



## HOUSE OF REPRESENTATIVES

H. No. 420

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BY REPRESENTATIVES ZIALCITA, DUMARPA, RODRIGUEZ-ZALDARRIAGA,  
JOSON, DEL MAR, TEODORO, PRIETO-TEODORO, CHATTO, ESCUDERO,  
GONZALES (N.) AND DE GUZMAN

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### AN ACT TO ENCOURAGE THE DONATION OF FOOD FOR CHARITABLE 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 “Food  
2       Donation Act”.

3       SEC. 2. *Declaration of Policy.* – It is the policy of the State to  
4       alleviate national poverty and reduce food wastage. As such, the State shall  
5       implement measures to encourage the donation of apparently wholesome food  
6       for charitable purposes.

7       SEC. 3. *Definition of Terms.* – For purposes of this Act, the following  
8       terms shall be defined as follows:

9       (a) “Apparently wholesome food” refers to food that meets all quality  
10      and labeling standards imposed by pertinent laws and administrative  
11      regulations even though the food may not be readily marketable due to  
12      appearance, age, freshness, grade, size, surplus or other conditions.

13      (b) “Donate” refers to the gratuitous disposal of an apparently  
14      wholesome food in favor of another. It includes the giving by one person to

1 another person of an apparently wholesome food for distribution,  
2 notwithstanding that the former has charged a nominal fee for it, if the ultimate  
3 beneficiary is not required to give anything of monetary value.

4 (c) "Food" refers to any raw, cooked, processed or prepared edible  
5 substance, ice, beverage or ingredient used or intended for use, in whole or in  
6 part, for human consumption.

7 (d) "Charitable purposes" refers to philanthropic, humanitarian and  
8 nonprofit objectives, including the benefit of the needy, poor, sick, prisoners,  
9 orphans, etc.

10 SEC. 4. *Liability for Damages from Donated Food.* – A person,  
11 whether natural or juridical, shall not be subject to civil or criminal liability  
12 arising from the nature, age, packaging or condition of apparently wholesome  
13 food that a person donates in good faith for charitable purposes.

14 SEC. 5. *Role of the Department of Social Welfare and Development*  
15 *(DSWD).* – In order to effectively implement the provisions of this Act, the  
16 DSWD, in consultation with the National Anti-Poverty Commission, the  
17 Department of Health, the Hotel and Restaurant Association of the Philippines  
18 and other concerned agencies, shall:

19 (a) establish a donated food monitoring system;

20 (b) develop an incentive package for food donors;

21 (c) create an implementing mechanism that will ensure quality control  
22 of donated food; and

23 (d) draft the implementing rules and regulations to operationalize the  
24 provisions of this Act within three (3) months from its effectivity.

25 SEC. 6. *Construction.* – This Act shall not be construed to create  
26 liability.

1           SEC. 7. *Separability Clause.* – If any portion or provision of this Act  
2 is declared unconstitutional, the remainder of this Act or any provision not  
3 affected thereby shall remain in force and effect.

4           SEC. 8. *Repealing Clause.* – Any law, presidential decree or issuance,  
5 executive order, letter of instruction, rule or regulation inconsistent with the  
6 provisions of this Act is hereby repealed or modified accordingly.

7           SEC. 9. *Effectivity Clause.* – This Act shall take effect fifteen (15)  
8 days from the date of its publication in at least one (1) newspaper of general  
9 circulation.

          Approved,

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