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SENATE
S. No. 1888

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.

Prenatal exposure to alcohol can cause a range of disorders, known as fetal alcohol spectrum disorders (FASDs). One of the most severe effects of drinking during pregnancy is fetal alcohol syndrome (FAS). FAS is one of the leading known preventable causes of mental retardation and birth defects. If a woman drinks alcohol during her pregnancy, her baby can be born with FAS, a lifelong condition that causes physical and mental disabilities. FAS is characterized by abnormal facial features, growth deficiencies, and central nervous system (CNS) problems. People with FAS might have problems with learning, memory, attention span, communication, vision, hearing, or a combination of these. These problems often lead to difficulties in school and problems getting along with others.

FAS is a permanent condition. It affects every aspect of an individual's life and the lives of his or her family. Fetal alcohol spectrum disorders (FASDs) is an umbrella term describing the range of effects that can occur in an individual whose mother drank alcohol during pregnancy. These effects include physical, mental, behavioral, and/or learning disabilities with possible lifelong implications.

In February 2005, the US Surgeon General issued an Advisory on Alcohol Use in Pregnancy to raise public awareness about this important health concern. To reduce prenatal alcohol exposure, prevention efforts should target not only pregnant women who are currently drinking, but also women who could become pregnant, are drinking at high-risk levels, and are

having unprotected sex. This bill aims to increase awareness of Fetal Alcohol Syndrome and lessen its incidence.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 TO PREVENT FETAL ALCOHOL SPECTRUM DISORDERS

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

3 SECTION 1. *Short Title.* - This Act shall be known as the "Fetal Alcohol Syndrome
4 Warning Act."

5 SECTION 2. *Definition of Terms.* - As used in this Act, the term -

6 (A) "Fetal Alcohol Syndrome" or FAS is a disorder of permanent birth defects that
7 occurs in the offspring of women who drink alcohol during pregnancy. The main effect of FAS
8 is permanent central nervous system damage, especially damage in the brain. Developing brain
9 cells and structures are underdeveloped or malformed by prenatal alcohol exposure, often
10 creating an array of primary cognitive and functional disabilities (including poor memory,
11 attention deficits, impulsive behavior, and poor cause-effect reasoning) as well as secondary
12 disabilities;

13 (B) "Alcoholic beverage" is any drink containing ethanol, commonly known as
14 alcohol, which is a psychoactive drug, with a depressant effect; and

15 (C) "Department" means the Department of Health.

16 SECTION 3. *Packaging Requirement.* - Any person who offers any alcoholic beverage
17 for sale shall include a clear, conspicuous, and easily readable label on the packaging of the
18 beverage and a warning in the business establishment stating:

1 “WARNING: Consumption of alcohol, spirits, wine, or beer shortly before
2 conception or during pregnancy can cause birth defects, including fetal alcohol
3 syndrome and alcohol-related neurological disorders.”

4 SECTION 4. *Penalties.* - The Department is empowered to establish and assess penalties
5 or fines against an employer for violations of this Act or regulations adopted under this Act. In
6 no circumstance shall any penalties or fines exceed Ten Thousand Pesos (P10,000.00) for each
7 day the permit holder remains in violation.

8 SECTION 5. *Separability Clause.* - If any provision or part thereof is held invalid or
9 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
10 valid and subsisting.

11 SECTION 6. *Repealing Clause.* - Any law, presidential decree or issuance, executive
12 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
13 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

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

Approved,