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SIXTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES Third Regular Session

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SENATE S. No. <u>3164</u>

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Introduced by Senator Miriam Defensor Santiago

AN ACT REGULATING TERATOGENS

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.

A teratogen is an agent which can cause a birth defect. It is something in the environment that the mother may be exposed to during her pregnancy. It can be a prescribed medication, alcohol use, a street drug, or a disease that the mother has, which may increase the chance for the baby to be born with a birth defect. Birth defects are functional or structural abnormalities present at birth that cause mental or physical disability. Some of these birth defects may be fatal. Researchers have identified thousands of different birth defects. Currently, birth defects are the leading cause of death for infants during the first year of life.

It is estimated that 10% of all birth defects are caused by a prenatal exposure to teratogen. These exposures include, but are not limited to, medication or drug exposures, maternal infections and diseases, and environmental and occupational exposures such as ionizing radiation or environmental chemicals. Teratogen-caused birth defects are potentially preventable. Studies have shown that nearly 50% of pregnant women have been exposed to at least one medication during gestation. An additional study found that

of 200 individuals referred for genetic counseling for a teratogenic exposure, 52% were exposed to more than one potential teratogen.

This bill seeks to inform consumers of the potential risk posed by the teratogens found in consumer products or in the industries they may be exposed to.¹

MIRIAM DEMENSOR SANTIAGO

¹ This bill was originally filed during the Fourteenth Congress, Second Regular Session.



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SENATE S. No. <u>3164</u>

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AN ACT REGULATING TERATOGENS

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

SECTION 1. Short Title. - This Act shall be known as the "Teratogen Regulatory" 1 Act." 2 SECTION 2. Definition of Terms. - For purposes of this Act, the term: 3 (A) "Department" means the Department of Health; and 4 (B) "Teratogen" refers to an agent, such as a virus, a drug, or radiation, that causes 5 malformation of an embryo or fetus. 6 7 SECTION 3. Packaging Requirement. - Any person who offers for sale any 8 consumer product that contains a known teratogen as identified by the Department shall 9 include a clear, conspicuous, and easily readable label on the packaging stating: "WARNING: This product contains a teratogen known to cause 10 birth defects and other reproductive hazards." 11 SECTION 4. Duty of the Department of Health. - The Department is required to 12 come up with a list of all known and proven teratogens and to inform the public of their 13 14 presence in products or the environment. It shall coordinate with the proper government

15 agencies to identify the presence of these teratogens in products and industries.

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1 SECTION 5. *Penalties.* – The Department is empowered to establish and assess 2 penalties or fines against any person for violations of this Act or regulations adopted 3 under this Act. In no circumstance will any penalties or fines exceed P10,000.00 for each 4 day the permit holder remains in violation.

5 SECTION 6. *Separability Clause*. – If any provision of this Act is held invalid or 6 unconstitutional, the same shall not affect the validity and effectivity of the other 7 provisions hereof.

8 SECTION 7. *Repealing Clause.* – All laws, decrees, orders, and issuances, or 9 portions thereof, which are inconsistent with the provisions of this Act, are hereby 10 repealed, amended or modified accordingly.

SECTION 8. *Effectivity Clause*. – This Act shall take effect fifteen (15) days after
its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

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