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SENATE
S. No. 1336

RECEIVED BY: *jsi*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 15 provides:

The State shall protect and promote the right to health of the people and instill health consciousness among them.

Isocyanates are a family of low molecular weight and highly reactive chemicals. They are commonly used in the making of flexible and rigid foams, fibers, coatings such as paints and varnishes, and elastomers, and are now also used in the automobile industry, car body repair, and even building insulation materials. Spray-on polyurethane products containing isocyanates have been made for a range of commercial, retail, and industrial uses to protect cement, wood, fiberglass, steel and aluminum, including protective coatings for trailers, truck beds, boats, foundations, and decks.

Isocyanates are strong irritants to the mucous membranes of the gastrointestinal and respiratory tracts and eyes. Direct skin contact is also capable of causing marked inflammation. Isocyanates can also sensitize workers, making them subject to severe asthma attacks if they are exposed again. Death from severe asthma in some sensitized subjects has been reported.

Preventing exposure to isocyanates is an important step in eliminating the health hazard. Engineering controls such as closed systems and ventilation should be the principal method for minimizing isocyanate exposure in the workplace. Other controls, such as worker isolation and personal protective clothing and equipment may also be necessary. Early recognition of sensitization and prompt and strict elimination of exposures is essential to reduce the risk of long-term or permanent respiratory problems for workers who have become sensitized.

This bill seeks to address the health and safety concerns posed by isocyanates in the workplace.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
ax

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



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AN ACT

REGULATING THE USE OF ISOCYANATES IN THE WORKPLACE

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

SECTION 1. *Short Title.* – This Act shall be known as the “Isocyanate Regulatory Act.”

SECTION 2. *Definition of Terms.* – As used in this Act, the term:

(A) “Isocyanate” is one of a group of neutral derivatives of primary amines or any compound containing the isocyanato functional group; and

(B) “Secretary” means the Secretary of Labor and Employment.

SECTION 3. *Requirements for a Workplace Using Isocyanates.* – An employer must observe the following requirements if the employer uses isocyanates in the place of business–

(A) Obtain Material Safety Data Sheets (MSDSs) from the supplier to know exactly what type of isocyanates they are working with and what precautions to take;

(B) Obtain technical bulletins that may provide additional health and safety information;

(C) Use a system designed to generate a minimum amount of fluid mist. It is prohibited to use compressed air to blow clean parts covered with isocyanate as the air pressure causes the isocyanates to be airborne;

(D) Install complete enclosures or splash guards, depending on the operation, to keep the isocyanates contained and away from the operator;

1 (E) Use exhaust ventilation to prevent accumulation and recirculation of airborne
2 contaminants is hereby required;

3 (F) Workers must use a full-facepiece, supplied-air respirator and must wear personal
4 protective clothing such as hooded coveralls, chemical-resistant gloves, and footwear to prevent
5 dermal absorption during the spray application process; and

6 (G) Such other requirements prescribed by the Secretary of Labor and Employment.

7 SECTION 4. *Implementing Rules and Regulations.*— Within sixty (60) days from the
8 enactment of this Act, the Secretary shall promulgate the Implementing Rules and Regulations
9 for this Act, which shall include the following:

10 (A) Adoption of administrative controls in the form of good work practices;

11 (B) Guidelines for the mandatory use of personal protective equipment and clothing
12 where necessary; and

13 (C) Proper engineering controls to minimize the deleterious effects of isocyanates.

14 SECTION 5. *Penalties.* – The Secretary is empowered to establish and assess penalties or
15 fines against an employer for violations of this Act or regulations adopted under this Act. In no
16 circumstance will any penalties or fines exceed P10,000.00 for each day the permit holder
17 remains in violation.

18 SECTION 6. *Separability Clause.* – If any provision or part hereof is held invalid or
19 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
20 valid and subsisting.

21 SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive
22 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
23 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

1 SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
2 publication in at least two (2) newspapers of general circulation.

Approved,