

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



Senate  
Office of the Secretary

'14 FEB 24 A11 :31

SENATE  
S. NO.: **2135**

RECEIVED BY: *ji*

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Introduced by Senator Miriam Defensor Santiago

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AN ACT  
PROHIBITING THE MANUFACTURE, DISTRIBUTION, AND SALE OF  
PERSONAL COSMETIC PRODUCTS CONTAINING MICROBEADS

EXPLANATORY NOTE

This bill aims to prohibit the sale of beauty and cosmetic products that contain tiny plastic particles that are often marketed as microbeads. The plastic beads can persist in the environment for centuries and accumulate toxic chemicals on their surface threatening fish, wildlife and public health.

The Microbead-Free Waters Act would prohibit the production, manufacture, distribution and sale of any beauty product, cosmetic or other personal care product containing plastic particles less than 5 millimeters in size. Microbeads are commonly found in more than 100 products, including facial scrubs, soaps, shampoo and toothpaste, where they replace ground walnut shells, sea salt, and other natural materials as an abrasive. When products containing microbeads are used in the home, the beads are rinsed down the drain and into our sewer systems. Because of their small size and buoyancy, microbeads escape treatment by sewage plants and are discharged into rivers, lakes and oceans.

In 2012, a team of researchers that included scientists from the State University of New York at Fredonia discovered alarming levels of microbeads in the Great Lakes -

with the highest concentrations recorded in the New York waters of Lake Erie. Half of all plastics collected on the surface of Lake Erie were the perfectly spherical, multi-colored beads identical to the microbeads used in beauty products. Other plastics collected included larger plastic litter that had broken down in the environment, such as detergent bottles and Styrofoam.<sup>1</sup>

Once in the water, microbeads, like other plastics, can attract and accumulate certain toxic chemicals commonly found in waters across the state, and can be mistaken as food by small fish and wildlife. Scientific studies have shown that fish and wildlife of all sizes consume plastic. In addition, environmental pollution found in waters, such as PCBs (the industrial pollutants polychlorinated biphenyls), gravitate and attach to the surface of plastic. If fish and wildlife species low on the food chain eat these contaminated plastics, the chemicals might be passed on to larger birds, fish and other animals that people eat. Consumers can determine if their beauty or personal care products contain microbeads by checking the product ingredient list for "polyethylene" or "polypropylene."

These plastic microbeads are an unnecessary and harmful product that do not belong in our waterways, and should be phased out of use as quickly as possible thus urgent passage of this bill is earnestly sought.

  
MIRIAM DEFENSOR SANTIAGO  
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<sup>1</sup> <http://www.birdingwire.com/releases/311197/>. Accessed last 18 February 2014.

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SENATE  
S. NO. 2135

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

1 AN ACT  
2 PROHIBITING THE MANUFACTURE, DISTRIBUTION, AND SALE OF  
3 PERSONAL COSMETIC PRODUCTS CONTAINING MICROBEADS  
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5 SECTION 1. Short Title. – This act shall be known and may be cited as the  
6 Microbead-Free Waters Act of 2014.”

7 SECTION 2. Definition. – The following terms shall mean:

8 a. Microbead – any plastic component of a personal cosmetic product measured to be  
9 five millimeters or less in size;

10 b. Personal cosmetic product – any article intended to be rubbed, poured, sprinkled,  
11 or sprayed on, introduced into, or otherwise applied to the human body or any part  
12 thereof for cleansing, beautifying, promoting attractiveness, or altering the  
13 appearance, and any article intended for use as a component of any such article.

14 The term personal cosmetic product shall not include any product which a  
15 prescription is required for distribution or dispensation.

16 SECTION 3. Prohibition. – No person shall produce, manufacture, sell, or offer  
17 for sale any personal cosmetic product which contains intentionally-added microbeads.

18 SECTION 4. Penalty. – Any person or corporation who violates any provision or  
19 any rule or regulation promulgated to implement this provision shall be civilly liable for  
20 penalty not to exceed fifty thousand pesos (P50,000) for each day during which such

1 violation continues. In addition, such person or corporation may be enjoined from  
2 continuing such violation.

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

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

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

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13 Approved,

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