


FOURTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

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SENATE  
P.S.R. No. 98

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION  
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID  
OF LEGISLATION, ON THE PROLIFERATION OF DANGEROUS AND SUBSTANDARD  
CHINA-MADE PRODUCTS IN THE PHILIPPINE MARKET

WHEREAS, the Constitution, Article 13, Section 12 provides: "The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health, manpower development, and research, responsive to the country's health needs and problems";

WHEREAS, Republic Act No. 7394, or the Consumer Act of the Philippines, Article 2, provides: "It is the policy of the State to protect the interests of the consumer, promote his general welfare and to establish standards of conduct for business and industry. Towards this end, the State shall implement measures to achieve the following objectives: (a) protection against hazards to health and safety x x x";

WHEREAS, R.A. No. 7394, Article 5, also provides: "It shall be the duty of the State:

(a) to develop and provide safety and quality standards for consumer products, including performance or use-oriented standards, code of practice and methods of tests;

(b) to assist the consumer in evaluating the quality, including safety, performance and comparative utility of consumer products;

(c) to protect the public against unreasonable risks of injury associated with consumer products;

(d) to undertake research on quality improvement of products and investigation into causes and prevention of product-related deaths, illness and injuries;

(e) to assure the public of the consistency of standardized products;"

WHEREAS, R.A. No. 7394, Article 15 (a), further provides: "Imported Products. - (a) Any consumer product offered for importation into the customs of the Philippine territory shall be refused admission if such product:

(1) fails to comply with an applicable consumer product quality and safety standard or rule;

(2) is or has been determined to be injurious, unsafe and dangerous;

(3) is substandard; or

(4) has material defect";

WHEREAS, in July 2007, the Bureau of Food and Drugs (BFAD) issued orders for four Chinese food products – White Rabbit Creamy Candy, manufactured by Shanghai Guan Sheng Yan Food General Factory; Milk Candy by Romanticfish Food Industry Company Incorporated, Fujian; Bairong Grape Biscuits by Dongguan Bairong Foodstuff Company Limited; and Yong Kang Foods Grape Biscuits by Dongguan Yongkang Food Company Limited – to be pulled out from the market because these products contain unusually high levels of formaldehyde; formaldehyde is a preservative and embalming chemical that has been linked to cancer in humans;

WHEREAS, this month, Mattel, the world's biggest toy company, recalled 18 million Chinese-made products worldwide, citing serious concerns for children's safety, because of the presence of lead in paint coating some toys and easily-dislodged magnets in other toys;

WHEREAS, exposure to lead causes kidney, muscle and nerve damage, learning disabilities, mental retardation, and behavioral problems in children; on the other hand, the dislodged magnets in Mattel toys have caused some children to suffer perforated intestines after being swallowed;

WHEREAS, the Mattel recall involves toys and figures manufactured between 19 April 2007 and 6 July 2007, that were sold alone or as parts of sets in retail stores from May to August 2007; the popular Barbie dolls, Batman action figures, and Polly Pocket play sets were among the toys pulled out of shop shelves;

WHEREAS, Mattel subsidiary Fisher-Price has also recalled nearly one million China-made toys, including Sesame Street characters, that were coated with lead-based paint;

WHEREAS, the Mattel recall follows recent controversies over dangerous and substandard consumer products made in China, including unsafe tires, poisonous pet food, toxic toothpaste, and food exports laced with dangerously high levels of antibiotics;

WHEREAS, according to news reports, the BFAD has been conducting tests on at least 861 China-made products which are suspected of being contaminated with formaldehyde and other toxic chemicals; unfortunately, these products to be tested do not include unregistered ones;

WHEREAS, the toxicity of food products or cosmetics could cause chronic or acute poisoning depending on the quantity of the tainted product ingested by a person;

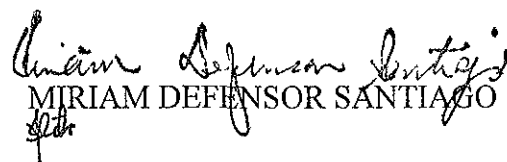
WHEREAS, BFAD is coordinating with the Bureau of Customs to prevent the entry of contaminated products into the country;

WHEREAS, BFAD must conduct widespread testing of products made from China, registered and unregistered, to determine whether they conform to product and safety standards;

WHEREAS, Chinese products found to be dangerous and substandard must be banned from the country; and importers, government officials, and retailers found to be violating applicable laws must be prosecuted and punished;

WHEREFORE, be it hereby resolved by the Philippine Senate, to conduct an inquiry on the proliferation of dangerous and substandard China-made products in the Philippine market.

Adopted,

  
MIRIAM DEFENSOR SANTIAGO

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