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SENATE
S. No. 1968

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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Sewage sludge is an end product of the wastewater treatment process. This material can be a wonderful source of nutrients for the soil. Using this material as a fertilizer can benefit the environment by turning wastes into valuable resources. These sludges would otherwise have to be disposed of by landfilling, lagooning, incineration, or ocean dumping. On the other hand, heavy metals sometimes found in sewage sludge may present environmental problems...Concerns about applying sludge to land include the potential for applying too much or too little of each nutrient; the presence of toxic constituents; and the possible detrimental effects on water quality from leaching, erosion, or runoff losses.*

In addition to the environmental problems they pose, the United States Environmental Protection Agency (EPA) has said that sewage sludge has constituents which "...may include volatiles, organic solids, nutrients, disease-causing pathogenic organisms (bacteria, viruses, etc.), heavy metals and inorganic ions, and toxic organic chemicals from industrial wastes, household chemicals and pesticides."

Hence, although sewage sludge -- after it is treated properly wastewater treatment plants -- can be useful and potent fertilizer, it is still important for food produced using fertilizer from such sewage sludge to be labeled accordingly for the information of consumers. This bill seeks to accomplish that.

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* <http://www.aces.edu/crd/publications/ANR-721.html>

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AN ACT
1 REQUIRING THE PROPER LABELING OF FOOD PRODUCED FROM THE USE OF
2 FERTILIZER MADE FROM RECYCLED SEWAGE SLUDGE

3 *Be it enacted by the Senate and the House of Representatives of the Philippines in*
4 *Congress assembled:*

5 SECTION 1. *Short Title.* – This Act shall be known as “Use of Sewage Sludge Fertilizer
6 in Food Awareness Act of 2007.”

7 SECTION 2. *Declaration of Policy.* – It is the policy of the State to promote the general
8 welfare of the people. Pursuant to this policy, this Act seek to require the proper labeling of food
9 produced from the use of fertilizer made from recycled sewage sludge.

10 SECTION 3. *Labeling Required for Food Produced with Fertilizer Derived from Sewage*
11 *Sludge.* – No food shall be offered or exposed for sale without being so labeled if such food was
12 produced from the use of fertilizer made from recycled sewage sludge.

13 The provisions of this section shall apply to all plant foods produced from such
14 fertilizer and all animal foods or products, including but not limited to meat and dairy products,
15 derived from animals to which any feed product derived from such fertilizer has been fed

16 SECTION 4. *Procedure in Cases of Violation.* – Whenever there shall be a violation of
17 this Act, an application may be made by the Secretary of the Department of Health or his
18 authorized agent, to the court having jurisdiction by a special proceeding to issue an injunction,
19 and upon notice to the respondent of not less than five (5) days, to enjoin and restrain the
20 continuance of such violations; and if it shall appear to the satisfaction of the court that the
21 respondent has, in fact, violated this Act, an injunction may be issued by such court or

1 justice, enjoining and restraining any further violation, without requiring proof that any
2 person has, in fact, been injured or damaged thereby.

3 SECTION 5. *Penalties.* – Whenever the court shall determine that a violation of this Act
4 has occurred, the court may impose a fine of Two Thousand Pesos (P2,000.00) for each day that
5 such violation occurs, but in no event shall the total penalty exceed Ten Thousand Pesos
6 (P10,000.00). In connection with any such application, the Secretary is authorized to take proof
7 and make a determination of the relevant facts and to issue subpoenas in accordance with the
8 Rules of Court.

9 SECTION 6. *Separability Clause.* – If any provision or part hereof, is held invalid or
10 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
11 valid and subsisting.

12 SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive
13 order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent
14 with, the provisions of this Act is hereby repealed, modified or amended accordingly.

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

17 Approved,

/rgs