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SENATE
S. B. No. 1873

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Introduced by Senator SONNY ANGARA

AN ACT
REGULATING THE USE, RECOVERY, COLLECTION, AND DISPOSAL OF
PLASTIC DRINKING STRAWS IN COMMERCIAL ESTABLISHMENTS AND IN
PRE-PACKED BEVERAGES

EXPLANATORY NOTE

Non-biodegradable materials, particularly plastics, have been flagged by the Department of Environment and Natural Resources (DENR) as a serious threat to marine life and ecology.

Unfortunately, the Philippines was ranked third among the countries with the most ocean plastic pollution according to a 2015 foreign study. Various reports from civic organizations have also noted that the country contributed approximately 1.8 million tons of mismanaged plastic waste to what experts are calling the rapid plasticization of the oceans.

Much of this waste is comprised of single-use plastics such as straws. Considering the size of plastic straws, these materials are less likely to be recovered for recycling while being mistakenly consumed by marine species as food. These debris attach to limbs and other vital organs of fishes and other sea species as vividly exemplified by the viral video of a sea turtle with a plastic straw blocking its nose.

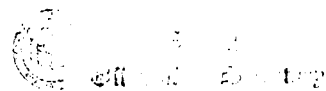
Hence, this bill is necessary to regulate the use, recovery, collection, and disposal of plastic drinking straws in commercial establishments and in pre-packed beverages primarily through the collection of a fee that shall be utilized to fund environmental programs focused on maintaining Philippine waters and to create technical assistance programs for micro, small, medium enterprises (MSME).

This measure is an important step in not only curbing plastic wastes that end up in our oceans, but also in creating necessary programs to abate this pollution.

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



SONNY ANGARA



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

1 Section 1. *Short Title.* – This Act shall be known as the “*Straw Regulation*
2 *Act.*”

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to protect and
4 promote the right of to a balanced and healthful ecology and the right to health.
5 Towards this end, the State shall institute a program that will materialize to further
6 develop the protection of the environment, particularly Philippine waters, through
7 the regulation of plastic drinking straws.

8 Sec. 3. *Regulation of Plastic Drinking Straws in Commercial Establishments.* –
9 All commercial establishments engaged in the sale of food and beverages, including
10 sari-sari stores, department stores, pharmacies, and drug stores, shall charge and
11 collect a Plastic Straw Fee amounting to Two Pesos (₱2.00) per plastic drinking
12 straw regardless of size: *Provided*, That plastic drinking straws or tubes used for
13 medical purposes and those used by senior citizens and persons with disabilities
14 (PWD), and individuals who have limited mobility caused by stroke, arthritis, and
15 other medical conditions whether or not these individuals have a Senior Citizen or
16 PWD card, shall be exempt from the Plastic Straw Fee: *Provided, further*, That the
17 imposition of the same shall be implemented six (6) months after the effectivity of

1 this Act for the information campaign initiated by the Department of Environment
2 and Natural Resources (DENR).

3 A record that specifies amount of Straw Fee collected and pieces of plastic
4 drinking straws provided shall be kept in the place of business of these commercial
5 establishments that can be accessed during operating business hours.

6 *Sec. 4. Offer-First Policy.* – All commercial establishments shall implement an
7 offer-first policy where customers shall only be provided plastic drinking straws upon
8 request: *Provided,* That this policy shall not apply to senior citizens and persons with
9 disability. All food establishments are required to post infographics in conspicuous
10 places within and outside the store and in areas near the counter to appraise all
11 customers of the offer-first policy.

12 *Sec. 5. Straw Disposal and Collection in Commercial Establishments.* – The
13 DENR is hereby directed to formulate guidelines, rules, and regulations for the
14 creation or establishment of straw disposal and collection facilities in commercial
15 establishments in accordance with Republic Act No. 9003 or the Ecological Solid
16 Waste Management Act and other applicable laws as specified under the
17 implementing rules and regulations of this Act. There shall be a random check as to
18 the compliance with the duly set protocols set for the disposal and collection of the
19 same.

20 There shall be at least one (1) Central Straw Disposal Unit created per
21 province for the proper recovery of plastic straw and other similar items
22 administered by the DENR and the concerned provincial government unit in
23 coordination with local chambers of commerce and other civic organizations.

24 *Sec. 6. Regulation of Plastic Drinking Straws on Pre-Packed Beverages.* –
25 Plastic drinking straws on pre-packed beverages shall be separated from the same
26 and shall only be provided at the point-of-sale of the commercial establishment
27 engaged in the sale of food and beverages upon payment of the Plastic Straw Fee
28 amounting to Two Pesos (₱2.00) per plastic drinking straw six (6) months upon the
29 effectivity of this Act.

30 DENR, in cooperation with the Department of Trade and Industry (DTI), is
31 hereby directed to conduct random checks on all commercial establishments

1 engaged in the sale of pre-packed beverages to inspect compliance as specified
2 under the implementing rules and regulations of this Act.

3 *Sec. 7. Environmentally Sustainable Pre-Packed Beverages.* – DENR, DTI, the
4 Department of Science and Technology (DOST), the Department of Health (DOH),
5 and the Food and Drug Administration (FDA) shall formulate designs for
6 commercially sold pre-packed beverages that would allow consumption without
7 using plastic drinking straws and recommend the same to beverage manufacturers.

8 Preliminary designs for environmentally sustainable pre-packed beverages
9 shall be created within six (6) months upon effectivity of this Act with proper
10 consultation of beverage manufacturers, consumer groups, and other concerned
11 stakeholders as determined by the involved government agencies. The final designs
12 shall be created within six (6) months after the release of preliminary designs.

13 *Sec. 8. Straw-Free Seal Program.* – To encourage commercial establishments
14 and manufacturers of pre-packed beverages to lessen the use of plastic drinking
15 straws, a Straw-Free Seal Program shall be created by the DENR. This program shall
16 be a guide used by consumers in selecting commercial establishments and pre-
17 packed beverages that are environmentally sustainable.

18 A Straw-Free Seal shall be displayed on commercial establishments that are in
19 compliance with the provisions of this Act. Further, beverages packaged following
20 the designs approved by DENR, DTI, and DOST shall bear the same seal, such that
21 the criteria of this Section shall be specified under the implementing rules and
22 regulations of this Act.

23 *Sec. 9. Penalties.* – Commercial establishments that violate Sections 3 and 5
24 of this Act shall be penalized with a fine not exceeding ₱10,000.00 for first offense,
25 a fine not exceeding ₱20,000.00 for the second offense, and a fine not exceeding
26 ₱50,000.00 and cancellation of business permit. The DENR shall be responsible as to
27 the imposition of fines: *Provided*, That the same agency shall be in coordination with
28 the DTI as to the cancellation of business permit of erring commercial
29 establishments.

30 *Sec. 10. Disposition of Proceeds.* – The proceeds of the Straw Fee and fines
31 paid from penalties shall be appropriated for the environmental programs focused
32 on the protection and clean-up of Philippine waters, rivers, seas, and oceans that

1 shall include information and awareness campaign on the effect of plastic drinking
2 straws to aquatic animals and marine ecosystems, and technical assistance
3 programs, such as trainings, workshops, and other capacity building initiatives for
4 micro, small, and medium enterprises (MSME) and social enterprises that create
5 sustainable products.

6 *Sec. 11. Appropriations.* – The amount necessary to cover the implementation
7 of this Act shall be included in the budgets of DENR, DOST, DTI, DOH, and FDA in
8 the annual General Appropriations Act (GAA).

9 *Sec. 12. Implementing Rules and Regulations.* – Within ninety (90) days from
10 the approval of this Act, the DENR, in consultation with DOST, DTI, DOH, and FDA
11 shall formulate the implementing rules and regulations of this Act.

12 *Sec. 13. Separability Clause.* – If any provision of this Act is held invalid or
13 unconstitutional, the other provisions not so declared shall remain in force and
14 effect.

15 *Sec. 14. Repealing Clause.* – All laws, decrees, orders, rules and regulations
16 contrary to or inconsistent with the provisions of this Act are hereby repealed or
17 amended accordingly.

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

Approved,