and in the absence of a food bank and/or soup  
12 kitchen located in their respective localities, establish local food banks and  
13 soup kitchens in their area;  
14
- 15 b) Utilize food banks and/or soup kitchens and, if possible, merge the latter  
16 with its community development programs;  
17
- 18 c) Provide technical, financial, and logistical support for food bank and/or  
19 soup kitchen operations within its territorial jurisdiction; and  
20
- 21 d) Regularly inspect the establishments of food-related businesses, food  
22 banks and soup kitchens to ensure that the same is compliant with all  
23 sanitation and other related laws.  
24

25 **SEC. 10. Incentives for Participation.** – All donations of surplus food or  
26 service donated by food-related businesses or logistics service providers,  
27 respectively, shall be exempt from donor’s tax. In addition, the full amount of  
28 such surplus food and service shall be claimed as a deduction from the gross  
29 income of a food-related business or logistics service provider, as the case may  
30 be.  
31

32 The DSWD, in coordination with the Department of Interior and Local  
33 Government (DILG) and the LGUs, shall also establish a system of incentives  
34 to participants of the Program to recognize their best practices with regard to  
35 achieving the objectives of this Act, such as training packages, technical  
36 guidance, awards and other similar incentives.  
37

38 **SEC. 11. Liability.** – The certification issued by the National Nutrition Council  
39 shall serve as sufficient proof that the surplus food donated or distributed are fit  
40 for human consumption; *Provided*, That the distribution or preparation of food  
41 surplus, processed or otherwise, was done in good faith and in compliance with  
42 good food handling processes.  
43

44 **SEC. 12. Implementing Rules and Regulations.** – Within sixty (60) days from  
45 the effectivity of this Act, the DSWD, in coordination with the DILG, Department  
46 of Health (DOH), the Bureau of Internal Revenue (BIR) and other relevant  
47 government agencies and stakeholders, shall promulgate the necessary rules  
48 and regulations for the effective implementation of this Act.  
49

1 **SEC. 13. *Annual Report.*** – The DSWD, in coordination with the DILG, DOH  
2 and other relevant agencies, shall submit an annual report on the  
3 implementation of this Act to the President of the Philippines and both Houses  
4 of Congress on or before April 30 of each year.

5  
6 **SEC. 14. *Appropriations.*** – The funds needed to implement the provisions of  
7 this Act shall be included in the annual General Appropriations Act.

8  
9 **SEC. 15. *Separability Clause.*** – Should any provision herein be declared  
10 unconstitutional or invalid, the same shall not affect the validity of the other  
11 provisions of this Act.

12  
13 **SEC. 16. *Repealing Clause.*** – All laws, decrees, orders, rules, and regulations  
14 or other issuances or parts inconsistent with the provisions of this Act are  
15 hereby repealed or modified accordingly.

16  
17 **SEC. 17. *Effectivity.*** – This Act shall take effect fifteen (15) days after its  
18 publication in the Official Gazette or in any two (2) newspapers of general  
19 circulation in the Philippines.

20  
21 **Approved,**

22