

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

'18 MAY 31 P3:15

SENATE
S.B. NO. 1844

RECEIVED

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT
PROHIBITING THE USE OF BPA IN BABY FOOD PACKAGING AND
CONTAINERS, PROVIDING FOR ITS REPLACEMENT WITH THE LEAST
TOXIC ALTERNATIVE

EXPLANATORY NOTE

Article II, Section 15 of the 1987 Philippine Constitution provides:

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

Bisphenol A (BPA) is a chemical primarily used in the production of polycarbonate plastic products and epoxy resin food can liners. BPA is used to harden plastics, prevent cans from rusting and keeping food safe from bacteria. Beverage bottles, food packaging materials and metal can-coated products including water and infant bottles are among the many food and liquid containers applied with BPA.

Possible harmful effects of BPA on humans, particularly on infants and children may include endocrine disruption, heart disease, fetal brain development, among others.

The proposed bill seeks to protect infants and children by regulating the use of BPA in baby food products.


MARIA LOURDES NANCY S. BINAY
Senator

SENATE
S.B. NO. 1844

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT
PROHIBITING THE USE OF BPA IN BABY FOOD PACKAGING AND
CONTAINERS, PROVIDING FOR ITS REPLACEMENT WITH THE LEAST
TOXIC ALTERNATIVE

*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 "BPA in Baby
2 Products Prohibition Act."

3
4 Sec. 2. *Declaration of Policy.* – It is the policy of the State to protect and
5 promote the right to health of the people and instill health consciousness among
6 them.

7 It is also the policy of the State to promote and protect the physical,
8 moral, spiritual, intellectual and social well-being of the youth recognizing their
9 vital role in nation-building

10
11 Sec. 3. *Definitions.* – As used in this Act, the term:

12 (1) "Baby food" means a prepared solid food consisting of a soft
13 paste or an easily chewed food that is intended for consumption
14 by children two (2) years of age or younger and that is
15 commercially available.

16 (2) "BPA" or Bisphenol A means a chemical compound having a
17 chemical formula of $C_{15}H_{16}O_2$ and a CAS RN (Chemical Abstract
18 Service Registry Number) of 80-05-7.

19 (3) "Infant formula" means a milk-based or soy-based powder,
20 concentrated liquid, or ready-to-feed substitute for human breast

1 milk that is intended for infant consumption and that is
2 commercially available.

3 (4) "Reusable baby food or beverage container" means a receptacle
4 for storing baby food or beverages, including baby bottles and
5 spill-proof cups.

6
7 Sec. 4. *Ban of the Use of BPA.* – Within thirty (30) days from the approval
8 of this Act, no person or entity shall manufacture, sell, or distribute in commerce
9 any reusable baby food or beverage container or any infant formula or baby food
10 stored in a plastic container, can, or jar containing BPA.

11
12 Sec. 5. *Use of the Least Toxic Alternative.* – Manufacturers shall use the
13 least toxic alternative when replacing BPA in accordance with this Act.
14 Manufacturers shall not replace BPA with substances that are known carcinogens,
15 those that have carcinogenic potentials, likely carcinogens, known to be human
16 carcinogens, likely to be human carcinogens, or suggestive of being carcinogens,
17 and those with reproductive toxicants that the Department of Health (DOH) has
18 identified as causing birth defects, reproductive harm, or developmental harm.

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

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

28
29 Sec. 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
30 after its publication in at least two (2) newspapers of general circulation.

Approved,