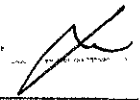


SENATE
S. B. No. 3314

9 JUN 10 P2:11

Introduced by Senator Miriam Defensor Santiago

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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.

Allergy is a disorder of the immune system that is usually called atopy. These allergic reactions happen because of usually harmless environmental substances known as allergens. These reactions are acquired, predictable and rapid. Allergy is just one of four kinds of hypersensitivity. This condition is characterized by excessive activation of excessive white blood cells resulting in an extreme inflammatory response. These can play a role in conditions like asthma. In some cases, severe allergies to dietary or environmental allergens or to medications can result to life threatening reactions and even death. Officially, the Food and Drug Administration in the United States does recognize 8 food items as being common for allergic reactions in a large segment of the sensitive population. This includes, peanuts, tree nuts, eggs, milk, shellfish, fish, wheat and their derivatives, soy and their derivatives, and sulphites (chemical based, often found in flavors and colors in foods) at 10ppm and over.

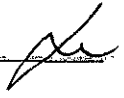
This bill seeks to inform consumers of the potential risk posed by the allergens found in consumer products.


MIRIAM DEFENSOR SANTIAGO

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

9 JUN 10 P2:41

SENATE
S. B. No. **3314**

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

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AN ACT
REGULATING ALLERGENS IN CONSUMER PRODUCTS

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

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

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SECTION 2. *Definition of terms.* – As used in this Act, the term—
(A) “Allergen” refers to a nonparasitic antigen capable of stimulating a type I hypersensitivity reaction in atopic individuals;
(B) “Department” means the Department of Health;

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

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WARNING: This product contains an identified allergen known to cause allergic reaction to some individuals.

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