

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



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SENATE
S. No. **1806**

RECEIVED BY *ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article XIII, Section 11 provides that the State shall give priority to the needs of children. Children have more sensitive needs and, therefore, face unique health threats that require special attention.

Public health and safety depends on citizens and local officials. They should know the toxic dangers that exist in their homes, communities, and neighborhoods. At present, we do not have sufficient data that would allow adequate quantification and evaluation of child-specific susceptibility and exposure to environmental pollutants. The absence of data precludes effective government regulation of environmental pollutants, and denies individuals the ability to exercise a right to know and make informed decisions to protect their families, especially the children.

This bill seeks to protect children against environment pollutants by requiring that information related to them be made readily available to the general public, in order to advance the public's right to know, and allow the public to avoid involuntary exposure of children to pollutants.*

ass. *Miriam Defensor Santiago*
MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed during the Thirteenth Congress, First Regular Session.



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AN ACT

PROVIDING CHILDREN PROTECTION AGAINST ENVIRONMENTAL POLLUTANTS

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 “Environmental Protection for Children Act.”

SECTION 2. *Declaration of Policy.* – It is the declared policy of the State to give priority to the needs of children. Taking into account this policy, the State hereby undertakes to identify and make known to the public environmental pollutants which are harmful to children.

SECTION 3. *Definition of Terms.* – For purposes of this Act, the term:

- (A) “Areas that are reasonably accessible to children” means homes, schools, day care centers, shopping malls, movie theaters, and parks;
- (B) “Children” means individuals who are eighteen (18) years of age or younger;
- (C) “Environmental pollutant” means a hazardous substance; and
- (D) “Secretary” refers to the Secretary of Health.

SECTION 4. *Safer Environment for Children.* – Not later than one (1) year after the effectivity of this Act, the Secretary shall:

- (A) Identify environmental pollutants commonly used or found in areas that are reasonably accessible to children;
- (B) Create a scientifically peer-reviewed list of substances identified under paragraph (A) with known, likely, or suspected health risks to children;

1 (C) Create a scientifically peer-reviewed list of safer-for-children substances and
2 products recommended by the Secretary for use in areas that are reasonably accessible to
3 children that, when applied as recommended by the manufacturer, will minimize potential risks
4 to children from exposure to environmental pollutants;

5 (D) Establish guidelines to help reduce and eliminate exposure of children to
6 environmental pollutants in areas reasonably accessible to children;

7 (E) Create a family right-to-know information kit that includes a summary of helpful
8 information and guidance to families, such as the information created under paragraph (C), the
9 guidelines established under paragraph (D), information on the potential health effects of
10 environmental pollutants, practical suggestions on how parents may reduce their children's
11 exposure to environmental pollutants, and other relevant information;

12 (F) Make all information created pursuant to this section available to the public; and

13 (G) Review and update the lists created under paragraphs (B) and (C) at least once
14 every year.

15 SECTION 5. *Research to Improve Information on Effects on Children.* - The Secretary
16 shall coordinate and support the development and implementation of basic and applied research
17 initiatives to examine the health effects and toxicity of pesticides and other environmental
18 pollutants on children.

19 SECTION 6. *Compliance in Public Areas that are Reasonably Accessible to Children.* -
20 Not later than one (1) year after the list created under Section (4)(C) is made available to the
21 public, the Secretary shall prohibit the use of any product that has been excluded from the safer-
22 for-children list.

23 SECTION 7. *Evaluation of Current Public Health and Environmental Standards.* - As
24 part of any risk assessment, risk characterization, environmental or public health standard or
25 regulation, or general regulatory decision carried out by the Department of Health, the Secretary
26 shall evaluate and consider the environmental health risks to children.

1 SECTION 8. *Implementation.* – In carrying out Section 6, not later than one (1) year after
2 the date of effectivity of this Act, the Secretary shall:

3 (A) Develop an administrative strategy and an administrative process for reviewing
4 standards;

5 (B) Publish a list of standards that may need revision to ensure the protection of
6 children;

7 (C) Prioritize the list according to the standards that are most important for expedited
8 review to protect children; and

9 (D) Identify which standards on the list will require additional research in order to be
10 evaluated and outline the time and resources required to carry out the research.

11 SECTION 9. *Appropriation.* – To carry out the provisions of this Act, such sum as may
12 be necessary is hereby authorized to be appropriated from the National Treasury. Thereafter, the
13 sum necessary for the continuous operation of the program shall be included in the annual
14 appropriation of the Department of Health.

15 SECTION 10. *Separability Clause.* – If any provision or part hereof is held invalid or
16 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
17 valid and subsisting.

18 SECTION 11. *Repealing Clause.* – Any law, presidential decree or issuance, executive
19 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
20 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

21 SECTION 12. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
22 publication in at least two (2) newspapers of general circulation.

Approved,