

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4183



Introduced by **HON. GUS S. TAMBUNTING**

EXPLANATORY NOTE

The bill seeks to prohibit the use of polystyrene food packaging from food service businesses and operations, and put an end to the use of 'Styrofoam' and to encourage businesses to use recyclable or compostable food containers.

There are currently no meaningful ways of recycling polystyrene based food packaging and it must be disposed of as garbage hence, said material has limited usefulness. Discarded polystyrene persists as litter and remains as such for the longest time posing as hazard to the environment.

This legislation brings back the old habit of preparing foods 'to go' in compostable and recyclable alternatives that are available and serve the same purpose as non-recyclable food service packaging.

More so, Styrofoam, made from styrene, is a suspected carcinogen and neurotoxin that was recently limited by the Food and Drug Administration in bottled drinking water. Studies have indicated that styrene residues are present in 100% of all human fat tissue in the United States. Several epidemiologic studies suggest there may be an association between styrene exposure and an increased risk of leukemia and lymphoma.

It is in this light that immediate passage of this bill is earnestly sought.


GUS S. TAMBUNTING

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AN ACT

PROHIBITING THE USE OF DISPOSABLE POLYSTYRENE FOOD CONTAINER, DISPOSABLE NONRECYCLABLE PLASTIC FOOD CONTAINER, AND DISPOSABLE NONRECYCLABLE CONTENT PAPER CONTAINER, AND OTHER PURPOSES

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

SECTION 1. *State Policy.* – It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

SECTION 2. *Purpose.* – To encourage the use of compostable and recyclable alternatives that are available and serve the same purpose as non-recyclable food service packaging.

SECTION 3. *Objective.* – To determine and implement programs that maximize material reuse and recycling and programs that will prohibit the use of materials that has limited usefulness.

SECTION 4. *Coverage.* – This Act prohibits the use of polystyrene food packaging from all food service businesses and operations.

SECTION 5. *Definition of Terms.* – For the purposes of this Act, the Following terms are defined as follows:

- a.) *"Polystyrene food container"* means a plastic container comprised of a majority polystyrene plastic resin that is used to contain prepared food designed for one-time use.
- b.) *"Non-recyclable plastic food container"* means a plastic food container not made from polyethylene (PET or PETE) of high density polyethylene (HDPE).

c.) *"Non-recyclable content paper container"* means a food container containing less than 100 percent consumer recycled paper content.

SECTION 5. *Penalties.* – Any business operator who violates any provision of this article shall be punished by a fine not exceed P50,000 for a first offense; by a fine not to exceed P100,000 for a second offense; and by a fine not to exceed P150,000 for a third and each subsequent offenses committed in any twelve-month period. Each day that a business operator fails to comply with this article shall carry a separate and distinct violation.

SECTION 6. *Implementing Rules and Regulations.* – The Department of Environment and Natural Resources (DENR) together with the stakeholders and other related government agencies and entities shall promulgate the rules and regulations as it deems necessary and appropriate for the implementation and enforcement of any provisions of this Act.

SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, presidential proclamation, rules, regulations or parts thereof inconsistent with the provisions of this Act, are hereby repealed, modified, or amended accordingly.

SECTION 8. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,