


'19 JUL 16 A11 :49

SENATE

Senate Bill No. 543 RECEIVED BY: 

Introduced by Senator Juan Miguel F. Zubiri

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

EXPLANATORY NOTE

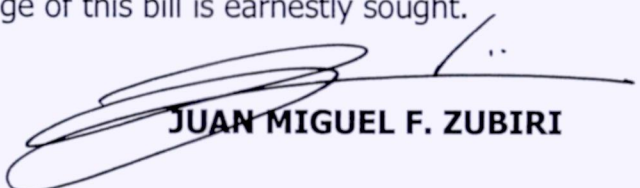
Ensuring that every Filipino has access to clean, safe and affordable drinking water is important in securing the safety and wellness of the population. Data from Water.org, a non-profit aid organization whose goal is to help regions of developing countries without access to safe drinking water and sanitation, reveals that nine million out of 101 million Filipinos still rely on an unimproved, unsafe and unsustainable water sources.

Unsafe water supply exposes individuals to the risk of suffering from waterborne diseases such as acute bloody diarrhea, cholera and other conditions brought by intake or use of water contaminated by microorganisms and other toxins. From January to December 2018, 17,906 cases of acute bloody diarrhea, 13 cases of confirmed cholera, 750 cases of rotavirus and 22, 234 cases of typhoid fever had been recorded. These waterborne illnesses can easily be avoided by improving the safety of the source of household drinking water.¹

In the country, bottled water or water from refilling stations is the most common source of drinking water, with around 44% of Filipino households relying on this source.² With a huge number of Filipino households relying on bottled water as a primary supply, there is a need to ensure the safety, cleanliness and quality standards of these products in order to protect the health and wellbeing of all of its consumers.

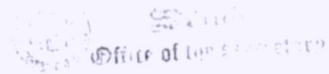
This bill seeks to provide a framework that will regulate the quality standards for bottled waters ensuring that all bottled water available in the market are safe and fit for public consumption.

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


JUAN MIGUEL F. ZUBIRI

¹ https://www.doh.gov.ph/sites/default/files/statistics/2018_Monthly_FWBD_Report_N12.pdf

² <https://newsinfo.inquirer.net/1053459/did-you-know-44-of-filipinos-prefer-to-drink-bottled-water>



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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*
2 *Act of 2019.*”

3 **SEC. 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 and
5 affordable drinking water is available to all the people by adopting a comprehensive policy
6 framework to regulate the activities of mineral, carbonated and other bottled water
7 businesses including suppliers, distributors and sellers thereof.

8 **SEC. 3. Quality Standards for Bottled Water.** –

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

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

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

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

19 **SEC. 4. Source Protection.** – Within twelve (12) months after the date of the
20 effectivity of this Act, the FDA shall:

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

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

3 (1) Minimum construction standards for water wells;

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

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

8 **SEC. 5. *Monitoring, Reporting and Inspection.*** – Within twelve (12) months
9 after the date of the effectivity of this Act, the FDA shall:

10 (a) Establish a bottled water monitoring program which, at a minimum, shall:

11 (1) Be as stringent as that used for public water supplies and which provides
12 for yearly testing and monitoring for unregulated contaminants for which
13 public water utilities must test; and

14 (2) Require that any analysis or testing be performed in an approved and
15 certified laboratory.

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

17 (1) Stipulate timetables and procedures for timely reporting;

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

20 (3) Establish a national registry of bottled water facilities and their most
21 current reporting information; and

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

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

28 **SEC. 6. *Recall Regulations.*** – Within six (6) months after the date of the
29 effectivity of this Act, the FDA shall:

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

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

34 **SEC. 7. *Prohibition of Dual Use of Bottled Water Equipment.*** – Within
35 twelve (12) months after the date of the effectivity of this Act, the FDA shall prohibit the

1 processing and bottling of noncarbonated water with equipment used to process milk,
2 fruit juice or other food products likely to contribute nutrients for microbiological growth.

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

8 **SEC. 9. *Labeling.*** – Within six (6) months after the date of the enactment of this
9 Act, the DOH shall:

10 (a) Establish and enforce clear, concise, and encoded uniform source labeling
11 requirements for all bottled water products which, at a minimum includes:

12 (1) The original source of the water;

13 (2) Type of water;

14 (3) Type of treatment, if any;

15 (4) The date of bottling;

16 (5) The address of the bottler; and

17 (6) Provide numerical specification of sodium content.

18 (b) Define mineral water, spring water, naturally carbonated, naturally sparkling,
19 well water, natural well water, artesian water, natural artesian water, purified
20 water, distilled water, drinking water and all other variants of bottled water
21 existing in the market, and require that the definition for the appropriate
22 product be placed on the bottle.

23 **SEC. 10. *Appropriations.*** – The initial amount necessary to implement the
24 provisions of this Act shall be charged against the current year's appropriations of the
25 FDA under the DOH. Thereafter, such sums as may be necessary for the continued
26 implementation of this Act shall be included in the annual General Appropriations Act.

27 **SEC. 11. *Implementing Rules and Regulations (IRR).*** – The DOH shall issue
28 the IRR for this Act within one hundred twenty (120) days from its effectivity.

29 **SEC. 12. *Separability Clause.*** – If any provision or part hereof is held invalid or
30 unconstitutional, the remainder of the law or the provision not otherwise affected shall
31 remain valid or subsisting.

32 **SEC. 13. *Repealing Clause.*** – Any law, presidential decree or issuance,
33 executive order, letter of instruction, administrative order, rule or regulation contrary to
34 or inconsistent with the provisions of this Act is hereby repealed modified or amended
35 accordingly.

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

3

4 *Approved,*