

SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
FIRST REGULAR SESSION )



Senate  
Office of the Secretary

'16 AUG 25 A11 :17

SENATE

Senate Bill No. 1076

RECEIVED

BY: 

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Introduced by SENATOR JOSEPH VICTOR G. EJERCITO

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AN ACT  
ESTABLISHING QUALITY STANDARDS FOR MINERAL, CARBONATED  
AND OTHER BOTTLED WATER

EXPLANATORY NOTE

As enunciated in the 1987 Philippine Constitution, the State has 'the utmost duty to protect and promote the right to health of the people and instill health consciousness among them.

Drinking clean water is a fundamental aspect of sound health. For this reason, consumers choose to buy bottled water thinking that is much safer than tap water.

A number of bottled water brands exist in the market to supply the needs of consumers. However, there are no existing regulations that specifically monitor bottled water production and packaging.

This bill seeks to set the quality standards for mineral, carbonated and bottled water with the end view of ensuring that bottled water is entirely safe for consumption.

With the passage of this bill, consumers of bottled water will be protected from contaminants that could have adverse effects on their health.

Hence, immediate passage of the bill is earnestly sought.



JOSEPH VICTOR G. EJERCITO



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PREPARED BY: *J.*

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AN ACT  
ESTABLISHING QUALITY STANDARDS FOR MINERAL, CARBONATED  
AND OTHER BOTTLED 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 of  
2 2016".

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

9 SECTION 3. Quality Standards for Bottled Water. -

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

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

17 (1) Limits for total dissolved solids, sulfate, sodium and trihalomethane  
18 content; and

1 (2) As determined by established health-based drinking water standards.

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

4 (a) Identify safe sources of bottled water; and

5 (b) Establish criteria to determine the adequacy as well as the protection of  
6 "approved sources" of bottled water including, but not limited to:

7 (1) Minimum construction standards for water wells;

8 (2) Minimum distance separation from upstream wastewater discharges; and

9 (3) Minimum distance separation from abandoned wells, septic tanks, waste  
10 impoundment and landfills.

11 **SECTION 5. Monitoring, Reporting and Inspection.** -- Within twelve (12) months  
12 after the date of the effectivity of this Act, the Director of the FDA shall:

13 (a) Establish a bottled water monitoring program which, at a minimum, shall: (1) Be  
14 as stringent as that used for public water supplies and which provides for yearly  
15 testing and monitoring for unregulated contaminants for which public water utilities  
16 must test; and (2) Require that any analysis or testing be performed in an approved  
17 and certified laboratory.

18 (b) Establish a bottled-water reporting program that shall:

19 (1) Stipulate time-tables and procedures for timely reporting;

20 (2) Provide public notification procedures should any bottled water be found to  
21 be in excess of health-based standards; (

22 3) Establish a national registry of bottled water facilities and their most current  
23 reporting information; and

24 (4) Require that records of sampling and analysis be maintained at the plant for  
25 not less than two (2) years and shall be available for official review upon request.

26 (c) Establish a bottled water facility inspection program which includes, at a  
27 minimum, two (2) scheduled inspections a year and one (1) unscheduled inspection  
28 a year.

29 **SECTION 6. Recall Regulations.** - Within six (6) months after the date of the  
30 effectivity of this Act, the Director of the FDA shall:

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

3 (b) Require each bottled water manufacturer to develop and submit individual recall  
4 notification and recall procedures.

5 **SECTION 7. Prohibition of Dual Use of Bottled Water Equipment.** - Within twelve  
6 (12) months after the date of the effectivity of this Act, the Director of the FDA shall  
7 prohibit the processing and bottling of noncarbonated water with equipment used to  
8 process milk, fruit juice or other food products likely to contribute nutrients for  
9 microbiological growth.

10 **SECTION 8. Bottling, Packaging and Storage Study.** - The Director I of the FDA  
11 shall conduct a comprehensive study of contaminants and the extent to which they  
12 contribute to the degradation of bottled water from the unique processing and  
13 storage of bottled water. The Director shall pay particular attention to contamination  
14 problems, which may arise from the bottling, packaging or storage of bottled water  
15 products.

16 **SECTION 9. Labeling.** - Within six (6) months after the date of the enactment of this  
17 Act, the Secretary of the DOH shall:

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

20 (1) The original source of the water;

21 (2) Type of water;

22 (3) Type of treatment, if any;

23 (4) The date of bottling;

24 (5) The address of the bottler; and

25 (6) Provide numerical specification of sodium content.

26 (b) Define mineral water, spring water, naturally carbonated, naturally sparkling,  
27 well water, natural well water, artesian water, natural artesian water, purified water,  
28 distilled water, drinking water and all other variants of bottled water existing in the  
29 market, and require that the definition for the appropriate product be placed on the  
30 bottle.

31 **SECTION 10. Appropriations.** - The initial amount necessary to implement the  
32 provisions of this Act shall be charged against the current year's appropriations of  
33 the FDA under the DOH. Thereafter, such sums as may be necessary for the

1 continued implementation of this Act shall be included in the annual General  
2 Appropriations Act.

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

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

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

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

14 *Approved,*