

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

OFFICE SECRETARY

9 AUG 11 P2:47

SENATE
S. B. No. **3380**

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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 16 states:

“The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. “

Young children are among the most vulnerable to adverse health effects of pesticides. A variety of age-related factors explain the increased sensitivity that younger children face. Children face higher risks than adults from pesticide exposure due to their small size, tendency to place their hands close to their face, engaging in activities on or near the ground, greater intake of air and food relative to body weight, developing organ systems, and other unique characteristics. Not only do younger children receive a higher dose of toxics, they have a decreased ability to eliminate toxics, and, as a result, are more sensitive to toxic effects.

As legislators it is our responsibility to protect our children from the dangers these pesticides pose. This legislation embraces this responsibility by prohibiting the use of pesticides in any building or on the ground of any day care facility, during regular business hours, except in the case of an immediate threat to human safety.


MIRIAM DEFENSOR SANTIAGO

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1 AN ACT REGULATING THE USE OF PESTICIDES IN
2 DAYCARE FACILITY PREMISES

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

3 SECTION 1. *Definition.* For the purposes of this Act, the following terms shall have
4 the meanings set forth below:

5 (A) "Pesticide" shall mean a fungicide used on plants, an insecticide, a herbicide or a
6 rodenticide but does not mean a sanitizer, disinfectant or antimicrobial agent;

7 (B) "Daycare Facility" shall mean licensed and registered child daycare homes,
8 programs and facilities.

9 SECTION 2. *Prohibition.* No application of pesticide shall be made in any building or
10 on the grounds of any daycare facility, during regular business hours, except that an emergency
11 application may be made to eliminate an immediate threat to human health, including but not
12 limited to, the elimination of mosquitoes, ticks and stinging insects. No child enrolled at such
13 daycare center or home may enter an area where pesticides have been applied until it is safe to do
14 so according to the provisions of the pesticide label.

15 SECTION 3. *Separability Clause.* – If any provision or part hereof, is held invalid or
16 unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain
17 valid and subsisting.

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

Approved,