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# Extended Producers Responsibility #LOOPFORWARD





## OUTLINE



**Background** 



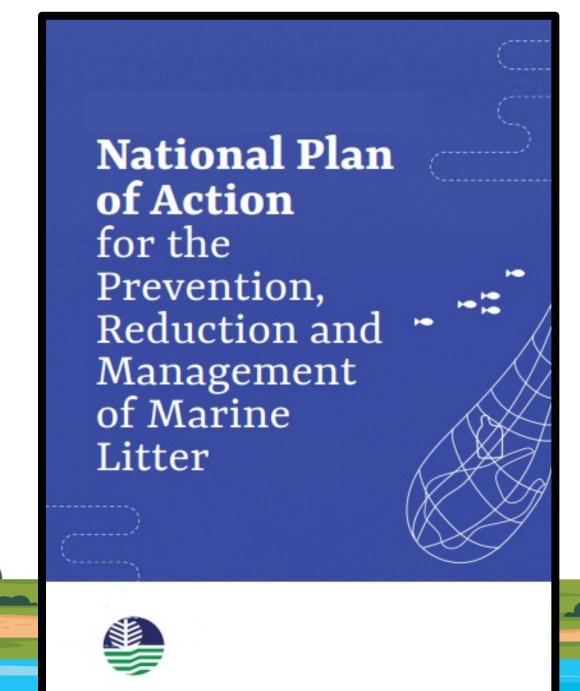
Salient Features and Status of Implementation



**Impacts to Industries** 



Challenges and Opportunities



### **VISION AND GOAL**

The overarching goal of the NPOA-ML is

"zero waste to Philippine waters by 2040"

to support the vision of

"a Philippines free of marine litter through shared responsibility, accountability, and participatory governance."

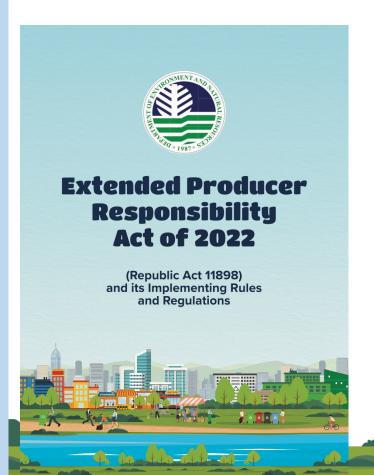




### **NPOA-ML STRATEGIES**



# EXTENDED PRODUCER RESPONSIBILITY (EPR) Act of 2022 and DENR DAO 2023-02 (IRR of EPR Act of 2022)



S. No. 2425 Republic of the Philippines Congress of the Philippines Metro Manila Kighteenth Congress Third Regular Session Begun and held in Metro Manila, on Monday, the twenty-sixth day of July, two thousand twenty-one. [ REPUBLIC ACT No. 11898] AN ACT INSTITUTIONALIZING THE EXTENDED PRODUCER RESPONSIBILITY ON PLASTIC PACKAGING WASTE, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 9003, OTHERWISE KNOWN AS THE "ECOLOGICAL SOLID WASTE MANAGEMENT ACT OF 2000" 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 "Extended Producer Responsibility Act of 2022". SEC. 2. Section 2 of Republic Act No. 9003 is hereby amended to read as follows: "SEC. 2. Declaration of Policies. - It is hereby declared the policy of the State to adopt a systematic,



Republic of the Philippines

Department of Environment and Natural Resources

Visayas Avenue, Dilman, Quezon City

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DENR ADMINISTRATIVE ORDER NO. 2023 - 02

SUBJECT: IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 11898

Pursuant to Section 11 of Republic Act No. 11898, otherwise known as "An Act Institutionalizing The Extended Producer Responsibility On Plastic Peackaging Waster, amending for this purpose Republic Act No. 9003, otherwise known as the "Ecological Solid Waste Management Act of 2000", also known by its short titles as the "Extended Producer Responsibility Act of 2022" or as "EPR Act of 2022", and by virtue of Executive Order No. 192, Series of 1987, the Department of Environment and Natural Resources hereby adopts and promulgates the following rules and regulations.

### PART I: GENERAL PROVISIONS

SECTION 1. Title. These Rules shall be known and cited as the Implementing Rules and Regulations of the EPR Act of 2022 (hereto attached as "Annex A"), or hereinafter referred to as "EPR IRR", for brevity

SECTION 2. Purpose. These Rules are promulgated to revise, where applicable, DENR Administrative Order No. 2001-34, Series of 2001, otherwise known as the "implementing Rules and Regulations of Republic Act No. 9003" or "RA 9003 IRR" and to incorporate and prescribe therein the procedures and guidelines for the implementation of the EPR Act of 2022 in order to facilitate compliance therewith and achieve the objectives thereof.

SECTION 3. Scope. The EPR IRR shall lay down the powers and functions of the Department of Environment and Natural Resources, the Department of Trade and Industry, all other concerned agencies and local government units, the rights and obligations of stakeholders and the rights and duties of the people with respect to the implementation of the EPR Act of 2022.

SECTION 4. Construction. The EPR IRR shall be liberally construed to carry out the national policy of adopting a systematic, comprehensive, and ecological solid waste management program, institutionalizing the extended producer responsibility mechanism as a practical approach to efficient waste management, in accordance with internationally accepted principles on sustainable consumption and production, circular economy, and producers' full responsibility throughout the life cycle of their product.

### PART II. DECLARATION OF STATE POLICY

SECTION 5. Basic Policy. It is hereby declared the policy of the State to adopt a systematic, comprehensive, and ecological solid waste management program which

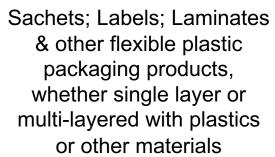
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### Scope and Coverage of the EPR Act of 2022









Rigid plastic packaging products, whether layered with any other materials



Plastic bags, which include single-use plastic bags, for carrying or transporting of goods, and provided or utilized at the point of sale



Polystyrene

### **Enterprises obliged to implement EPR**

Obliged Enterprises (OEs) are large enterprises that generate plastic
 packaging waste with total assets exceeding Php100 Million

OEs are product producers that may be –

- Brand Owners
- Manufacturers
- Importers of consumer goods

\*Micro Small and Medium Scale Enterprises are encouraged to submit EPR Programs

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### **MODES OF EPR PROGRAM**

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Reduction of non-environment friendly packaging products

Reusable Packaging products or packaging design

Appropriate labelling of products and packaging materials

O2

EPR

O3

Inclusion of recycled content or recycled materials in packaging materials

Information and Education Campaign Schemes

Adoption of appropriate product refilling systems for retailers

Viable reduction rates plan

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### **MODES OF EPR PROGRAM**



Recovery programs aimed at effectively preventing waste from leaking to the environment

### **Waste recovery schemes**

through redemption, buy-back and offsetting

### **Partnerships**

with local governments, communities and informal waste sectors



### **Diversion**

of recovered waste

### Investment

in commercial or industrial waste diversion or disposal facilities



of recovered waste to proper diversion or disposal sites

### Waste clean-up

in coastal and public areas



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### **COLLABORATION WITH OTHER** NATIONAL GOVERNMENT AGENCIES



Information hub for cleaner technologies on solid waste management

Policies on fiscal incentives



Development and mandatory adoption of eco – labels

Standards and rules / safeguard systems on fair wage policies Standards / safeguards for social inclusion (e.g. informal waste sector)

Collaboration with LGUs, communities and informal waste sector

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### **FISCAL INCENTIVES**



The following incentives may be availed by OEs, PROs, and NGOs that undertake effective solid waste management:







**Deductions** 



Tax and duty exemption of donations, legacies and gifts

### failure to register



### **PUNISHABLE ACTS**

The penalty shall be imposed whether or not the noncompliance is the result of:



falsification of documents



**misdeclaration** of generated or recovered footprint



employment of any scheme to **maliciously evade the responsibility** of an enterprise under
the EPR Law



tamper its compliance with Section 44-F of the Act.

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### **PENALTIES**

Any Obliged Enterprise that fails to register under the EPR Act of 2022 shall be fined as follows:

1	First Offense	not less than Five million Pesos (₱5,000,000.00) but not exceeding Ten million Pesos (₱10,000,000.00)
•	Second Offense	not less than Ten million Pesos (₱10,000,000.00) but not exceeding Fifteen million Pesos (₱15,000,000.00)
	Third Offense	not less than Fifteen million Pesos (₱15,000,000.00) but not exceeding Twenty million Pesos (₱20,000,000.00) for the third offense and automatic suspension of business permit until the requirement of the EPR Act of 2022, is complied with

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### **INCLUSION OF INFORMAL WASTE SECTOR**





IMPROVEMENT ON THE INFORMAL WASTE SECTOR



PUBLIC AND PRIVATE PARTNERSHIP



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### SOCIAL PROTECTION AND SOCIAL INCLUSION



Ensure safe livelihoods
of waste workers by
incorporating them into
the evolving formal
solid waste
management industry
for a fair wage and
occupational safety



Roll out social
entrepreneurship and
financial literacy
programs for alternative
livelihoods in
partnership with LGUs
and other stakeholders



Capacitate LGUs and other sectors to implement a robust system on data recording, tracking, and reporting

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### SUBMISSION OF EPR PROGRAMS



### **Obliged enterprises (OEs)**

refer to product producers that are required to implement an EPR program under this Act

129



### Collectives (12)

establishes & implements an EPR program for and only among its members exclusively

62



### **Producer Responsibility Organizations (8 PROs)**

establishes a common platform for EPR programs for its members, but open to affiliates or public

427



### Micro-, Small and Medium-sized Enterprises (MSMEs)

MSMEs which exceed total value of assets of all enterprises carrying the same brand, label or trademark for medium enterprises as prescribed by RA 9501

298

Total as of May 3, 2024

# Manufacturing Industry/retail industry and Consumer Goods Industry



Innovation and Product Design

Partnerships with Recycling Firms

Packaging Changes

Supply Chain Adjustments

Waste Management Initiatives

Cost implications

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### Waste Management and Recycling Industry

Growth Opportunities:

Increased
Demand for
Services

Technological Advancements



## CHALLENGES AND OPPORTUNITIES

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- 1. Infrastructure Deficiencies
- 2. Policy and guidance needs
- 3. Enforcement and Monitoring
- 4. Coordination Among Stakeholders





# THANK YOU!

