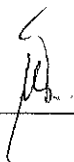


9 MAY 28 PM 114

SENATE  
S. B. No. **3290**

RECEIVED



---

Introduced by Senator Miriam Defensor Santiago

---

#### EXPLANATORY NOTE

The Constitution, Article 2, Section 15 provides:

*The State shall protect and promote the right to health of the people and instill health consciousness among them.*

A teratogen is an agent which can cause a birth defect. It is something in the environment that the mother may be exposed to during her pregnancy. It can be a prescribed medication, alcohol use, a street drug, or a disease that the mother has, which may increase the chance for the baby to be born with a birth defect. Birth defects are functional or structural abnormalities present at birth that cause mental or physical disability. Some of these birth defects may be fatal. Researchers have identified thousands of different birth defects. Currently, birth defects are the leading cause of death for infants during the first year of life.


It is estimated that 10% of all birth defects are caused by a prenatal exposure or teratogen. These exposures include, but are not limited to, medication or drug exposures, maternal infections and diseases, and environmental and occupational exposures such as ionizing radiation or environmental chemicals. Teratogen-caused birth defects are potentially preventable. Studies have shown that nearly 50% of pregnant women have been exposed to at least one medication during gestation. An additional study found that

of 200 individuals referred for genetic counseling for a teratogenic exposure, 52% were exposed to more than one potential teratogen.

This bill seeks to inform consumers of the potential risk posed by the teratogens found in consumer products or in the industries they may be exposed to.

  
MIRIAM DEFENSOR SANTIAGO

SENATE  
S. B. No. 3290

RECEIVED BY: 

---

Introduced by Senator Miriam Defensor Santiago

---

1 AN ACT  
2 REGULATING TERATOGENS

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

5 SECTION 1. *Short Title.* – This Act shall be known as the “Teratogen Regulatory Act of  
6 2009.”

7 SECTION 2. *Definition of terms.* – As used in this Act, the term–

8 (A) “Teratogen” refers to an agent, such as a virus, a drug, or radiation, that causes  
9 malformation of an embryo or fetus;

10 (B) “Department” means the Department of Health;

11 SECTION 3. *Packaging Requirement.* – Any person who offers for sale any consumer  
12 product that contains a known teratogen as identified by the Department shall include a clear,  
13 conspicuous, and easily readable label on the packaging stating:

14 WARNING: This product contains a teratogen known to cause birth  
15 defects and other reproductive hazards.

16 SECTION 4. *Duty of the Department of Health.* – The Department is required to come up  
17 with a list of all known and proven teratogens and to inform the public of their presence in  
18 products or the environment. It shall coordinate with the proper government agencies to identify  
19 the presence of these teratogens in products and industries.

1           SECTION 5. *Penalties.* – The Department is empowered to establish and assess penalties  
2 or fines against any person for violations of this Act or regulations adopted under this Act. In no  
3 circumstance will any penalties or fines exceed P10,000.00 for each day the permit holder  
4 remains in violation.

5           SECTION 6. *Separability Clause.* – If any provision, or part hereof is held invalid or  
6 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
7 valid and subsisting.

8           SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
9 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent  
10 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

11           SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
12 publication in at least two (2) newspapers of general circulation.

13           Approved,

/abg072509