


SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



'16 JUL 21 AM 11

SENATE

S. B. No. 766

RECEIVED BY: 

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Introduced by Senator FRANCIS G. ESCUDERO

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AN ACT  
BANNING SUPERMARKETS, FOOD ESTABLISHMENTS AND OTHER SIMILAR  
BUSINESSES FROM THROWING AWAY AND SPOILING UNSOLD FOOD

EXPLANATORY NOTE

Banning food businesses from throwing away and spoiling unsold food can be an effective means in addressing food waste. Moreover, it can also serve as a mover for these businesses to make use of such unsold food for charity purposes through donation.

Food waste is a serious issue not only in the Philippines but in the world as well. According to the Food and Agriculture Organization, in 2011 alone, over 1.3 billion tons of food is lost each year. In rice for instance, every Filipino wasted an average of 3.29 kg/year per the Food and Nutrition Research Institute of the Department of Science and Technology. This translates to 296,869 metric tons of rice accounting to 12.2% of our annual rice importation. In money, the lost amounts to PhP7.3 billion.

Admittedly, this bill does not seek to completely address food waste as there are other factors to contend with. However, it is strongly submitted that this Bill can make a difference and initiate further awareness in addressing food waste.

Respectfully submitted.




FRANCIS G. ESCUDERO

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

1           **Section 1. Declaration of Policy.** - It is hereby declared a policy of the State to  
2 establish and maintain an effective food regulatory system that shall address the needs  
3 of every Filipino, especially those in the marginalized sector or those living below the  
4 poverty threshold. Equally important as well is that such regulatory system shall enable  
5 to secure nutritional balance while addressing the problem of food waste.

6           **Section 2. Scope and Coverage.** - This Act shall apply to supermarkets, food  
7 establishments and other similar businesses whose classification as such shall be  
8 determined by the Department of Trade and Industry based on size, number of clientele  
9 and amount of food being sold, distributed or manufactured for public consumption..

10           **Section 3. Statutory Ban and Penalty.** - It shall be unlawful for any supermarket,  
11 food establishment or any similar business, as defined in Section 2 of this Act to throw  
12 away or spoil unsold food.

13           Any person, natural or juridical, who shall violate this provision shall suffer the  
14 penalty of a fine ranging from Php 1,000,000.00 to Php 5,000,000.00 depending on the  
15 amount thrown away or spoiled unsold food and the number of times the violation is  
16 committed.

17           The Department of Trade and Industry shall promulgate the corresponding  
18 implementing rules and regulations on the imposition of penalty taking into  
19 consideration the range and guidelines herein provided.

20           Moreover, said Department is empowered to increase the penalty of fine on the  
21 basis of prevailing economic indicators such as, but not limited to, inflation rate and  
22 consumer price index.

23           **Section 4. Implementing Rules and Regulations.** - The Department of Trade and  
24 Industry shall promulgate the necessary rules and regulations to effectively carry out  
25 the provisions of this Act within 90 days from the effectivity of this Act. The said  
26 Department is given the mandate to task other concerned agencies of government for  
27 the promulgation of the implementing rules and regulations.

1           **Section 5. Separability Clause.** - If any provision of this Act is held invalid or  
2 unconstitutional, the other provisions not affected hereby shall remain valid and  
3 subsisting.

4           **Section 6. Repealing Clause.** - Any law, presidential decree, issuance, executive  
5 order, letter of instruction, administrative order, rule and regulation contrary to or  
6 inconsistent with the provisions of this Act is hereby repealed, modified or amended  
7 accordingly.

8           **Section 7. Effectivity.** - This Act shall take effect fifteen (15) days after its  
9 publication in two (2) newspapers of general circulation or in the *Official Gazette*.

10           *Approved,*