

SIXTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )



Senate  
Office of the Secretary

'16 FEB 11 A9:27

SENATE

S. No. 3225

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

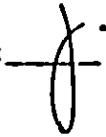
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1 **AN ACT**

2 **BANNING SUPERMARKETS, FOOD ESTABLISHMENTS AND**  
3 **OTHER SIMILAR BUSINESSES FROM THROWING AWAY AND**  
4 **SPOILING UNSOLD FOOD**

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

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

10  
11 **SECTION 2. Scope and Coverage.** - This Act shall apply to supermarkets, food  
12 establishments and other similar businesses whose classification as such shall be  
13 determined by the Department of Trade and Industry based on size, number of  
14 clientele and amount of food being sold, distributed or manufactured for public  
15 consumption.

16  
17 **SECTION 3. Statutory Ban and Penalty.** - It shall be unlawful for any  
18 supermarket, food establishments and other similar businesses as defined in Section 2  
19 of this Act to throw away or spoil unsold food.

20  
21 Any person, natural or juridical, who shall violate this provision shall suffer the  
22 penalty of a fine ranging from PhP1,000,000.00 to PhP5,000,000.00 depending on the  
23 amount of thrown away or spoiled unsold food and the number of times the violation  
24 is committed.

25  
26 The Department of Trade and Industry shall promulgate the corresponding  
27 implementing rules and regulations on the imposition of penalty taking into  
28 consideration the range and guidelines herein provided.

29  
30 Moreover, the said Department is empowered to increase the penalty of fine on  
31 the basis of prevailing economic indicators such as, but not limited to, inflation rate  
32 and consumer price index.  
33

1           **SECTION 4. *Implementing Rules and Regulations.*** - The Department of Trade  
2 and Industry shall promulgate the necessary rules and regulations to effectively  
3 carry out the provisions of this Act within ninety (90) days from the effectivity of this  
4 Act. The said Department is given the mandate to task other concerned agencies of  
5 government for the promulgation of the implementing rules and regulations.

6           **SECTION 5. *Separability Clause.*** - If any provision or part hereof is held  
7 invalid or unconstitutional, the remainder of the law or the provision not otherwise  
8 affected shall remain valid and subsisting.

9           **SECTION 6. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations  
10 and other issuances or parts thereof which are inconsistent with the provisions of this  
11 Act are hereby repealed or modified accordingly.  
12

13           **SECTION 7. *Effectivity.*** - This Act shall take effect fifteen (15) days following its  
14 complete publication in the Official Gazette or in at least (2) national newspapers of  
15 general circulation whichever comes earlier.  
16

17           Approved,