

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**NINETEENTH CONGRESS**  
First Regular Session

HOUSE BILL NO. 6662



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Introduced by **KABATAAN PARTY-LIST Representative Raoul Dannel A. Manuel,**  
**ACT TEACHERS PARTY-LIST Representative France L. Castro,**  
and **GABRIELA WOMEN'S PARTY Representative Arlene D. Brosas**

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**AN ACT**  
**PROHIBITING THE PRODUCTION, IMPORTATION, SALE, PROVISION, AND USE OF**  
**SINGLE-USE PLASTICS AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

This measure seeks to impose a ban on the production, importation, sale, provision and use of single-use plastics in order to curb the growing problem of plastic pollution in the country as well as mandate the transition of the single-use plastic industry into the production of biodegradable and eco-friendly alternatives.

Under Article II, Section 16 of the 1987 Philippine Constitution, "[the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."

Pursuant to this well-enshrined constitutional right, one of the declared policies under Republic Act No. 9003 or the "Ecological Solid Waste Management Act of 2009 is that the State shall adopt a systematic, comprehensive and ecological solid waste management program which will "utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resource conservation and recovery."

Based on a study by Jambeck et al. (2015), the Philippines ranked third as the world's greatest plastic waste generator, with the second being Indonesia and China being the first. The Philippines generated an estimated total of 2.7 million metric tons of plastic waste last 2015. On the other hand, China generated about 48.1 million metric tons of plastic waste in the same year. Even though China generates more plastic waste, the Philippines still contributes the largest amount of global plastic waste to the world's oceans. This is due to the fact that most of the population of the Philippines live near waterways and rivers and in coastal areas. Additionally, coastal cities with urban drainage and paved surfaces and are situated in regions of high precipitation, such as Metro Manila, are observed to emit higher volumes of land-based plastic waste to the oceans. Additionally, the Philippines is a tropical nation with abundant precipitation each year. Due to precipitation, surface run-off, storm water, and sewage transport the plastic waste from the land to the rivers, which then transport the waste to the seas and oceans. Seven of the top ten of the most plastic polluted rivers in the world are found in the Philippines. A total of 4,820 rivers in the Philippines emit around 356,371 million metric tons of plastic waste to the ocean annually, followed by India with a total of 1169 rivers emitting 126.513 million metric tons of plastic waste per year.

Many countries have banned plastic bags due to public concern over its serious negative impact on the health, environment, and economy. Here are the following explanations why this issue needs to be addressed:

### **A. Health**

In the case of the Philippines, there are still 70% of Filipinos that do not have an access to landfills and disposal facilities. Meanwhile, only 24% of Local Government Units are serviced by sanitary landfills as of 2020 which leads up to the creation of some landfill operations as open dumpsites that are illegal and can lead to public health and environmental issues.

It is a known fact that the major impact of plastic bags on the environment is that it takes many years to for them to decompose. Moreover, toxic substances are released into the soil when plastic bags perish under sunlight and, if plastic bags are burned, they release a toxic substance into the air causing ambient air pollution. Exposure to air and plastic pollution can result in a variety of adverse effects on our health. Listed below are just a few of them:

Plastic pollution can be very harmful for innocent toddlers who may chew pieces of plastic which can cause choking and also result in severe adverse health outcomes such as cancers, birth defects, impaired immunity, etc.

Several studies have found various links between plastic and the growing health problems in today's generation. It is now commonly believed that some of the most deadly and life-threatening diseases are actually caused by plastic pollution for example, complications that are becoming very frequent in the human cardiovascular, respiratory, reproductive, and gastrointestinal systems.

Cancer, diabetes, chronic inflammation, and various other immune diseases are also attributed to plastic pollution.

The use of plastic products also leads to ingestion and, at times, inhalation of large amounts of micro-plastic particles as well as other toxic substances that have been found to create endocrine-disrupting impacts.

Microplastics entering the human body through direct exposure to plastic pollution may also cause other deadly issues such as oxidative stress, apoptosis, and necrosis. Plastic pollution in oceans impacts human health too. You may wonder, why? Well, it's quite simple. When marine animals consume plastic, the toxins break down inside their bodies, then when we consume these animals, these toxins enter our bodies too and result in hormonal abnormalities and developmental problems.

As if plastic pollution itself has not created great problems in our environment, the harmful effects of plastic waste disposal makes the situation even more complex. Due to the lack of awareness about efficient plastic waste management systems, many people burn their trash in the open air. These various toxic chemicals from plastic easily enter our body even when we think we are breathing in "fresh air".

## **B. Environment**

### *Ocean*

The ocean is also our source of life. It controls the weather, the climate, and the oxygen we breathe. Without a healthy ocean, we do not have a healthy planet. A lot of people admire the ocean and engage with it but most do not seem to see the environmental issues happening below the surface of it. Most think of it as something unpleasant at the top of the

surface as the litters are scattered around different waterways but the disrupted ecosystem of the marine life altogether underneath it will also be greatly affected. Soon it will create an impact on the marine health which will determine the temperature and the climate of our planet after.

Aside from the possibility of being an unattractive sight in the environment, plastics can impose severe dangers to the marine wildlife as well. Marine organisms are observed to ingest and be entangled to various plastic wastes found in the ocean. These can cause external and internal injuries and blockages in their digestive tracts and airways which can eventually cause their deaths. Plastics are also observed to absorb contaminants, like persistent organic pollutants, heavy metals, and many more, from the surrounding water, which can facilitate the entry of the toxic substances inside the organisms that ingest them. Most of the plastics used are buoyant, which means that they can be easily transported by wind and surface currents. The plastics, together with the contaminants they carry, can expose the organisms living in areas far from their production and usage sites, like Antarctica, to harmful substances.

### *Air*

Most plastics are made from fossil fuels like oil and natural gas, which release toxic emissions when extracted from our earth. Oil and gas drilling releases enormous amounts of contaminants into the air, including benzene, toluene, ethyl benzene, xylene, carbon monoxide, hydrogen sulfide, ozone, sulfur dioxide, particulate matter, and volatile organic compounds. Oil refineries convert crude oil into a vast array of products, including plastic, and require several operational stages that emit dozens of pollutants that are making our skies smoggier, hazier, and more toxic to breathe, in addition to fueling global warming.

Incineration of plastic waste in an open field is a major source of air pollution. Most of the time, the Municipal Solid Waste containing about 12% of plastics is burnt, releasing toxic gases like Dioxins, Furans, Mercury and Poly-chlorinated Biphenyls and other toxic chemicals into the air and persist in ash waste residues. Also, plastic's slow decomposition rates are a major obstacle for the rapidly filling landfills all over the world. Aside from air pollution, incineration could also raise risk to health and contamination of the surrounding land.

### **C. Economy**

The country's sociology-economic situation started and normalized the use of single-use plastics and sachet culture which supports millions of low-to-middle income

households. The residents depend upon the small convenience stores, also known as sari-sari stores, for daily essentials like food and hygiene products, much of which are sold in convenient single-use sachets (small plastic pouches) in an affordable price. These sari-sari stores are the major source of the 150 million sachets used daily in the Philippines which resulted in the sachet economy. Sachets are made of multi-layer plastics and mixed materials that most recyclers can not process yet. Since sachets hold little to no value for recyclers, they end up as marine litters.

As the marine litter or plastic wastes spread and contaminate the bodies of water, it can also affect the livelihood of the people who depend on them, such as fisherfolks. Some fishermen in the Philippines reported that sometimes they catch more plastic than fish in a day. Aside from plastics causing lower fish yields in water bodies, plastics thrown in waterways worsen the frequent flooding experienced in Metro Manila as the wastes block the passage of water. Plastic wastes in beaches can also affect the tourism industry as scattered garbage can spoil the view of the scenery.

These problems show us that there is a need to cut the problem of plastic wastes in this country at the very root; by banning the production and sale of these products itself. While measures like the Extended Producers Responsibility Act are already in place to place more accountability on producers for plastic waste, it is not the time for half-step measures seeing as there are already grave effects on health, environment, and economy of the Philippines.

What we need is a government willing to put its foot down on the issue of plastic wastes while not letting costs and efforts pile up on common citizens, nor jeopardize the job security of those working in the plastic industries. This measure, aside from imposing a ban on plastic manufacture and distribution, also mandates the transition of plastic producers into more sustainable, biodegradable, and eco-friendly materials.

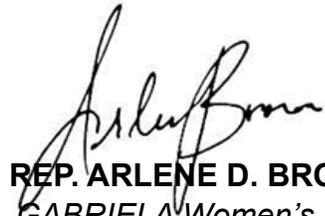
Thus, the passage of this bill is earnestly sought.



**REP. RAOUL DANNIEL A. MANUEL**  
*Kabataan Party-list*



**REP. FRANCE L. CASTRO**  
*ACT Teachers Party-list*



**REP. ARLENE D. BROSAS**  
*GABRIELA Women's Party*

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**SINGLE-USE PLASTICS AND FOR OTHER PURPOSES**

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

**SECTION 1. Short title.** — This Act shall be known as the "Ban on Single-Use Plastics Act."

**SEC. 2. Declaration of policy.** — It is the declared 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.

**SEC. 3. Definition of terms.** — For purposes of this Act:

(a) **Single-use Plastics** refer to disposable plastics, which are used only once before they are thrown away or recycled. The term includes, but shall not be limited to, disposable plastic bags, straws, coffee stirrers, soda and water bottles and food and non-food plastic packaging materials.

(b) **Covered establishment** refers to:

i. an establishment or cluster of establishments engaged in the production, manufacturing and importation of single-use plastic materials; or

ii. an establishment or cluster of establishments engaged in the commerce or sales of goods or services including, but not limited to: market stores, shopping mall outlets, supermarkets, department stores, groceries, convenience stores, food chains, restaurants, cafes, bars and sari-sari stores.

(c) **Department** refers to the Department of Environment and Natural Resources (DENR).

(d) **Operator** refers to a person or group of persons in control of the ownership and daily operation of a covered establishment and which may include, but not limited to, the owner thereof.

**SEC. 4. Ban on single-use plastics.** — Within a period of three (3) years from the effectivity of this Act, single-use plastics shall be gradually phased out. Thereafter, production, importation, sale, distribution, provision or use of such plastic materials shall be prohibited and shall subject the person(s) or the covered establishment(s), as well as its operator, concerned to penalties.

**SEC. 5. Phaseout of the use of single-use plastics in MSMEs.**— During the interim period of three (3) years, wherein the gradual phaseout of single-use plastics shall take effect, the state, through the Department of Trade and Industry, will provide an optional subsidy program for MSMEs to assist in the shift from:

- (a) single-use plastic bags;
- (b) single-use plastic food and non-food packaging materials or containers, soda and water bottles; and
- (c) single-use plastic utensils, such as straws, coffee stirrers, spoon and fork

The implementing rules and regulations shall specify further the amount of the subsidy, during the interim period, for the transition from single-use plastic items and materials, including those which are not mentioned in this Act.

Non-enforcement of these charges for the purchase and use of single-use plastics in covered establishments shall be meted with penalties to be imposed against the responsible person(s) and covered establishment(s), including its operator.

**SEC. 6. Transition of the single-use plastic industry.** — Manufacturers of single use plastics shall be mandated to transition from the production and distribution of single-use plastic products to biodegradable, sustainable alternatives with the aid of Department of Science and Technology-Philippine Council for Industry, Energy, and Emerging Technology Research and Development (PCIEERD).

**SEC. 7. Lead agency.** — The Department, unless otherwise provided herein, shall be the primary government agency that will be responsible for the implementation and enforcement of this Act.

**SEC. 8. Linkage mechanism.** — The Department, in coordination with the Department of Trade and Industry (DTI) and the National Solid Waste Management Commission (NSWMC), shall consult, and enter into an agreement with concerned government agencies, local government units, non-governmental organizations (NGOs), people's organizations (POs) and/ or private enterprises in furtherance of the objectives of this Act.

The PCIEERD will ensure research efforts to help current producers of single-use plastics transition to producing new materials that are more biodegradable and sustainable and ensure their industrial and market viability. The Department of Labor and Employment will ensure the jobs security of workers during this transition period for the manufacturers.

**SEC. 9. Role of Local Government Units (LGUs).** — In the effort to ensure strict enforcement of this Act, the LGUs shall have the primary responsibility to implement its provisions within their respective territorial jurisdictions.

In connection with this duty, the LGUs may enjoin the participation of other concerned government agencies, private organizations and industries.

The Department of Science and Technology (DOST), in coordination with the National Ecology Center (NEC), shall provide the LGUs with technical assistance, trainings and continuing capability-building programs to attain the objectives of this Act.

**SEC. 10. Penalty for violation of Section 4.** — The violation of Section 4 of this Act shall be penalized in the following manner:

- (a) A fine not exceeding One hundred thousand pesos (P100,000.00) for the first offense;
- (b) A fine of more than One hundred thousand pesos (P100,000.00) but not exceeding Two hundred fifty thousand pesos (P250,000.00) for the second offense;
- (c) A fine of more than Two hundred fifty thousand pesos (P250,000.00) but not exceeding Five hundred thousand pesos (P500,000.00) for the third offense; and
- (d) A fine of more than five hundred thousand pesos (P500,000.00) but not exceeding seven hundred fifty thousand pesos (P750,000.00) and automatic revocation of its business permit for the fourth offense.

Fines shall be imposed based on the capitalization of manufacturers and covered establishments. For this purpose, the Department shall establish such classification of covered establishments.

For purposes of the imposition of appropriate fines hereof, the Department shall establish classification of covered establishments based on their capitalization. Any fine collected pursuant to this section shall be allocated as follows:

- a) 80% to the barangay where the establishment is located, in order to augment its waste management capability; and
- b) 20% to the national government.

**SEC. 11. Administrative action.** — Without prejudice to the right of any person to file an administrative action, the Department shall, on its own instance or upon verified complaint by any person, institute administrative proceedings in the proper forum against any natural or juridical person who violates this Act with respect to:

- (a) Standards and limitations provided by this Act; or
- (b) Such order, rule or regulation issued by the Department with respect to such standard or limitation.

**SEC. 12. Independence of action.** — The filing of an administrative suit against such person or entity does not preclude the right of any other person to file any criminal or civil action.

**SEC. 13. Enforcement.** — The enforcement of penal provisions of this Act shall be made through the Department, in coordination with the Office of the Mayor of the LGU concerned.

**SEC. 14. Joint Congressional Oversight Committee.** — The Joint Congressional Oversight Committee created under Section 60 of Republic Act No. 9003, otherwise known as the "Ecological Solid Waste Management Act of 2000," shall likewise monitor the implementation of this Act and review the implementing rules and regulations promulgated by the Department.

**SEC. 15. Implementing Rules and Regulations.** — The DENR, in coordination with the DTI, the DOST, the DOLE, the NSWMC, other relevant government agencies and concerned non-governmental organizations (NGOs) or people's organizations (POs) or private enterprises, shall within three (3) months from the effectivity of this Act, promulgate the implementing rules and regulations (IRR) governing this Act.

**SEC. 16. Appropriations.** — The amount necessary to carry out the provisions of this Act shall be charged against the current year's appropriations of the concerned agencies. Thereafter, such sums as may be necessary for the operation and maintenance of this Act shall be included in the General Appropriations Act.

**SEC. 17. Separability clause.** — If, for any reason, any provision of this Act or part thereof is declared unconstitutional, the other provisions or parts hereof not affected shall remain in full force and effect.

**SEC. 18. Repealing clause.** — All laws, presidential decrees, executive orders, rules and regulations and other issuances, or any part thereof, which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

**SEC. 19. Effectivity clause.** — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,