

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Fifteenth Congress

First Regular Session

HOUSE BILL NO. 2341

Introduced by Hon. MARY MITZI "MITCH" L. CAJAYON

EXPLANATORY NOTE

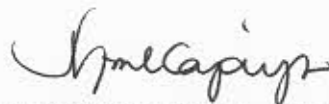
This bill seeks to require all establishments offering dining services to serve safe drinking water to its patrons pursuant to Article II, Section 15 of the 1987 Philippine Constitution which provides that, "The State shall protect and promote the right to health of the people and instill health consciousness among them."

Drinking water can become contaminated at the original water source, during treatment or during distribution. Consumption of unsafe drinking water can result in possible immediate and chronic diseases to humans.

According to the Department of Health (DOH), food and waterborne diseases are among the most common causes of diarrhea in the country. For the past twenty years diarrhea has been the number one cause of morbidity and mortality having an incidence of 1,997 per 100,000 population while the mortality rate is 6.7 per 100,000 population. DOH admits that the best approach to limit economic losses is proper dissemination of information and strict food and water sanitation.

In the interest of ensuring consumer safety and protection, it is therefore necessary that all customers going to dining establishments be served safe drinking water.

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



MARY MITZI "MITCH" L. CAJAYON

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AN ACT
REQUIRING ALL DINING ESTABLISHMENTS TO SERVE SAFE DRINKING
WATER, AND FOR OTHER PURPOSES

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

SECTION 1. *Declaration of Policy.* – It shall be the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. Toward this end, all establishments offering dining services shall be required to serve safe drinking water to its patrons in the interest of ensuring consumer safety and protection.

SECTION 2. *Definition of Terms.* - For the purpose of this Act, the following terminologies shall be construed as:

- a. "Biological impurities" refer to microbial pathogens which are disease-producing micro-organisms such as bacteria, viruses and parasites.
- b. "Bottled Water" refers to drinking water that has met public health standards and regulations packaged in bottles for individual consumption and may be classified as spring bottled water, mineral bottled water or sparkling bottled water.
- c. "Chemical impurities" refer to both organic compounds such as nitrate and toxic metals like, arsenic, barium, chromium, lead, mercury and silver that may come from natural resources, industrial processes and the materials used in the plumbing system.
- d. "Dining establishments" refer to those offering dining services such as restaurants, fast food chains, canteens, cafés, bar and cocktail lounges as well as dining and drinking establishments located in short-stay accommodations like hotels, inns, apartelles or motels.
- e. "Purified Water" refers to water that has been produced by distillation, deionization, reverse osmosis, or other suitable processes and is sometimes called demineralized water.
- f. "Radiological impurities" refer to radioactive contaminants such as radon which results from the decay of uranium in soil and rocks.
- g. "Safe drinking water" refers to water that is sufficiently free from biological, chemical, radiological or physical impurities such that individuals will not be exposed to disease or harmful physiological effects upon consumption. It includes potable water which has gone through water purification process and such others as may be prescribed under the implementing rules and regulations of this Act.
- h. "Water Purification Process" refers to the method of removing contaminants from raw water source with the objective of removing particles of sand and organic materials, parasites and toxic metals in order to meet primarily, the requirements for human consumption, and other medical, pharmacological, chemical and industrial applications.

SECTION 3. *Requiring Dining Establishments to Serve Safe Drinking Water.* - The State shall, in the interest of protecting the health and well-being of the people, require all establishments offering dining services to serve safe drinking water to its patrons.

In cases when purified drinking water is not available, dining establishments shall be required to serve or provide instead bottled water to their clients free of charge.

SECTION 4. *Compliance and Monitoring.* – Local Government Units (LGUs) shall regularly conduct regular inspections in all dining places under their territorial jurisdictions through duly designated persons and with the assistance of the Department of Trade and Industry and the Department of Health and to undertake spot inspections on their own initiative in order to check compliance with the provisions of this Act.

SECTION 5. *Rules and Regulations.* - The Department of Trade and Industry, in coordination with the Department of Health, shall promulgate rules and regulations for the effective implementation of this Act.

SECTION 6. *Penalties.* – The following penalties shall apply to the owner, president, manager, or the most senior officers of any establishment of business entity who violates the provision of Section 3 of this Act:

a. On the first offense, a fine of not less than Five Thousand Pesos (Php5,000.00) but not more than Ten Thousand Pesos (Php10,000.00) shall be imposed.

b. On the second offense, a fine of not less than Ten Thousand Pesos (Php10,000.00) but not more than Twenty Thousand Pesos (Php20,000.00) shall be imposed.

On the third offense, in addition to a fine of not less than Thirty Thousand Pesos (P30,000.00) but not more than Fifty Thousand Pesos (Php50,000.00), the business permits and licenses to operate shall be cancelled or revoked.

SECTION 7. *Appropriations.* - Such amount as may be necessary to implement this Act shall be charged to the appropriations for the Consumer Protection and Business Regulation as authorized by law for the Department of Trade and Industry.

SECTION 8. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,