

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



'16 FEB -1 P3:10

SENATE
S. No. 3188

RECEIVED BY: *J*

Introduced by Senator Miriam Defensor Santiago

AN ACT
STOPPING THE HAZARDOUS EFFECTS OF LEAD CONTAMINATION
OF WATER SUPPLIES IN DRINKING WATER COOLERS

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.

Lead poisoning happens when lead accumulates in the body, often over a period of months or years. Even small amounts of lead can cause serious health problems. Children under the age of six are more vulnerable to lead poisoning, which can severely affect mental and physical development. At very high levels, lead poisoning can be fatal.

Lead-based paint and lead-contaminated dust in older buildings are the most common sources of lead poisoning in children. Other sources of lead poisoning include contaminated air, water, soil, and some toys and cosmetics.

Lead is a neurotoxin. It is much more dangerous for children than adults because it affects kids' developing brains and nervous systems. The younger the child, the more harm lead can cause. Very high levels may cause vomiting, stumbling, muscle weakness, seizures or coma. Abdominal pains and cramping is often the sign of a high and toxic dose of lead. Low levels are also known to cause subtle changes in brain functions. One

common source of lead is the lining of water coolers that contaminate drinking water.

This bill seeks to address that problem by regulating this industry.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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¹ This bill was originally filed during the Fourteenth Congress, Third Regular Session.

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Lead Contamination
2 Control Act.”

3 SECTION 2. *Regulation of Water Coolers.* – The following standards shall be
4 implemented in the regulation of water coolers that may be found to contain lead:

5 (A) The Department of Health (DOH) is required, after notice and opportunity for
6 public comment and within one year from enactment, to publish, using the best
7 information available to it, a list identifying each brand and model of drinking water
8 cooler which is not lead-free as well as each brand and model of drinking water cooler
9 which has a lead-lined tank;

10 (B) The sale or the manufacture for sale of any drinking water cooler which is
11 listed under this section or any other cooler which is not lead-free, including a lead-lined
12 water cooler is prohibited;

13 (C) Within one year after enactment, the DOH is required to publish and distribute
14 to the local government units a guidance document and testing protocol to assist schools
15 in determining the source and degree of lead contamination in school drinking water
16 supplies and in remedying such contamination. The guidance document must contain:

1 (1) guidelines for sample preservation;

2 (2) guidance to assist LGUs, schools, and the public in ascertaining the levels
3 of lead contamination in drinking water coolers and in taking appropriate
4 action to reduce or eliminate such contamination; and

5 (3) a testing protocol for the identification of drinking water coolers which
6 contribute to lead contamination in drinking water.

7 (D) The DOH is required to establish a program to assist local education agencies
8 in testing for, and remedying, lead contamination in drinking water from coolers and
9 from other sources of lead contamination at schools. The program would have to include
10 measures for reduction or elimination of lead contamination from all listed water coolers
11 containing lead-lined tanks located in schools by ensuring that they are repaired,
12 permanently removed, or replaced within 15 months after enactment (except where the
13 cooler is tested and found not to contribute any lead to drinking water).

14 **SECTION 3. *Lead Poisoning Prevention Program.*** – The DOH shall –

15 (A) screen infants and children for elevated blood levels;

16 (B) assure referral for treatment of infants and children with elevated blood lead
17 levels, and

18 (C) provide education about childhood lead poisoning.

19 **SECTION 4. *Separability Clause.*** – If any provision of this Act is held invalid or
20 unconstitutional, the same shall not affect the validity and effectivity of the other
21 provisions hereof.

22 **SECTION 5. *Repealing Clause.*** – All laws, decrees, orders, and issuances, or
23 portions thereof, which are inconsistent with the provisions of this Act, are hereby
24 repealed, amended or modified accordingly.

- 1 SECTION 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
- 2 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/ml4Dec2015