

SENATE  
S.B. No. 984

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Introduced by Senator Francis N. Pangilinan

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**AN ACT PROVIDING FOR A SYSTEM OF REDISTRIBUTING AND RECYCLING  
FOOD WASTE TO PROMOTE FOOD SECURITY**

**EXPLANATORY NOTE**

The Food and Agriculture Organization (FAO) of the United Nations reveals that about 1.3 billion tons of food is squandered every year worldwide, which is more than enough to feed the world. In the Philippines, the Food and Nutrition Research Institute estimates show that every Filipino on the average wastes 3.29 kilograms of rice per year.

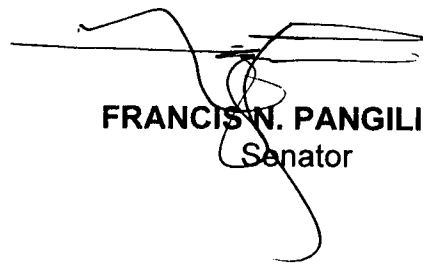
This staggering food wastage exists at the same time as people around the world are suffering and dying from hunger. The World Food Programme estimates around 795 million people worldwide do not have enough food on their tables. The Social Weather Stations (SWS) survey reveals that 11.7 % or an estimated 2.6 million Filipino families experienced involuntary hunger at least once in the fourth quarter of 2015.

According to a FAO Report cited by the United Nations Environmental Programme (UNEP), the global food wastage does not only cause major economic losses but also wreaks significant harm on the natural resources. FAO estimated food wastage's carbon footprint at 3.3 billion tonnes of CO2 equivalent of greenhouse gas (GHG) released into the atmosphere every year. It added further that since only a low percentage of food wastage is composted, most of said waste ends up in landfills which represent one of the largest sources of GHG emissions from the waste sector.

Food waste is, thus, an urgent issue that should be solved. France is the first country in the world that banned supermarkets from throwing away or destroying edible food waste and forced them instead to donate said food to charities and food banks. Italy has become the second European Union (EU) country after France to pass legislation to reduce the amount of food thrown away by enabling schools, supermarkets, and restaurants to donate clean surpluses and leftovers to those in need. A city in Belgium requires supermarkets to donate their surpluses to food banks. Japan has a Food Recycling Law which aims to reduce food waste and promote recycling of food waste into animal feeds and fertilizers.


In order to safeguard food security, end hunger, and promote the efficient use of the country's food resources, this proposed measure seeks to prohibit food related businesses such as grocery stores, fast food outlets, and restaurants from throwing away edible food and donate them to food banks or charities that distribute them to the food insecure. It also encourages said businesses along with households and local government units with the help of waste management and recycling enterprises, to recycle inedible food waste from households into fertilizer or compost. Food establishments are given tax incentives by exempting them 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, as amended.

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

A handwritten signature in black ink, appearing to read 'Francis N. Pangilinan', is written over a horizontal line. The signature is stylized and somewhat cursive.

**FRANCIS N. PANGILINAN**  
Senator

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FOOD WASTE TO PROMOTE FOOD SECURITY**

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

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

2       **SEC. 2. Declaration of Policy.** – The State recognizes that each person has a right  
3 to an adequate standard of living, including sufficient food. It is hereby declared a policy  
4 of the State to safeguard food security, end hunger, and promote the efficient use of the  
5 country’s food resources.

6       Towards this end, the State shall adopt a system to promote, facilitate, and ensure  
7 the reduction of waste through redistribution and recycling. The massive amount of food  
8 wasted and the considerable number of people going hungry daily is a breach that this  
9 Act intends to correct.

10       **SEC. 3. Definition of Terms.** – As used in this Act, the following terms shall mean:

- 11       a. *Food insecure* – person or groups of persons who have difficulty producing or  
12       purchasing food to avoid hunger;
- 13       b. *Edible food waste* - food discarded in the retail and consumptive stages,  
14       determined to be fit for consumption based on standards set by the National  
15       Nutrition Council;

- 1 c. *Food waste reduction*- the decrease of food waste generation, the redistribution  
2 of food waste to the food insecure or the recycling of food as fertilizer or  
3 compost;
- 4 d. *Food-related businesses* – public and private businesses involved in the  
5 manufacturing and processing of food products (i.e. food manufacturers), private  
6 businesses involved in the wholesaling and retailing of food products (i.e.  
7 supermarkets), and private businesses involved in serving food products (i.e.  
8 restaurants, cafeterias and hotels);
- 9 e. *Food banks* – non-profit, charitable or other social mission-driven organizations  
10 that distribute food to the food insecure.
- 11 f. *Inedible food waste* – food discarded in the retail and consumption stages,  
12 determined to be unfit for consumption based on standards set by the National  
13 Nutrition Council.
- 14 g. *Waste management and recycling enterprises* – organizations that manage  
15 inedible food waste by converting these into fertilizers or compost.

16 **SEC. 4. *National Zero Food Waste Campaign.*** – The National Nutrition Council  
17 (NNC), in close coordination with the Department of Environment and Natural  
18 Resources (DENR), the Department of Social Welfare and Development (DSWD), the  
19 Department of Education (DepEd), the Department of Trade and Industry (DTI), the  
20 Department of Health (DOH), other concerned agencies and Local Government Units  
21 (LGUs), is hereby tasked to undertake a National Zero Food Waste Act, and the food  
22 waste reduction efforts required of food-related businesses and households through the  
23 LGUs. The Campaign shall also promote the food waste reduction hierarchy, and  
24 recommend means of reducing individual food waste.

25 DepEd shall have the duty to ensure that the education curriculum includes materials  
26 on the current global and national food waste situation, on ways to reduce food waste,  
27 on national and local food waste prevention programs, and regarding the provisions of  
28 this Act. DTI shall encourage food-related business to purchase lower-price, non-  
29 standard size or shape produce to be used in their food products.

30 **SEC. 5. *Food-related Business Waste Reduction Strategy.*** – Food-related  
31 businesses such as food manufacturers, supermarkets, restaurants, cafeterias, and  
32 hotels are hereby required to:

- 1 a. Submit an initial report to the DSWD and DENR that contains data on the  
2 amount (in tons) of its edible and inedible food waste in the past year, organized  
3 according to the manner of disposal, including donation, composting or  
4 discarding.
- 5 b. Submit an annual report to the DSWD and DENR that contains data on the  
6 amount (in tons) of its edible and inedible food waste in the immediately  
7 precedent year, organized according to the manner of disposal, including  
8 donation, composting or discarding.
- 9 c. Enter into a contract with food banks to redistribute edible food waste to the food  
10 insecure.
- 11 d. Shoulder the costs of transporting edible food waste from business location to  
12 the food bank's warehouse or distribution center.
- 13 e. Ensure that edible food waste is unadulterated and in good condition upon arrival  
14 at the food bank's distribution center.
- 15 f. Enter into a contract with waste management and recycling enterprises to recycle  
16 inedible food waste into fertilizer or compost.
- 17 g. Shoulder the costs of transporting inedible food waste from collection areas to  
18 waste management sites.
- 19 h. Reach and maintain food waste levels at the target set by the DENR.

20 **SEC. 6. National Zero Food Waste Scheme.** – DSWD, as the coordinating agency  
21 between the food businesses and food banks, shall:

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

31 **SEC. 7. Household and Local Government Unit Waste Reduction Strategy.** -  
32 LGUs are hereby required to:

- 1 a. Submit an initial report that contains data on the amount (in tons) of inedible food
- 2 waste that can be recycled a raw material for fertilizers or compost to DENR.
- 3 b. Submit an annual report that contains data on the amount (in tons) of inedible food
- 4 waste that has been recycled as raw materials for fertilizers or compost to the
- 5 DENR.
- 6 c. Initiate waste segregation efforts per household through local campaigns.
- 7 d. Enter into a contract with waste management and recycling enterprises to recycle
- 8 inedible waste from households into fertilizer or compost.
- 9 e. Shoulder the costs of transporting inedible food waste from collection areas to
- 10 waste management areas.
- 11 f. Reach and maintain inedible food waste levels at the target set by DENR.

12 **SEC. 8. Tax Incentive.** – Food related businesses that donate edible food to food  
13 banks shall be exempt from donor's tax and the same shall be considered as an  
14 allowable deduction from their gross income in accordance with the provisions of the  
15 National Internal Revenue Code, as amended.

16 **SEC. 9. Penal Provisions/Penalties.** - The penalty of *prision correccional* will be  
17 imposed on any individual, private or public, who deliberately makes food waste unfit for  
18 consumption. The same penalty shall be imposed on private or public actors who  
19 prevent the redirection of edible food waste to food banks or inedible food waste to  
20 waste management and recycling enterprises.

21 **SEC. 10. Implementing Rules and Regulations.** – Within sixty (60) days from the  
22 effectivity of this Act, the National Nutrition Council (NNC), in coordination with the  
23 Department of Social Welfare and Development (DSWD), the Department of  
24 Environment and Natural Resources (DENR), the Department of Education (DepEd),  
25 the Department of Trade and Industry (DTI), the Department of Health (DOH), and other  
26 government agencies, shall promulgate the necessary rules and regulations for the  
27 effective implementation of this Act.

28 **SEC. 11. Periodic Review.** - The implementing agencies shall submit an annual  
29 report to Congress on the progress in the implementation of this Act.

30 **SEC. 12. Appropriations.** - The funds needed to implement this Act shall be  
31 included in the General Appropriations Act.

1       **SEC. 13. Separability Clause.** – Should any provision herein be declared  
2 unconstitutional, the same shall not affect the validity of the other provisions of this Act.

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

6       **SEC. 15. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its  
7 publication in the Official Gazette or in two (2) newspapers of general circulation.

*Approved,*