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Senate
Office of the Secretary

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

'13 JUL -1 P4 31

SENATE
S. No. 193

RECEIVED BY: *ja*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Studies by the United States Center for Disease Control show that most people carry in their bodies concentrations of a family of synthetic chemicals known as phthalates. Phthalates, or phthalate esters, are a group of chemical compounds that are mainly used as plasticizers or substances added to plastics to increase their flexibility. They are chiefly used to turn polyvinyl chloride from a hard plastic into a flexible plastic.¹

Phthalates are commonly found in plastics, pesticides, and personal care products like shampoos, soaps, and makeup. Exposure to phthalates has been linked to malformed *sex* organs in male lab animals. Alarmingly enough, a recent study revealed that there is a link between mothers exposed to phthalates and genital birth defects in male infants.

As the saying goes, an ounce of prevention is worth a pound of cure. Thus, this bill seeks to avoid the hazardous effects of phthalates on children by prohibiting the sale of toys and other articles intended for children three (3) years of age and below.²

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Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

¹ <http://en.wikipedia.org/wiki/Phthalates>.

² This bill was originally filed during the Fourteenth Congress, First Regular Session.

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1 AN ACT
2 PROHIBITING THE SALE OF TOYS AND OTHER ARTICLES CONTAINING
3 PHTHALATES TO CHILDREN THREE YEARS OF AGE AND BELOW

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

4 SECTION 1. *Short Title.* – This Act shall be known as the “Phthalate-Free Toy
5 Act.”

6 SECTION 2. *Declaration of Policy.* – It is a policy of the State to protect the
7 physical, moral and social well-being of children. Towards this end, the State shall prohibit
8 the sale of toys containing phthalates to children three (3) years of age or below.

9 SECTION 3. *Definition of Phthalates.* – For the purposes of this Act, the term
10 “phthalates” means dialkyl or alkyl aryl esters of 1,2-benzenedicarboxylic acid including,
11 but not limited to, dimethyl phthalate, diethyl phthalate, diallyl phthalate, di-n-propyl
12 phthalate, di-n-butyl phthalate, diisobutyl phthalate, butyl cyclohexyl phthalate, di-n-pentyl
13 phthalate, dicyclohexyl phthalate, butyl benzyl phthalate, di-n-hexyl phthalate, diisohexyl
14 phthalate, diisohexyl phthalate, butyl decyl phthalate, di(2-ethylhexyl) phthalate, di(n-
15 octyl) phthalate, diisooctyl phthalate, n-octyl n-decyl phthalate, diisononyl phthalate,
16 diisodecyl phthalate, diundecyl phthalate, diisoundecyl phthalate, ditridecyl phthalate, and
17 diisotridecyl phthalate.

1 SECTION 4. *Prohibition on the Sale of Toys Containing Phthalates; Penalties.* – On
2 or after one hundred and twenty (120) days from the passage of this Act, no toy or article
3 intended for use by children three (3) years of age or younger if it contains any measurable
4 amount of phthalates.

5 Any person found in violation of this Act shall be punished by a penalty of *prision*
6 *correctional*, or a fine ranging from Ten Thousand Pesos (₱10,000.00) to Fifty Thousand
7 Pesos (₱50,000.00), or both, at the discretion of the court, taking into consideration the
8 circumstances of the case.

9 If the offender is a corporation, trust or firm, partnership, association or any other
10 entity, the penalty of imprisonment shall be imposed on the entity's responsible officers,
11 including, but not limited to, the president, vice-president, chief executive officer, general
12 manager, managing director or partner directly responsible therefor.

13 SECTION 5. *Separability Clause.* – If any provision or any part hereof is held
14 invalid or unconstitutional, the remainder of the Act or the provision not otherwise affected
15 shall remain valid and subsisting.

16 SECTION 6. *Repealing Clause.* – Any law, presidential decree or issuance,
17 executive order, letter of instruction, administrative order, rule, or regulation contrary to or
18 inconsistent with, the provisions of this Act is hereby repealed, modified, or amended
19 accordingly.

20 SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
21 publication in at least two (2) newspapers of general circulation.

Approved,