

THIRTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES }
First Regular Session

04 JUN 30 P10:27

SENATE

S. No. 714RECEIVED BY: *Alde*

INTRODUCED BY HON. MANUEL B. VILLAR, JR.

EXPLANATORY NOTE

Many consumer products today are packaged in the so-called "disposable" form. Because of the fast pace of modern living, consumers have been conditioned to equate convenience with simply throwing away the refuse of most commodities that they consume.

To tap this harried consumer market, manufacturers have shifted to packaging products using lightweight materials. Fastfood businesses and such things as aerosol sprays, atomizers and a range of other applications in the cosmetic and pharmaceutical product trade have likewise shifted to using new materials for packaging.

Leading researchers have now established that what these products save us in terms of time, they exact from us in terms of environmental damage.

Styrofoam, the most common synthetic material in popular use by fastfood chains and product packagers, is not as benign as we have long thought it to be. Left undisposed, it continually releases chlorofluorocarbons, more commonly refers to as CFCs into the atmosphere. Chlorofluorocarbons are the same elements found in aerosol propellants and freon refrigerants, that have been conclusively linked to the thinning of the ozone layer in the earth's atmosphere.

This ozone layer is what protects all earthly life from the harmful effects of ultraviolet radiation. Unlike plain oxygen which plants can manufacture for use, ozone is a finite non-replenishable global resource. Ozone lost to natural chemical reaction with loose CFCs in the atmosphere is ozone lost forever.

We can do something about styrofoam. This bill discourages its further use and encourages a search for truly safer alternatives. Beyond this, there is a need to enjoin the manufacturers to support the aim of this bill. When it is made clear that it is not the aim of this bill to cut into their profit margin but rather to increase it through endorsements to the consumer, in exchange for conformity with an environmental crusade.

Hence, approval of this bill is urged.


MANUEL B. VILLAR, JR.

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**AN ACT DECLARING AS UNLAWFUL THE USE OF POLYCARBON PLASTICS,
STYROFOAM AND OTHER SYNTHETIC MATERIALS HARMFUL TO THE
ENVIRONMENT AND ESTABLISHING A CRITERION FOR THE ENDORSEMENT OF
ENVIRONMENT FRIENDLY CONSUMER PRODUCTS**

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

SECTION 1. Title of the Act. - This Act shall be known as the "Environment Friendly Act."

SEC. 2. Definition of Terms. - For purposes of this Act, the following shall mean:

1. Chlorofluorocarbons or CFC's - shall mean any product or product ingredient having the chemical structure and/or characteristics of chlorofluorocarbons which under natural conditions, can bond with free oxygen molecules in the atmosphere and thereby deplete the same such as, but not limited to, styrofoam, aerosol propellants, freon and other refrigerants.

2. Polycarbon Plastics and Plastics - shall mean any plastic product or other synthetic material made from petroleum-based ingredients including, but not limited to, polyethylene, polythene, vinyl, polyvinyl, phenolic vinyl, urethane, polyurethane, Styrofoam and similar materials and their extracts.

3. Green Products - shall refer to products and/or product ingredients whose component substances do not pose any polluting-or other ecologically harmful effects both during their use and in, their subsequent disposal.

4. Biodegradable - shall mean the ability to decompose into harmless organic components through time by the action of bacteria, microorganisms and other living natural agents of decay.

SEC. 3. Declaration of Policy. - It is the policy of the State to minimize the use of ecologically harmful synthetic materials as, components, ingredients or packaging of consumer products.

It is the policy of the State to encourage the use of alternative materials to polycarbon plastics for packaging consumer products. These alternative materials shall be biodegradable and shall pose no danger to the environment both during their use and upon their disposal.

SEC. 4. Unlawful use of Non-Biodegradable Plastics. Except in cases herein enumerated, it shall be unlawful to utilize non-biodegradable polycarbon plastics as container or packaging for any consumer product for sale in the Philippines.

SEC. 5. Exemptions. - The following exceptions to Section 4 above are hereby granted:

1. The use of clear plastic in minimal amount for packaging where it essential and absolutely unavoidable to show part of the product through a transparent window for purposes of 1 product identification by the consumer.
2. The use of plastic in minimal amount to contain pharmaceuticals and medical drugs where it essential and absolutely unavoidable to preserve the chemical potency of said pharmaceuticals or drugs and where no suitable alternative is possible.
3. The use of plastic or styrofoam in minimal amount to hold or contain electronic products and/or their components where it essential and absolutely unavoidable to insulate said products from harmful static electricity, shock and other natural risks and where no suitable alternative is possible.

SEC. 6. Unlawful Release of CFCs. - No consumer product sold in the Philippines may contain chlorofluorocarbons (CFC's) where the use and/or disposal of such product results in the release of CFC's into the atmosphere.

SEC. 7. Product Testing. - The Bureau of Product Standards of the Department of Trade and Industry (DTI) and the research bureau of the Department of Science and Technology (DOST) is hereby authorized to conduct continuing tests on all consumer product sold in the Philippines to determine whether these products contain any ingredients harmful to the environment.

For this purpose, the Bureau of Products Standards using scientific measurements and empirical testing procedures, shall draw up a set of criteria which will serve as a standard for evaluating the compliance of manufacturers of consumer goods within the purposes of this Act.

SEC. 8. Certification Logo. - The Bureau of Product Standards is hereby authorized to commission the preparation of a logo with appropriate signage and graphics to indicate that the product to which said logo is affixed contains no components harmful to the environment or ingredients that may cause instant or cumulative damage on the ecology.

This logo shall, invariably, utilize the phrase "certified green product" and shall include as one element the official seal of agency.

SEC. 9. Qualification of Manufacturers. - Manufacturers of consumer products that meet the criteria for environmental safety as defined by the Bureau of Product Standards under Section 7, and all other subsequent regulations issued by the government from time to time, shall be allowed to use the logo in designing their product label: Provided, however, that any manufacturer so qualified shall include this logo as a prominent element of the label's design occupying a printed space no smaller than one square centimeter nor bigger than one square inch.

SEC. 10. Penal Provision. - Any manufacturer who affixes the logo design, or any unauthorized variation of this design, to the label of any consumer product that has not met the criteria under Section 7 of this Act shall be penalized by no less than Fifty Thousand Pesos (P50,000.00): Provided, that in addition to such penalty the product concerned shall be withdrawn from sale through out the Philippines

SEC. 11. Separability Clause. - if any section or provision of this Act is held or declared unconstitutional or invalid by a competent court in a final judgment, the other sections or provisions hereof shall continue to be in full force and effect.

SEC. 12. Repealing Clause. - All laws, decrees, orders, instructions and rules and regulations or parts thereof which are inconsistent herewith are hereby repealed or modified accordingly.

SEC. 13. Effectivity. - This Act shall take effect upon its approval.

Approved,