


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

10 AUG -2 P1:41

SENATE
S. No. 2223

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Unintentional injuries are the leading cause of death among children. In the United States, as of March 2007, an average of 50 children under the age of 5 die each year in incidents associated with nursery products, and about 16 of these deaths each year are associated with cribs.

In 2003, an estimated 60,700 children under the age of 5 were treated in United States hospital emergency rooms for injuries associated with nursery products, and there were 10,700 injuries to children under the age of 5 years associated with strollers alone.

Here in the Philippines, we lack product standards to protect our toddlers and infants from similar incident. This bill seeks to direct the Department of Trade and Industry to promulgate a consumer product safety standard for each durable infant or toddler product.¹


MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed in the Thirteenth Congress, Third Regular Session.

13 AUG -2 P 1:41

SENATE
S. No. 2223

REGISTRATION DIV.

2

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 TO PROMULGATE A CONSUMER PRODUCT SAFETY STANDARD FOR EACH
3 DURABLE INFANT OR TODDLER PRODUCT

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

4 SECTION 1. *Short Title.* - This Act shall be known as “Infant and Toddler Durable
5 Product Safety Act.”

6 SECTION 2. *Declaration of Policy.* - It is hereby declared the policy of the State to
7 ensure the safety of infants and toddlers from products which are manufactured and distributed
8 for them.

9 SECTION 3. *Purpose* - The purpose of this Act is to prevent dangerous children’s
10 products from getting to the market, by requiring independent testing of all durable infant and
11 toddler products before they enter commerce.

12 SECTION 4. *Definition of Terms* - As used in this section, the term -

13 (1) “Durable Infant or Toddler Product” means a durable product intended for
14 use, or that may be reasonably expected to be used, by children under the age of 5 years;
15 and includes--

- 16 (i) full-size cribs and non-full-size cribs;
17 (ii) toddler beds;
18 (iii) high chairs, booster chairs, and hook-on chairs;
19 (iv) bath seats;
20 (v) gates and other enclosures for confining a child;

- 1 (vi) play yards;
- 2 (vii) stationary activity centers;
- 3 (viii) infant carriers;
- 4 (ix) strollers;
- 5 (x) walkers;
- 6 (xi) swings; and
- 7 (xii) bassinets and cradles.

8 (2) "Panel" means the Infant and Toddler Product Review Panel established under
9 Section 7.

10 SECTION 5. *Consumer Product Safety Standards for Durable Infant and Toddler*
11 *Products.*- (A) The Department of Trade and Industry shall promulgate a consumer product
12 safety standard for each durable infant or toddler product.

13 (B) The Department of Trade and Industry shall promulgate consumer product
14 safety standards under this section--

15 (1) for at least 7 durable infant or toddler products every 2 calendar years
16 beginning after the date of the enactment of this Act, through 2013; and

17 (2) for all durable infant or toddler products by not later than December
18 31,2013.

19 (C) Consultation with Panel- The Department of Trade and Industry shall
20 promulgate any consumer product safety standard under this section for a durable infant
21 or toddler product--

22 (1) in consultation with the Panel; and

23 (2) after considering the results of a review by such panel of any existing
24 guidelines for that product.

25 SECTION 6. *Durable Infant and Toddler Product Compliance Certification.*

26 (A) In General- The Department of Trade and Industry shall by rule--

27 (1) require that testing and certification for a durable infant or toddler product
28 shall be performed by an independent third party; and

1 (2) require the use, and prescribe the form and content, of a label, including a seal.

2 (B) Consultation With Panel- The Department of Trade and Industry shall delegate to the
3 Panel the authority to prescribe a seal that shall be used, under the labeling requirements under
4 subsection (A)(2), for infant or toddler products that are certified to comply with applicable
5 consumer product safety standards promulgated under this Act.

6 SECTION 7. *Infant and Toddler Product Review Panel.* (A) The Department of Trade
7 and Industry shall establish an Infant and Toddler Product Review Panel to advise the
8 Department of Trade and Industry regarding the implementation of this Act.

9 (B) Functions- The Panel shall--

10 (1) review and report to the Department of Trade and Industry regarding the
11 existing guidelines for durable infant or toddler products; and

12 (2) advise the Department of Trade and Industry regarding the promulgation of
13 consumer product safety standards under this Act.

14 (C) Membership-

15 (1) The Panel shall be comprised of--

16 (a) representatives of--

17 (i) the juvenile product manufacturers industry;

18 (ii) consumer groups; and

19 (iii) independent child product engineers and experts; and

20 (b) Consumer Product Safety Commission engineers.

21 (2) Representatives under any of the categories in subsection (a) shall not exceed
22 40 percent of the membership of the Panel.

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

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

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

Approved,

/ptm02july2010