

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

SENATE
S. No. **1547**

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

According to Article XIII Section 12 of the 1987 Constitution:

“The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health, manpower development, and research, responsive to the country's health needs and problems.”

According to the 2007 U.S. Consumer Product Safety Commission (CPSC) report, 18 toy-related deaths and about 170,100 hospital emergencies can be attributed to toy injuries in the US. Inspectors from the US Public Interest Research Group (PIRG) found dozens of examples of toys with high levels of lead and other poisonous chemicals, dangerously strong magnets, and parts small enough to choke a child if swallowed. Another group, the California-based Center for Environmental Health, reported finding various children's products with illegally high levels of lead, including children's backpacks, rain ponchos and vinyl lunchboxes.

In line with the Constitutional provision above, the government must establish a mechanism by which injuries and deaths caused by unsafe toys are recorded. The data can then be used to formulate policies aimed at preventing these injuries and deaths.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed in the Fourteenth Congress, Second Regular Session

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1 AN ACT
2 TO PREVENT TOY-INFLICTED INJURIES AND DEATHS

3
4 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
5 *assembled:*

6 SECTION 1. *Toy-Inflicted Injuries and Deaths to be Reported.* Every case of an injury
7 or death inflicted by a toy shall be reported at once to the DTI-Bureau of Trade Regulation and
8 Consumer Protection (BTRCP). The report shall be made by (a) the physician attending or
9 treating the case; or (b) the manager, superintendent or other person in charge, whenever such
10 case is treated in a hospital, sanitarium, institution or other medical facility.

11 SECTION 2. *Use of database.* The head of the BTRCP, on a regular basis, shall make
12 the information so recorded available to the public. If, on the basis of his review, the head of the
13 BTRCP determines that a specific toy poses an immediate danger or potential threat to the safety
14 of the public, he or she shall immediately issue a public notice warning of his or her findings
15 concerning that toy.

16 SECTION 3. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or
17 parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or
18 modified accordingly.

19 SECTION 4. *Separability Clause.* – If, for any reason, any provision of this Act is
20 declared to be unconstitutional or invalid, the other sections or provisions hereof which are not
21 affected thereby shall continue to be in full force and effect.

1 SECTION 5. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days
2 following its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

3 Approved,