

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

**FOURTEENTH CONGRESS
Third Regular Session**

House Bill No. 6798

Introduced by KABATAAN Party-list Representative Raymond V. Palatino

EXPLANATORY NOTE

Many consumer products today are packaged in the so-called “disposable” form. Major producers of food products use expanded polystyrene, popularly known as Styrofoam, as it helps them maximize profit and sales. The result is that they create and continuously tap a consumer market that equates convenience with simply throwing away the refuse of the commodities they consume.

Yet, according to scientists and environmental advocates, expanded polystyrene is non-biodegradable and resists compacting, thereby taking up extra landfill space for long periods of time. The damage exacted by the continued use of polystyrene is manifest in the perennial problem of waste management in the Philippines. Despite the development of recycling methods for expanded polystyrene, these mechanisms are not readily and widely available especially in our country.

The use of Styrofoam also poses possible health risks. Expanded polystyrene has a key component called styrene, which has been classified by the United States Environmental Protection Agency and the International Agency for Research on Cancer as a possible human carcinogen. Environmentalists also argue that Styrofoam packaging produces dioxins that cause a wide range of illnesses, including male and female reproductive problems, diabetes and hormonal disorders.

This bill discourages the use of styrofoam in all educational institutions in accordance with Republic Act 9512, which mandates the Department of Education and the Commission on Higher Education to promote environmental awareness through environmental education. Students should not only learn but practice environmental protection. Moreover, this bill encourages the search for truly safer alternatives.

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



**Rep. RAYMOND V. PALATINO
KABATAAN Party-list**

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AN ACT
DECLARING AS UNLAWFUL THE USE OF EXPANDED POLYSTYRENE FOOD SERVICE CONTAINERS AND OTHER SYNTHETIC MATERIALS HARMFUL TO THE ENVIRONMENT IN ALL EDUCATIONAL INSTITUTIONS AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. – This Act shall be known as the “Styrofoam Ban Act of 2009.”

SECTION 2. Declaration of Policy. – Consistent with 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 under the Constitution, the State shall promote national awareness among the students on the importance of environmental conservation and ecological balance.

It is hereby declared the policy of the State to minimize the use of ecologically harmful synthetic materials, components, ingredients or packaging of consumer products. The State recognizes that it is in the best interest of the health and safety of the people that laws and regulations prohibit the use of certain expanded polystyrene food service products to reduce the cost of solid waste disposal and to protect the environment.

It is also the policy of the State to encourage the use of alternative materials to expanded polystyrene food service containers for packaging consumer products. These alternative materials shall be biodegradable and shall pose no danger to the environment both during their use and upon their disposal.

SECTION 3. Definition of Terms. – For purposes of this Act, these terms are defined as follows:

(A) **Expanded polystyrene** shall mean blown polystyrene and expanded and extruded forms (commonly known as Styrofoam) which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion-blow molding (extruded foam polystyrene).

(B) **Expanded polystyrene food service products** shall mean food containers, hot and cold beverage cups, meat and vegetable trays, egg cartons plates, “clamshells”, and other similar products, made of expanded polystyrene and used for selling or providing food for consumption on or off premises.

(C) **Food service establishments** shall refer to full-service restaurants, fast food restaurants, canteens, cafes, coffee shops, carinderias, or other businesses selling or providing food within campus premises for consumption on or off the premises, owned either publicly or privately.

(D) **Biodegradable** shall mean the ability to decompose into harmless organic components through time by the action of bacteria, microorganisms and other natural agents of decay.

SECTION 4. Styrofoam Ban. – All food service establishments inside school premises shall be prohibited from selling or providing food for consumption on or off premises, in expanded polystyrene food service products, which includes, but not limited to food containers, hot and cold beverage cups, meat and vegetable trays, egg cartons plates, “clamshells” and other similar products.

SECTION 5. Coverage. – This Act shall cover both private and public learning institutions— preparatory, primary, secondary and tertiary levels.

SECTION 6. Penalty. – Owners of food service establishments caught violating this Act shall be sent a warning for first offense. For the succeeding offenses, they shall be imposed a penalty equivalent to thirty (30) percent of their monthly profits.

SECTION 7. Alternatives. – To assist in the implementation of the expanded polystyrene food service ban, local health and environment units shall develop a report on the availability, cost and performance of recyclable and biodegradable alternatives to expanded polystyrene food service products.

SECTION 8. *Implementing Guidelines.* – The Department of Education, for primary and secondary schools, and the Commission on Higher Education, for tertiary schools, shall promulgate the implementing guidelines necessary to enforce the objectives of this Act within sixty (60) days after the effectivity of this Act. Both agencies shall coordinate with the Department of the Interior and Local Government, Department of Health, and Department of Environment and Natural Resources.

SECTION 9. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 10. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provision of this Act is hereby repealed, modified or amended accordingly.

SECTION 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.