



Office of the President

NATIONAL SOLID WASTE MANAGEMENT COMMISSION

Department of Environment and Natural Resources

2nd Flr. HRDS Bldg., DENR compound, Visayas Avenue, Diliman, Quezon City, 1100

Tel. Nos. (632) 920-2252 / 920-2279



NSWMC Resolution No. 1428, Series of 2021

RESOLUTION DECLARING THE PLASTIC SOFTDRINK STRAW AND PLASTIC COFFEE STIRRER AS NON-ENVIRONMENTALLY ACCEPTABLE PRODUCTS

WHEREAS, it is the policy of the state to adopt a systematic, comprehensive and ecological solid waste management program which shall ensure, among others, (1) the protection of public health and environment, (2) utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resource conservation and recovery, (3) encourage greater private sector participation in solid waste management, and (4) institutionalize public participation in the development and implementation of national and local integrated, comprehensive and ecological solid waste management programs;

WHEREAS, the enactment of Republic Act 9003 (RA 9003) institutionalized the creation of the National Solid Waste Management Commission (NSWMC), an inter-agency body that is mandated to oversee the implementation of the solid waste management plans and prescribe policies to achieve the objectives of the Act;

WHEREAS, Section 29 of RA 9003 mandated the NSWMC to prepare a list of non-environmentally acceptable products as defined by the said Act that shall be prohibited according to a schedule prepared by the Commission provided however, that the non-environmentally acceptable products shall not be prohibited unless the Commission first finds that there are alternatives available which are available to consumers at no more than ten percent (10%) greater cost than the disposable product;

WHEREAS, under Section 5 paragraph (r) of Republic Act No. 9003, the Commission shall encourage all local government agencies and all local government units to patronize products manufactured using recycled and recyclable materials;

WHEREAS, under Section of 5, Rule XII of the Implementing Rules and Regulations of RA 9003 or Non-Environmentally Acceptable Products, the Commission should decide on the basis of a set of criteria, which products or packaging are non-environmentally acceptable.

WHEREAS, NSWMC Resolution No. 9, series of 2006 created the Technical Working Committee (TWC) for the phasing-out of the Non-Environmentally Acceptable Products and Packaging;

WHEREAS, NSWMC Resolution No. 19, series of 2009 adopted the guidelines on the Phasing Out of Non Environmentally Acceptable Products and Packaging Materials;

WHEREAS, the Department of Science and Technology through the Industrial Technology and Development Institute (DOST-ITDI) as co-chair of the TWC under NSWMC Resolution No. 9, series of 2006, conducted the Assessment on Plastic Softdrink Straw and Plastic Coffee Stirrer for possible listing as Non Environmentally Acceptable Products (NEAP);

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WHEREAS, the Study found out that the following products are within the definition of the Act as NEAP:

1. Plastic Coffee Stirrer
2. Plastic Softdrink Straw

WHEREAS, a deliberation of the Executive Committee as a whole was conducted on February 2, 2021 at 10 AM and a recommendation by the majority of the Commission that the two mentioned products be included in the list of NEAP to be endorsed to the NSWMC En banc for its approval;

WHEREAS, the precautionary principle states that when human activities may lead to threats of serious and irreversible damage to the environment that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that threat;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Risk Assessment and Cost Benefit Study on selected Single Use Plastic Products be adopted and that the aforementioned products be included in the list of NEAP and be phased out following the guidelines adopted by virtue of NSWMC Resolution No. 19.

FURTHER, it is hereby resolved that guidelines including specification and phase-out period of the said NEAP List will be issued one year after publication in a national paper of national circulation .

APPROVED on this 2nd day of February 2021.

ROY A. CIMATU

Secretary

Department of Environment and Natural Resources

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