



EXECUTIVE ORDER NO. 28

Series of 2020

AN EXECUTIVE ORDER REGULATING THE USE, SALE AND DISTRIBUTION OF PLASTIC BAGS, STYROFOAM AND POLYSTYRENE PLASTICS AS PACKAGING AND HANDLING OF GOODS WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF DUPAX DEL NORTE

WHEREAS, the constitution of the Republic of the Philippines mandates the State to protect and promote the right of the people to balanced ecology and sustainable economy in accord with the rhythm and harmony of nature;

WHEREAS, the ban on the use of plastic is mandated by the Ecological Solid Waste Management Act of 2000;

WHEREAS, plastic carry out bags and all plastic products are non-biodegradable, as a single use plastic bags are typically used for a short period but take centuries to break down in a landfill;

WHEREAS, plastic bag poses serious danger to the environment that seriously affect biodiversity, becomes an unsightly component of litter and are known pollutants of soil and water;

WHEREAS, to strengthen the municipal government's advocacy in the use of environment-friendly containers, packaging and carry-ons, we must impose measures to reduce or eliminate the use of plastic bags and encourage the use of reusable bags or paper bags;

NOW THEREFORE, I, TIMOTHY JOSEPH E. CAYTON, Municipal Mayor of Dupax del Norte, by virtue of the powers vested in me by law, do I hereby order the following:

SECTION 1. COMPOSITION. A Municipal Executive Committee and an Enforcement Team per Barangay are hereby created with their composition, duties, functions and responsibilities discussed separately:

A. Composition of the Municipal Executive Committee

Chairperson: Ms. Judith A. Franco - Municipal Environment and Natural Resources Officer

Vice Chairperson: Hon. Nestor T. Balaw-ing - SB Member, Committee on Environment

Members:

- Ms. Elvira V. Abella - Municipal Treasurer
- Mr. Romeo D. Reyes - MLGOO
- Mr. Genesis B. Dugay - Municipal Agriculturist
- Dr. Rosie D. Calacala - Dupax del Norte I District Supervisor
- Dr. Josie Conde - Dupax del Norte II District Supervisor

- **CENRO Representative**
- **PCPT Rudil C. Bassit** - OIC-Chief of Police, PNP Dupax del Norte
- **Hon. Felix R. Silong** – LnB President
- **President, Market Vendors Association**
- **President, Municipal Federated TODA**
- **CSO President**

Duties, Functions and Responsibilities of the Municipal Executive Committee

1. Conducts validation/inspection of received reports of violations of the corresponding Ordinance and its IRR;
2. Files the necessary case against any violators of the corresponding Ordinance and its IRR;
3. Recommends suspension and/or cancellation of licenses/permits to operate violating establishments, institutions and other waste generators as per Section 13 of the corresponding Ordinance and its IRR;
4. Regularly submits its reports to the Municipal Solid Waste Management Board
5. Initiates and spearheads the conduct of “Synchronize Pulot Plastic Activity” with the different national government agencies (NGAs), non-government organizations and other groups/associations in the municipality;
6. Recommend strategies to the Sangguniang Bayan and the Municipal Mayor for the improvement of the corresponding Ordinance and its IRR.

B. Composition of the Municipal Enforcement Team

Team Leader: **Ms. Judith A. Franco** - Municipal Environment and Natural Resources Officer (MENRO)
Assistant Team

Leader: **PCPT Rudil C. Bassit** - OIC-Chief of Police, PNP Dupax del Norte

Members:

- **Ms. Elvira V. Abella** - Municipal Treasurer
- **Mr. Romeo D. Reyes** - Municipal Local Government Operations Officer, DILG
- **Dr. Rosie D. Calacala** - Dupax del Norte I District Supervisor
- **Dr. Josie L. Conde** – Dupax del Norte II District Supervisor
- **Mr. Genesis B. Dugay** - Municipal Agriculturist
- **Hon. Felix R. Silong** – LnB President
- **President, Market Vendors Association**
- **President, Municipal Federated TODA**

- ❖ Deputized MENRO Personnel may conduct inspection, monitoring, on-the-spot enforcement of the corresponding ordinance and its IRR and related Policies and Laws, recommend immediate measures or remedy, apprehends and issues citation ticket to violator/s municipality-wide especially to the areas wherein their assistance and expertise is as much needed.

Duties, Functions and Responsibilities of the Municipal Enforcement Team

- 1) Conduct inspection and monitoring of all establishments enumerated under Section 3 of the corresponding Ordinance and its IRR;
- 2) Apprehends and issues citation ticket;

- 3) Refers case to the Municipal Executive Committee through the Municipal Legal Officer in case the violator failed to settle his/her liability within the prescribe period of payment;
- 4) Regularly submits physical and financial reports to the Provincial Executive Committee for its consolidation to be presented during the regular meeting of the Municipal Solid Waste Management Board (MSWMB);
- 5) Assist in the implementation of the “Synchronize Pulot Plastic Activity”;
- 6) Documents best practices to be shared during the conduct of the annual Municipal Environment Summit/Congress.

SECTION 2. IMPLEMENTING AGENCY/ INSTITUTIONAL ARRANGEMENTS. The Municipal Environment and Natural Resources Office (MENRO) shall be the lead agency in the enforcement of this executive order in close coordination with the Philippine National Police, the academe and barangay officials.

SECTION 3. PROHIBITION IN THE USE, SELL AND DISTRIBUTION OF POLYSTERENE, NON-BIODEGRADABLE PLASTICS AND STYROFOAM AS PACKAGING FOR FOODS AND COMMODITIES BY ANY PERSON, NATURAL OR JURIDICAL.

1. Selling, providing and using plastic bags, plastic wares and Styrofoam to customers as primary packaging materials on wet and dry goods;
2. Selling, providing and using Styrofoam cups, plastic cups, drinking straw, plastic used for juices, ice making, soft drinks and other cold drinks like “palamig” and “gulaman”;
3. Using of plastic or Styrofoam for re-packing of all kinds of seed, fertilizers, poultry feeds and other animal feeds, powdered rice bran or chaff, salt, sugar, curls, chips or junkfoods, cereals, charcoal, vegetables;
4. Selling, providing and using plastic bag, plastic wares and Styrofoam to customers as secondary packaging materials on wet goods, frozen foods pre-contained in plastic wraps, vacuum packed, and pouches, such as but not limited to the following:
 - Canned goods, bottle foods, drinks, and beverages
 - Cigarettes
 - Crackers, biscuits, pastries, butter cheese, candies, cakes
 - Dried fish, smoked fish
 - Medicines, toiletries
 - Footwear, apparels, textile
 - Cosmetic goods
 - Kitchen utensils
 - School and office supplies
 - All kinds of fruit and vegetables including coconuts and root crops
 - All kinds of flowers (fresh and artificial), flower pots, vases and other materials in floral arrangements.
 - Eggs, bakery product
 - Instant noodles
 - Junk Foods
 - Small items (electronic products hardware, electronic gadgets).
5. Selling, providing and using polystyrene plastic as container and/or garage receptacles.
6. Selling, providing and using of plastic wares or utensils such as forks, spoons, knives, plastic cups, and Styrofoam cups for dine-in and take-out food.

SECTION 4. REGULATION ON THE USE, SELL AND DISTRIBUTION OF POLYSTYRENE, NON-BIODEGRADABLE PLASTICKS AND STYROFOAM AS PACKAGING FOR GOODS AND COMMODITIES BY ANY PERSON, NATURAL OR JURIDICAL.

A. Regulated uses of plastics for liquid, bulky, wet or dry goods and commodities and for other purposes.

1. Wet good such as fish and other sea foods, all kinds of meat and its by- products that are not pre-contained in plastic pouches, wraps or bags shall instead be preferably contained in customer supplied reusable; pre- cleaned and sanitized hard plastic containers or in a biodegradable plastic;
2. Other wet and dry goods manufactured outside the Municipality of Dupax del Norte that are factory made/ processed pre-contained or packed in plastic pouches, bottle wraps, or bag like processed meats in vacuum pouches, snacks, preserved foods, fresh noodles, and the like;

All goods that are already pre-contained or packed in plastic pouches shall never be again contained in a plastic bag. Thus, consumers/buyers are encouraged to bring with them eco-bags or reusable bags or other environmentally acceptable packaging bags otherwise they shall be constrained to buy or secure eco-bags or reusable bags;

3. Farmers, producers and agricultural trading centers shall still use the plastic bags on large volume on certain fruits and vegetables that need preservation of its quality and freshness while biodegradable type is not yet available within two (2) years smooth transaction;

In the meantime, farmers, producers and agricultural trading centers are encouraged to avoid the practice of re-packing these agricultural products into new plastic containers/bags during its transport and distribution to reduce generation of plastic waste.

4. Farmers, producers and agricultural trading centers shall use sacks or crates to certain fruits and vegetable that are not sensitive to mishandling and air exposure as the alternative for plastic bags in containing large volume of the products within two (2) years for smooth transition;

Perishable, leafy vegetables like *spinach, mustard, cabbage, patchay and the like* and solanaceae crops like *eggplant, tomatoes, bell pepper and capsicum* may be contained in plastic bags for its sensitivity and preservation purposes while root crops like *sweet potatoes, turnips, beets and the like* are highly recommended to be contained in plastic crates for it's not highly sensitive and to avoid usage of plastic bags.

5. Plastic products, commonly regarded as High Impact (HI), like ice cream cups, egg trays for as long as they will end up as recyclable waste;
6. Other plastic bottles that are not accepted at "buy back centers" like Barangay MRF, Municipal MRF or junkshops, may be re-used and shall not end up as residual wastes;
7. Sacks and other related bags shall be re-used as garbage bags. Garbage collectors shall return the sacks to users for their future use;

This is to reiterate item "C" of Section 5 of the Plastic Regulation Ordinance for the prohibition on the selling and using polystyrene plastic as container and or garbage receptacle. Wastes collectors are mandated not to collect garbage bags made of polystyrene/polyethylene plastic as container or garbage receptacle, instead, the use of sacks and other related bags as garbage bags is hereby encouraged.

8. Using flaglets or "banderitas" and tarpaulins for posting of notices information, advertisements during festivals, occasions, celebrations, provide, it will be recovered after its purpose.

All recoverable materials mentioned above shall be retrieved by persons who installed or caused them to be installed after their intended use and shall be properly stored or disposed of, as the case may be, in such a way that they may be re-used or will not end up as residual wastes.

SECTION 5. PROPER DISPOSAL OF WASTES – No consumer, buyer and business establishment shall:

1. Dispose of plastic wastes on streets, canals, bodies of water or public places;
2. Dispose of plastic/ residual wastes on streets, canals, bodies of water or public places;
3. Burn plastic wastes.

SECTION 6. SEPARABILITY CLAUSE. Should any provisions (s) of this Executive Order be subsequently declared invalid or unconstitutional, the other provisions not so declared and not affected by such declaration shall remain in full force and effect.

SECTION 7. REPEALING CLAUSE. All provisions of previous Executive Orders which are incompatible or inconsistent with the provisions of this Executive Order are hereby deemed repealed or modified accordingly.

SECTION 8. EFFECTIVITY. This Executive Order shall take effect immediately.

Done this 15th day of July 2020 at Dupax del Norte, Nueva Vizcaya.


ATTY. TIMOTHY JOSEPH E. CAYTON
Municipal Mayor