

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

FIFTEENTH CONGRESS
First Regular Session

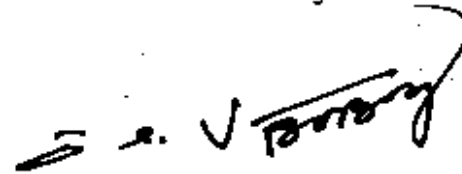
HOUSE BILL NO. 4428

Introduced by: **Representative AUGUSTO Boboy SYJUCO, Ph.D.**

EXPLANATORY NOTE

It is the duty of the government to guarantee the right to health and safety of all consumers, particularly infants who depend on the decisions made by adults taking care of them. Most of feeding bottles are made of Polycarbonate plastics, which use Bisphenol A or BPA as monomer. Studies showed that if heated, BPA can potentially leach out to the food or beverage. With infants, small intake of BPA causes endocrine disruption, therefore affecting the growth and development of the organs of infants. Therefore, it is necessary and appropriate for the achievement of the basic objective of ensuring high level of human health and protection, to obviate sources of danger to physical and mental health of infants like BPA. With the passage of this bill, relevant manufacturers and producers are encouraged to find chemical replacements that are environmentally friendly and safe to human.

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



AUGUSTO BOBOY SYJUCO, Ph.D.

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HOUSE BILL NO. 4428

Introduced by: **Representative AUGUSTO Boboy SYJUCO, Ph.D.**

**AN ACT PROHIBITING THE MANUFACTURE, DISTRIBUTION AND
RETAIL OF FEEDING BOTTLES CONTAINING THE TOXIC
SUBSTANCE BISPHENOL A OR BPA**

Section 1. Declaration of Policy- It shall be the policy of the state to guarantee the right to health and safety of all consumers.

Section 2. Definition of Terms-

Manufacturer- refers to a person, partnership, association, corporation or entity engaged in the business of manufacturing feeding bottles.

*Distributor-*refers to a person, partnership, association, corporation or entity engaged in the general distribution or marketing of feeding bottles.

Retailer- refers to a person, partnership, association, corporation or entity that sells feeding bottles in small quantities directly to the consumer.

Section 3. GENERAL PROVISION- The manufacture, distribution or retail of feeding bottles which contain Bisphenol A or also known as BPA shall be prohibited. Provided that every feeding bottle before it reaches the market must have a seal of approval from the Department of Health stating that it is Bisphenol A or BPA free.

Section 4. PENALTIES - Any person found guilty of violating any of the provisions of this Act shall be penalized with a fine of not less than twenty thousand pesos (P20,000.00)

The foregoing penalty shall be without prejudice to any civil or criminal liability that the offender or the responsible officers of the manufacturer, agent or authorized dealer may incur under existing law. If the offender is an alien, he shall be deported after payment of fine without further deportation proceedings.

Any director, officer, agent of a corporation who shall authorize, order or perform any of the acts or practices constituting in whole or in part a violation of the preceding section, and who has knowledge or notice of non-compliance

received by the corporation from the concerned department, shall be subject to penalties to which that corporation may be subject.

In case the violation is committed by, or in the interest of a foreign juridical person duly licensed to engage in business in the Philippines, such license to engage in business in the Philippines shall immediately be revoked.

Section 5. ADMINISTRATION AND ENFORCEMENT – The Secretary of the Department of Health shall be responsible for the formulation of policies, plans and implementing rules and regulations to further make this Act effective, within ninety (90) days from the Effectivity of this Act.

Section 6. REPEALING CLAUSE – All laws, decrees, executive orders, issuances, rules or regulations or parts thereof, which are inconsistent with the provisions of this Act, are hereby deemed repealed, amended or modified accordingly.

Section 7. SEPARABILITY CLAUSE– If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Section 8. EFFECTIVITY – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,