

10 JUL -8 AM 11:18

SENATE

S. No. 968

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Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

The troubling story of lead is almost 3,000 years old. Greek physicians and Roman architects were describing the symptoms of lead poisoning – blindness, convulsions, brain damage, kidney disease and cancer – in 100 B.C. One hundred years ago, lead poisoning in children was linked to the use of lead-based paints. By 1909, this new science had resulted in laws in France, Austria and Belgium banning paint made with white lead. As the science got stronger, the League of Nations and more countries – including Greece, Great Britain, Tunisia, Spain, Sweden and Cuba – also banned lead.

In 1943, the first studies came out showing that lead could create health problems for children at much lower levels of exposure than those linked to poisoning symptoms. The science began to mount that some behavioral disorders, attention deficit and learning disabilities were coming from household exposure to lead paint and from air pollution caused by lead in gasoline. Given that lead does not break down in the body but accumulates over time, small amounts of lead can add up to harm.

While many may not be able to test for lead in cosmetic products, laboratory testing initiated by the Campaign for Safe Cosmetics has found that many cosmetic products from top brands do contain lead. Studies indicate that lead is a potent neurotoxin and linked to numerous other health and reproductive problems. Cosmetic products of known brands contain surprisingly high levels of lead, according to new product tests released October 11, 2007 by the Campaign for Safe Cosmetics.

Lead is a proven neurotoxin that can cause learning, language and behavioral problems such as lowered IQ, reduced school performance and increased aggression. Pregnant women and young children are particularly vulnerable to lead exposure because lead easily crosses the placenta and may enter the fetal brain, where it interferes with normal development. Lead has also been linked to miscarriage, reduced fertility in both men and women, hormonal changes, menstrual irregularities and delays in the onset of puberty. Lead builds up in the body over time and lead-containing lipstick applied several times a day, every day, combined with lead in water and other sources, could add up to significant exposure levels.

In the United States, the Campaign for Safe Cosmetics is calling on cosmetics companies to test their full product lines for lead, to reformulate immediately products found to contain lead, to require from suppliers a guarantee that raw materials are free of lead and other contaminants, and to join the Campaign for Safe Cosmetics in demanding that the FDA more strictly regulate personal care products.

With the rising consumer awareness and sensitivity in the preparation of various consumer products, the general public are now becoming more and more conscious with respect to the chemical component being used in the preparation of cosmetic product being sold in the market.

As such, the goal of this legislative measure is to protect the health of consumers by requiring the health and beauty industry to label their cosmetic products that contain lead so that the consumers will have a choice on their health and well being.

In view of the foregoing, early passage of this bill is earnestly requested.


MANUEL "LITO" M. LAPID
Senator 

10 JUL -8 11:17

SENATE

S. No. 968

RECEIVED BY:

Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
PRESCRIBING THE MANDATORY LABELING REQUIREMENTS FOR
COSMETIC PRODUCTS THAT CONTAIN LEAD, PROVIDING PENALTIES
FOR ITS VIOLATION THEREOF AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. - This Act shall be known as the "**Safe Cosmetics Act of 2010**".

SEC. 2. Declaration of Policy. - It is the policy of the State to protect the interests of the consumer, promote his/her general welfare and to establish quality standards in cosmetic products to protect the health and general welfare of the general public. As such, the State shall implement measures to achieve the protection against hazards to health and safety and provide programs on Information, Education and Communication Campaign (IEC) to educate the general public.

Towards this end, the State shall enforce compulsory labeling of cosmetic products which has lead content to enable the public to obtain accurate information as to the nature, quality, and quantity of the contents of the cosmetic products and to facilitate evaluation of the health value of such consumer products.

SEC. 3. Definition of Terms. - For purposes of this Act, the following terms shall be defined as follows:

(a) "**Label**" or "**labeling**" means the display of written, printed or graphic matter on any consumer product or its immediate container, tag, literature or other suitable material affixed thereto for the purpose of giving information as to identity, components, ingredients, attributes, directions for use, specifications and such other information as may be required by law or regulations.

SEC. 4. *Mandatory Labeling Requirements.* - Within ninety (90) days from the date of effectivity of this Act, the Department of Health (DOH), in consultation with the Department of Trade and Industry (DTI), shall issue the necessary guidelines and requirements for the mandatory labeling requirement for all cosmetic products that has lead content.

SEC. 5. *Information, Education and Communication (IEC) Campaign.* - The Department of Health (DOH), in consultation with the Department of Trade and Industry (DTI), and in cooperation with the Philippine Information Agency (PIA), is hereby mandated to conduct a comprehensive and nationwide information, education and communication (IEC) campaign in order to inform the general public of the purpose and objectives envisioned under this Act.

SEC. 6. *Prohibited Acts on Labeling.* - It shall be unlawful for any person, either as principal or agent, engaged in the labeling or packaging of any cosmetic product to display or distribute or to cause to be displayed or distributed in commerce, any cosmetic product whose label does not conform to the provisions of this Act.

SEC. 7. *Penalties.* - Any person who shall violate the provisions of this Act shall be subject to a fine of not less than One Hundred Thousand Pesos (Php 100,000) but not more than Three Hundred Thousand Pesos (Php 300,000) or imprisonment of not less than six (6) months but not more than six (6) years or both, at the discretion of the court.

SEC. 8. *Separability Clause.* - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

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

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

Approved,