

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

RECEIVED BY: 10 AUG -3 10:42

SENATE
S. No. 2334

RECEIVED BY: *(Signature)*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 13, Section 11 states:

The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the under-privileged, sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.

Lead is a neurotoxin that is particularly hazardous to young children, causing permanent neurological damage. High doses of lead can damage the nervous system, kidneys, and blood system and can even be lethal. Continuous low-level exposure causes lead to accumulate in the body and cause damage. It is particularly dangerous for babies, before and after birth, and for small children, because their bodies and brains are growing rapidly. Exposures to even very low levels of lead can cause brain function impairment. No level of lead exposure has been found to be safe for a developing child.

According to a World Health Organization study, one possible source of contamination that has aroused concern is lead present in food containers. Depending on pH, mineralization and other factors, traces of lead may leach into food or drink from such containers. This is a matter that deserves legislative action to protect our health from a preventable health issue.*

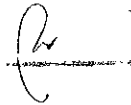
Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed in the 14th Congress.

FIFTEENTH CONGRESS OF THE REPUBLIC)
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First Regular Session)

15 AUG -3 10:12

SENATE
S. No. 2334

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 TO PREVENT EXCESSIVE LEAD CONTENT IN FOOD CONTAINERS

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

3 SECTION 1. *Prohibition.* – No person or entity shall manufacture, distribute, sell, or
4 offer for sale any food container (Containers) which contains more than six hundred parts per
5 million of lead.

6 SECTION 2. *Monitoring.* – The Department of Trade and Industry (DTI) shall
7 monitor all food containers sold or distributed in the country. Monitoring shall include sampling
8 and testing to determine the lead levels in these containers.

9 SECTION 3. *Excess Lead.* – If the lead level that is tested by the DTI exceeds the
10 maximum allowable level, the department shall:

11 (A) Issue health advisory notices alerting them of the danger posed by the use of such
12 containers; and

13 (B) Notify the manufacturer and the distributor that such containers exceed the
14 maximum allowable lead level, and that it shall not be sold or distributed until further testing
15 proves that it is in compliance with the maximum allowable lead level.

1 SECTION 4. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or
2 parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or
3 modified accordingly.

4 SECTION 5. *Separability Clause.* – If, for any reason, any provision of this Act is
5 declared to be unconstitutional or invalid, the other sections or provisions hereof which are not
6 affected thereby shall continue to be in full force and effect.

7 SECTION 6. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days
8 following its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,