

HOUSE OF REPRESENTATIVES

House Bill No. 1462

INTRODUCED BY HON. CYNTHIA A. VILLAR

EXPLANATORY NOTE

Most of our consumer products today are packaged in the so-called "disposable" format. Because of the fast pace of modern living, consumers have been conditioned to equate convenience with simply throwing away the remains of most commodities that they consume or utilize.

To tap this harried consumer market, manufacturers have specialized in packaging products that uses lightweight materials such as plates, cups, saucers, etc. in the fastfood business and such things as aerosol sprays, atomizers and a range of other applications in the cosmetic and pharmaceutical product trade.

Leading researchers have now established that what these products save us in terms of time, they exact from us in terms of environmental damage.

Styrofoam, the most common synthetic material in popular use by fastfood chains and product packagers, is not as benign as we have long thought it to be. Left undisposed, it continually releases chlorofluorocarbons, more commonly referred to as CFCs into the atmosphere. Chlorofluorocarbons are the same elements found in aerosol propellants and freon refrigerants that have been conclusively linked to the thinning of the ozone layer in the earth's atmosphere.

This ozone layer is what protects all earthly life from the lethal effect of ultraviolet radiation. Unlike plain oxygen which plants can manufacture for use, ozone is a finite non-replenishable global resource. Ozone lost to natural chemical reaction with loose CFCs in the atmosphere is ozone lost forever.

We can do something about styrofoam. This bill discourages its further use and encourages a search for truly safer alternatives. Beyond this, there is a need to enjoin the manufacturers to support the aim of this bill. It is made clear herein that it is not the aim of this bill to cut into their profit margin, but rather to increase it through endorsement of their products to the consumers in exchange for their conformity with an environmental crusade.

Hence, approval of this bill is urged.



CYNTHIA A. VILLAR



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AN ACT DECLARING AS UNLAWFUL THE USE OF POLYCARBON PLASTICS, STYROFOAM AND OTHER SYNTHETIC MATERIALS HARMFUL TO THE ENVIRONMENT AND ESTABLISHING A CRITERION FOR THE ENDORSEMENT OF ENVIRONMENT FRIENDLY CONSUMER PRODUCTS

Be it enacted by the Senate and House of Representatives in Congress assembled:

1 SECTION 1. *Title of the Act.* - This Act shall be known as the
2 "Environment Friendly Act of 2004."

3 SEC. 2. *Definition of Terms.* - For purposes of this Act, the following
4 shall mean:

5 a.) "Chlorofluorocarbons or CFC's" shall mean any product or
6 product ingredient having the chemical structure and/or characteristics of
7 chlorofluorocarbons, which under natural conditions, can bond with free
8 oxygen molecules in the atmosphere and thereby deplete the same, such as
9 but not limited to, styrofoam, aerosol propellants, freon and other
10 refrigerants;

11 b.) "Polycarbon Plastics and Plastics" shall mean any plastic
12 product or other synthetic material made from petroleum-based ingredients,
13 including but not limited to, polyethylene, polythene, vinyl, polyvinyl,

phenolic vinyl, urethane, polyurethane, styrofoam and similar materials and their extracts;

c.) "Green Products" shall refer to products and/or product ingredients whose component substances do not pose any polluting or other ecologically harmful effects both during their use and in their subsequent disposal;

d.) "Biodegradable" shall mean the ability to decompose into harmless organic components through time by the action of bacteria, microorganisms and other living natural agents of decay.

SEC. 3. *Declaration of Policy.* - It is the policy of the State to minimize the use of ecologically harmful synthetic materials as components, ingredients or packaging of consumer products.

It is the policy of the State to encourage the use of alternative materials to polycarbon plastics for packaging consumer products. These alternative materials shall be biodegradable and shall pose no danger to the environment both during their use and upon their disposal.

SEC. 4. *Unlawful Use of Non-Biodegradable Plastics.* - Except in cases herein enumerated, it shall be unlawful to utilize non-biodegradable polycarbon plastics as container or packaging for any consumer product for sale in the Philippines.

SEC. 5. *Exemptions.* - The following exceptions to Section 4 above are hereby granted:

1.) The use of clear plastic in minimal amount for packaging where it is essential and absolutely unavoidable to show part of the product

1 through a transparent window for purposes of product identification by the
2 consumer.

3 2.) The use of plastic in minimal amount to contain
4 pharmaceuticals and medical drugs where it is essential and absolutely
5 unavoidable to preserve the chemical potency of said pharmaceuticals or
6 drugs and where no suitable alternative is possible.

7 3.) The use of plastic or styrofoam in minimal amount to hold or
8 contain electronic products and/or their components where it is essential
9 and absolutely unavoidable to insulate said products from harmful static
10 electricity, shock and other natural risks and where no suitable alternative
11 is possible.

12 SEC. 6. *Unlawful Release of CFCs.* - No consumer product sold in
13 the Philippines may contain chlorofluorocarbons (CFC's) where the use
14 and/or disposal of such product results in the release of CFC's into the
15 atmosphere.

16 SEC. 7. *Product Testing.* - The Bureau of Product Standards of the
17 Department of Trade and Industry (DTI) and the research bureau of the
18 Department of Science and Technology (DOST) is hereby authorized to
19 conduct continuing tests on all consumer product sold in the Philippines to
20 determine whether these products contain any ingredients harmful to the
21 environment.

22 For this purpose, the Bureau of Products Standards, using scientific
23 measurements and empirical testing procedures, shall draw up a set of
24 criteria which will serve as a standard for evaluating the compliance of
25 manufacturers of consumer goods within the purposes of this Act.

1 SEC. 8. *Certification Logo.* - The Bureau of Product Standards is
2 hereby authorized to commission the preparation of a logo with appropriate
3 signage and graphics to indicate that the product to which said logo is
4 affixed contains no components harmful to the environment or ingredients
5 that may cause instant or cumulative damage on the ecology.

6 This logo shall, invariably, utilize the phrase "certified green product"
7 and shall include as one element the official seal of agency.

8 SEC. 9. *Qualification of Manufacturers.* - Manufacturers of consumer
9 products that meet the criteria for environmental safety as defined by the
10 Bureau of Product Standards under Section 7, and all other subsequent
11 regulations issued by the government from time to time, shall be allowed to
12 use the logo in designing their product label: *Provided, however,* that any
13 manufacturer so qualified shall include this logo as a prominent element of
14 the label's design occupying a printed space no smaller than one square
15 centimeter nor bigger than one square inch.

16 SEC. 10. *Penal Provision.* - Any manufacturer who affixes the logo
17 design, or any unauthorized variation of this design, to the label of any
18 consumer product that has not met the criteria under Section 7 of this Act
19 shall be penalized by no less than Fifty Thousand Pesos (P50,000): *Provided,*
20 *that,* in addition to such penalty the product concerned shall be withdrawn
21 from sale throughout the Philippines.

22 SEC. 11. *Separability Clause.* - If any section or provision of this Act
23 is held or declared unconstitutional or invalid by a competent court in a
24 final judgment, the other sections or provisions hereof shall continue to be
25 in full force and effect.

Approved,