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Environmental Management Bureau chief lauds enactment of law making firms responsible for plastic packaging

The Department of Environment and Natural Resources (DENR) has lauded the enactment of Republic Act (RA) 11898 or the Extended Producer Responsibility (EPR) Act of 2022, mandating companies to establish EPR programs for their plastic packaging.

DENR Environmental Management Bureau (EMB) Director William P. Cuñado said the passage of RA 11898 was timely as it addresses the urgency and necessity for collaboration between the public and private sector to combat environmental damages caused by plastic pollution and climate change.

RA 11898, which lapsed into law on July 30, also amended RA 9003 or the Ecological Solid Waste Management Act of 2000.

“As President Ferdinand Marcos Jr. said in his first State of the Nation Address, the Philippines is among the most vulnerable countries to the effects of climate change. As such, the collaboration of both the public and private sector is deemed urgent and necessary to combat environmental damages that amplify the vulnerability of our country to climate change,” Cuñado said.

Under the new law, companies will have to establish EPR programs for plastic waste reduction, recovery and diversion.

Cuñado said that RA 11898 is a “practical approach to efficient waste management, focusing on waste reduction, recovery, and recycling, and the development of environment-friendly products that advocate the internationally accepted principles on sustainable consumption and production, circular economy, and producers’ full responsibility throughout the life cycle of products.”

Through EPR, “obliged enterprises,” or through their Producer Responsibility Organizations, will have to recover or offset their generated plastic product footprint by 20 percent in 2023 to 80 percent by 2028.

Among the plastic packaging covered by the EPR Law include single or multi-layered plastics such as sachets, rigid plastic packaging products like food and drink containers, single-use plastic bags, and polystyrene.

Penalties for the non-compliance of EPR duties range from P5 million to P20 million, or “twice the cost of recovery and diversion of the footprint or its shortfall, whichever is higher.”

Likewise, under RA 11898, the DENR—together with other concerned government agencies, organizations, and stakeholders—will formulate the implementing rules and regulations within 90 days from its effectivity.

Cuñado added that once the EPR law is implemented, a significant amount of plastic wastes will no longer be dumped on creeks, rivers and oceans, or be burned.

Apart from the EPR scheme, the law also reconstituted the composition of the NSWMC and enhanced the functions and duties and changing of guards of the National Ecology Center.

The law also provides for the expansion and simplification of fiscal incentive schemes to encourage stakeholder involvement both for solid waste management and EPR activities.

Meanwhile, the Pollution Adjudication Board is designated to resolve cases relating to EPR obligations under RA 11898. #