

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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Senate
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SENATE

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S.B. No. 303

Introduced by SENATOR CYNTHIA VILLAR

EXPLANATORY NOTE

Consumption of bottled water has extensively increased in recent years, with thousands of households currently consuming bottled drinking water as their source of drinking water. Consumers are paying premium prices for bottled water based on the assumption that it is safe and of superior quality compared to their tap water, the latter having been discerned as no longer potable.

Because of the demand for bottled water, we saw the proliferation of companies selling bottled water or refill stations selling "safe" potable water in various sizes of plastic containers. While these companies abound in our urban areas and even in a good number of our rural areas, it is alarming to note that to date the bottled water business is left unregulated and these companies have yet to subscribe to a set of standards mandated by the government. This is a cause of concern, as in the absence of a regulation, there is a possibility that the bottled water sold in the market could likewise be unsafe.


The attached bill seeks to establish quality standards for mineral and carbonated water. This bill is very much in line with the state policy that calls "to protect consumers from trade malpractices and from substandard or hazardous products" as enunciated under Section 9, Article 16 of our Philippine Constitution.

Considering the foregoing, I recommend the approval of this bill.

Cynthia Villar
CYNTHIA A. VILLAR

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SENATE

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S.B. No. 303

Introduced by Senator Cynthia A. Villar

**AN ACT
ESTABLISHING QUALITY STANDARDS FOR MINERAL WATER AND
CARBONATED WATER**

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

1 SECTION 1. *Short title-* This Act shall be known as the "Safe Bottled Water Act
2 of 2013."
3

4 SEC. 2. *Statement of Policy.* – It is the policy of the State to protect and promote
5 the health of the people. Towards this end, it shall ensure that potable, safe and
6 affordable drinking water is available to all the people by adopting a comprehensive
7 policy framework to regulate the activities of mineral, carbonated and other bottled
8 water businesses including suppliers, distributors and sellers thereof.
9

10 SEC. 3. *Quality Standards for Bottled Water.* –

11
12 (a) The interim or revised national primary drinking water regulations
13 concerning maximum contaminant levels promulgated by the Director of the Food and
14 Drugs Administration (FDA) shall be applicable to all kinds of bottled drinking water,
15 including mineral, spring, natural sparkling and vended water.
16

17 (b) Within twelve (12) months after the date of the effectivity of this Act, the
18 Secretary of the Department of Health (DOH) shall establish quality standards and
19 definitions for mineral water and carbonated water which shall include:
20

21 (1) Limits for total dissolved solids, sulfate, sodium and trihalomethane
22 content; and
23

24 (2) As determined by established health-based drinking water
25 standards.
26
27

1 SEC. 4. *Source Protection.* – Within twelve (12) months after the date of the
2 effectivity of this Act, the Director of the FDA shall:

- 3
- 4 (a) Identify safe sources of bottled water; and
- 5
- 6 (b) Establish criteria to determine the adequacy as well as the protection of
7 “approved sources” of bottled water including, but not limited to:
- 8
- 9 (1) Minimum construction standards for water wells;
- 10
- 11 (2) Minimum distance separation from upstream wastewater discharges; and
- 12
- 13 (3) Minimum distance separation from abandoned wells, septic tanks, waste
14 impoundment and landfills.
- 15
- 16

17 SEC. 5. *Monitoring, Reporting and Inspection.* – Within twelve (12) months after
18 the date of the effectivity of this Act, the Director of the FDA shall:

- 19
- 20 (a) Establish a bottled water monitoring program which, at a minimum, shall:
- 21
- 22 (1) Be as stringent as that used for public water supplies and which
23 provides for yearly testing and monitoring for unregulated contaminants for
24 which public water utilities must test; and
- 25
- 26 (2) Require that any analysis or testing be performed in an approved
27 and certified laboratory.
- 28
- 29 (b) Establish a bottled water reporting program that shall:
- 30
- 31 (1) Stipulate time tables and procedures for timely reporting;
- 32
- 33 (2) Provide public notification procedures should any bottled water be
34 found to be in excess of health-based standards;
- 35
- 36 (3) Establish a national registry of bottled water facilities and their most
37 current reporting information; and
- 38
- 39 (4) Require that records of sampling and analysis be maintained at the
40 plant for not less than two (2) years and shall be available for official
41 review upon request.
- 42
- 43 (c) Establish a bottled water facility inspection program which includes, at a
44 minimum, two (2) scheduled inspections a year and one (1) unscheduled inspection a
45 year.

1 SEC. 6. *Recall Regulations.* – Within six (6) months after the date of the
2 effectivity of this Act, the Director of the FDA shall:

3
4 (a) Establish procedures and public notification guidelines for recall of a
5 bottled water product which fall below any health-based standard; and

6
7 (b) Require each bottled water manufacturer to develop and submit individual
8 recall notification and recall procedures.
9

10 SEC. 7. *Prohibition of Dual Use of Bottled Water Equipment.* – Within twelve
11 (12) months after the date of the effectivity of this Act, the Director of the FDA shall
12 prohibit the processing and bottling of noncarbonated water with equipment used to
13 process milk, fruit juice or other food products likely to contribute nutrients for
14 microbiological growth.
15

16 SEC. 8. *Bottling, Packaging and Storage Study.* – The Director of the FDA shall
17 conduct a comprehensive study of contaminants and the extent to which they contribute
18 to the degradation of bottled water from the unique processing and storage of bottled
19 water. The Director shall pay particular attention to contamination problems which may
20 arise from the bottling, packaging or storage of bottled water products.
21

22 SEC. 9. *Labeling.* – Within six (6) months after the date of the enactment of this
23 Act, the Secretary of the DOH shall:

24
25 (a) Establish and enforce clear, concise, and uncoded uniform source labeling
26 requirements for all bottled water products which, at a minimum, includes:

- 27
28 (1) The original source of the water;
29 (2) Type of water;
30 (3) Type of treatment, if any;
31 (4) The date of bottling;
32 (5) The address of the bottler; and
33 (6) Provide numerical specification of sodium content.
34

35 (b) Define mineral water, spring water, naturally carbonated, naturally
36 sparkling, well water, natural well water, artesian water, natural artesian water, purified
37 water, distilled water, drinking water and all other variants of bottled water existing in the
38 market, and require that the definition for the appropriate product be placed on the
39 bottle.
40

41 SEC. 10. *Appropriations.* – The initial amount necessary to implement the
42 provisions of this Act shall be charged against the current year's appropriations of the
43 FDA under the DOH. Thereafter, such sums as may be necessary for the continued
44 implementation of this Act shall be included in the annual General Appropriations Act.
45

1 SEC. 11. *Implementing Rules and Regulations (IRR)*. – The DOH shall issue the
2 IRR for this Act within one hundred twenty (120) days from its effectivity.
3

4 SEC. 12. *Separability Clause*. – If any provision or part hereof is held invalid or
5 unconstitutional, the remainder of the law or the provision not otherwise affected shall
6 remain valid or subsisting.
7

8 SEC. 13. *Repealing Clause*. – Any law, presidential decree or issuance,
9 executive order, letter of instruction, administrative order, rule or regulation contrary to
10 or inconsistent with the provisions of this Act is hereby repealed, modified or amended
11 accordingly.
12

13 SEC. 14. *Effectivity Clause*. – This Act shall take effect fifteen (15) days after its
14 publication in at least two (2) newspapers of general circulation.
15

16
17 Approved,