

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

'19 JAN 15 P 6 :22

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SENATE
S.B. NO. 2151

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT
REGULATING THE QUALITY STANDARDS OF BOTTLED WATER

EXPLANATORY NOTE

Article XVI, Section 9 of the 1987 Philippine Constitution provides:

“The State shall protect consumers from trade malpractices and from substandard or hazardous products.”

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.”

Water is essential to our everyday lives. Bottled water consumption has remarkably increased in recent years. Water can come from a variety of sources including springs, aquifers, or municipal supplies. However, there is a need to regulate the standards of bottled water sold in the country.

The proposed bill seeks to establish and regulate quality standards for bottled water in order to protect and promote the health of consumers by ensuring that it is fit for consumption.

In view of the foregoing, the passage of this measure is earnestly sought.



MARIA LOURDES NANCY S. BINAY
Senator

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**AN ACT
REGULATING THE QUALITY STANDARDS OF 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
2 Water Act.”

3

4 Sec. 2. *Definition of Terms.* – For the purposes of this Act:

5 (A) “Director” – means the Director of the Bureau of Food and
6 Drugs; and

7 (B) “Secretary” – means the Secretary of the Department of
8 Health.

9

10 Sec. 3. *National Primary Drinking Water Regulations for Bottled Water.* –

11 (A) (1) When the Director promulgates interim or revised national
12 primary drinking water regulations concerning maximum
13 contaminants levels, such regulations shall be applicable to all
14 bottled drinking waters, including mineral spring, natural
15 sparkling water and vended water.

16 (2) Not later than twelve (12) months after the date of
17 enactment of this section, the Secretary shall establish quality
18 standards and definitions for mineral water and carbonated
19 water which include –

1 (a) limits for total dissolved solids, sulfate, sodium and
2 trihalomethane content; and

3 (b) the Secretary shall insure that standards for mineral
4 water and carbonated beverages meet all
5 established health-based drinking water standards.

6 (B) *Source Protection.* – Not later than twelve (12) months after
7 the date of enactment of this section, the Director shall –

8 (a) define ‘approved sources’ of bottled water;

9 (b) establish criteria to determine the adequacy as well
10 as the protection of ‘approved sources’ of bottled
11 water including but not limited to –

12 (1) minimum well construction standards;

13 (2) minimum distance separation from
14 upstream wastewater discharges; and

15 (3) minimum distance separations from
16 abandoned wells, septic tanks, waste
17 impoundment and landfills.

18 (C) *Monitoring, Reporting and Inspection.* – Not later than twelve
19 (12) months after the date of enactment of this Act, the
20 Director shall –

21 (a) establish a bottled water monitoring program which
22 at a minimum –

23 (1) is as stringent as that used for public
24 water supplies and provides for yearly
25 testing and monitoring for unregulated
26 contaminants for which public water
27 utilities must test; and

28 (2) requires that any analyses or testing be
29 performed in an approved certified
30 laboratory.

1 (b) establish a bottled water reporting program that
2 includes –

3 (1) time tables and procedures for timely
4 reporting;

5 (2) provide public notification procedures
6 should a bottled water be found to be
7 exceeding the health based standards;

8 (3) establish a nation registry of bottled water
9 facilities and their most current reporting
10 information; and

11 (4) require that records of sampling and
12 analysis be maintained at the plant for not
13 less than two (2) years and shall be
14 available for official review upon request,

15 (c) establish a bottled water facility inspection program
16 which includes at a minimum two (2) scheduled
17 inspections a year and one (1) unscheduled
18 inspection a year.

19 (D) *Recall Regulations.* – Not later than six (6) months after the
20 date of enactment of this Act, the Director shall –

21 (a) establish procedures and public notification
22 guidelines for recall of a bottled water product if
23 found to exceed any health based standards;

24 (b) require each bottled water to develop and submit
25 individual recall notification and recall procedures.

26 (E) *Prohibition of Dual Use of Bottled Water Equipment.* – Not
27 later than twelve (12) months after date of enactment of this
28 Act, the Director shall prohibit the processing and bottling of
29 non-carbonated water with equipment used to process milk,

1 fruit juice or other food products likely to contribute nutrients
2 for microbiological growth.

3 (F) *Bottling, Packaging and Storage Study.* – The Director shall
4 conduct a comprehensive study of contaminants and the
5 extent to which they contribute to the degradation of bottled
6 water from the unique processing and storage of bottled
7 water. The Director shall pay particular attention to
8 contamination problems which may arise from the bottling,
9 packaging or storage of bottled water products.

10
11 Sec. 4. *Labeling.* – Not later than six (6) months after the date of
12 enactment of this Act, the Secretary shall –

13 (A) establish and enforce clear, concise, and un-coded uniform
14 source labeling requirements for all bottled water products
15 which at a minimum includes –

16 (a) the original source of the water;

17 (b) type of water;

18 (c) type of treatment, if any;

19 (d) the date of bottling;

20 (e) the address of the bottler; and

21 (f) provide numerical specification of sodium content.

22 (B) define mineral water, spring water, naturally carbonated,
23 natural sparkling, well water, natural well water, artesian
24 water, natural artesian water, purified water, distilled water,
25 drinking water, and require that the definition for the
26 appropriate product be placed on the bottle.

27
28 Sec. 5. *Authorization of Funding.* – There are hereby authorized to be
29 appropriated to the Department of Health and Bureau of Food and Drugs, such
30 sums as may be necessary to carry out the purposes of this Act.

1

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

5

6 Sec. 7. *Repealing Clause.* – Any law, presidential decree or issuance,
7 executive order, letter of instruction, administrative order, rules or regulations
8 contrary to or inconsistent with the provision of this Act is hereby repealed
9 modified or amended accordingly.

10

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

Approved,