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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.

Lead poisoning happens when lead accumulates in the body, often over a period of months or years. Even small amounts of lead can cause serious health problems. Children under the age of 6 are more vulnerable to lead poisoning, which can severely affect mental and physical development. At very high levels, lead poisoning can be fatal.

Lead-based paint and lead-contaminated dust in older buildings are the most common sources of lead poisoning in children. Other sources of lead poisoning include contaminated air, water, soil, and some toys and cosmetics.

Lead is a neurotoxin. It is much more dangerous for children than adults because it affects kids' developing brains and nervous systems. The younger the child, the more harm lead can cause. Very high levels may cause vomiting, stumbling, muscle weakness, seizures or coma. Abdominal pains and cramping is often the sign of a high and toxic dose of lead. Low levels are also known to cause subtle changes in brain functions. One common source of lead is the lining of water coolers that contaminate drinking water. This bill seeks to address that problem by regulating this industry.

  
MIRIAM DEFENSOR SANTIAGO

SENATE  
S. B. No. **3398**

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1 AN ACT  
2 TO STOP THE HAZARDOUS EFFECTS OF LEAD CONTAMINATION  
3 OF WATER SUPPLIES IN DRINKING WATER COOLERS

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

4 SECTION 1. *Short Title.* – This Act shall be known as the “Lead Contamination Control  
5 Act of 2009.”

6 SECTION 2. *Regulation of Water Coolers.* – The following standards shall be  
7 implemented in the regulation of water coolers that may be found to contain lead:

8 (a) The Department of Health (DOH) is required, after notice and opportunity for public  
9 comment and within one year from enactment, to publish, using the best information available to  
10 it, a list identifying each brand and model of drinking water cooler which is not lead free as well  
11 as each brand and model of drinking water cooler which has a lead-lined tank;

12 (b) The sale or the manufacture for sale of any drinking water cooler which is listed under  
13 this section or any other cooler which is not lead free, including a lead-lined water cooler is  
14 prohibited;

15 (c) Within one year after enactment, the DOH is required to publish and distribute to the  
16 local government units a guidance document and testing protocol to assist schools in determining  
17 the source and degree of lead contamination in school drinking water supplies and in remedying  
18 such contamination. The guidance document must contain: guidelines for sample preservation;  
19 guidance to assist LGUs, schools, and the public in ascertaining the levels of lead contamination  
20 in drinking water coolers and in taking appropriate action to reduce or eliminate such

1 contamination; and a testing protocol for the identification of drinking water coolers which  
2 contribute to lead contamination in drinking water.

3 (d) The DOH is required to establish a program to assist local education agencies in  
4 testing for, and remedying, lead contamination in drinking water from coolers and from other  
5 sources of lead contamination at schools. The program would have to include measures for  
6 reduction or elimination of lead contamination from all listed water coolers containing lead-lined  
7 tanks located in schools by ensuring that they are repaired, permanently removed, or replaced  
8 within 15 months after enactment (except where the cooler is tested and found not to contribute  
9 any lead to drinking water).

10 SECTION 3. *Lead Poisoning Prevention Program.* – The DOH shall (1) screen infants  
11 and children for elevated blood levels; (2) assure referral for treatment of infants and children  
12 with elevated blood lead levels, and (3) provide education about childhood lead poisoning.

13 SECTION 4. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
14 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent  
15 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

16 SECTION 5. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
17 publication in at least two (2) newspapers of general circulation.

Approved,