

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**FIFTEENTH CONGRESS**  
Second Regular Session

HOUSE BILL NO. 5961



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**Introduced by REP. ANTHONY G. DEL ROSARIO**

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**EXPLANATORY NOTE**

This bill seeks to require mandatory full disclosure and display of chemical information on product labels of children's toys and other articles and provide penalties for violation thereof.

The Constitution provides in Section 15 Article II that "The State shall protect and promote the right to health of the people and instill health consciousness among them." Likewise, in Section 12 Article XIII, it declares that "The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate manpower development and research, responsive to the country's health needs and problems."

Playtime is one of the most fundamental parts of childhood development and toys are considered vital tools that help foster mental, physical, emotional and social development of children.

However, the inadequate labeling of these products or materials and the inability of the consumers to tell whether a particular toy or child article contains toxic and hazardous substances poses danger to the consumers, more particularly the children. Such exposure can cause adverse health effects ranging from asthma and allergy symptoms, acute poisoning, neurological disorders, hyperactivity, deficits in fine motor function, lowered intelligence performance, kidney and skin problems and even cancer among others.

It is the purpose of this bill to make mandatory for toy designers, makers, manufacturers, importers, distributors and suppliers, as part of their social responsibility, to fully disclose the chemical contents of their products for proper information of the buying public. Labeling standards and enforcement are an effective approach to toy safety.

In view of the foregoing, approval of this bill is urgently requested.

  
**ANTHONY G. DEL ROSARIO**

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**AN ACT**  
**REQUIRING THE MANDATORY DISCLOSURE AND DISPLAY OF CHEMICAL**  
**INFORMATION ON PRODUCT LABELS OF CHILDREN'S TOYS AND OTHER ARTICLES**  
**AND PROVIDING PENALTIES IN VIOLATION THEREOF**

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

**SECTION 1. Short Title.** – This Act shall be known as the “ Children’s Toys Chemical Content Information Act”

**SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State to protect and promote the right to good health of the children. Pursuant to this policy, the State must enhance its regulatory capacity to make it more responsive to the country’s health needs and problems.

**SEC. 3. Definition of Terms.-** As used in this Act:

a) “Toy” refers to any product or material designed or clearly intended for use in play by children (0-9 years of age) or adolescents (10-18) years of age.

b) “Hazardous substance” means any substance or mixture of substances which is toxic, corrosive, irritant, a strong synthesizer, flammable or combustible, or generates pressure through decomposition, heat or other means, if such substance or mixture of substances may cause substantial injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable ingestion by children.

c) “Label, labelling” means a display of written, printed, or graphic matter upon the immediate container of any article and a requirement made by or under authority of this Act that any word, statement, or other information appearing on the label shall not be considered to be complied with unless such word, statement, or other information also appears on the outside container or wrapper, if there’s any, of the retail package of such article, or easily legible through the outside container or wrapper.

d) “Package” or “packaging” means any container or wrapper in which any consumer commodity is enclosed for use in the delivery or display to retail purchasers.

c) “Bioavailability” of a chemical in the context of toy safety refers to the ability of the chemical to be released from a product or toy and absorbed into a child’s body via the gastro intestinal tract, the lungs, or the skin and mucus membranes.

d) "Toxicological information" refers to the chemical content present in the toy or children's article as used in this Act.

**SEC. 4. Scope.** – This Act shall apply to any product or material domestically sold, whether manufactured locally or imported, which is designed or clearly intended for use in play by children including teethingers, pacifiers and chew toys for infants and toddlers. The term does not include clothing, furniture, and personal care products marketed directly for use by children.

**SEC.5. Disclosure of toxicological information.** – It shall be mandatory for each manufacturer distributor and/or importer of any toy or article intended for use by children to disclose, identify and specify thru accurate and truthful labelling of the substance/s or chemical/s content and the bioavailability of such substance/s or chemical/s found in the toy or article being manufactured, distributed or being imported.

**SEC.6. Labeling requirements.**- Pursuant to section 5 herein all manufacturers, distributors and importers of toys and children's articles shall provide accurate, legible, easily understood and relevant information with regard to the chemical content of said products or commodity. Graphic symbols shall also be used in the package showing product safety and regulatory compliance.

**SEC.7. Imported Toy products/Child articles.**- Where the toys or child articles are imported and labelled in the language of the place of origin and which consumers in importing country may not understand, translation of such product information into either English or Filipino shall be made.

**SEC.8. Treatment as Mislabelled or Toxic and Hazardous Substance.** – A toy or a child article that is not in compliance with the requirements of this Act shall be considered mislabelled or banned toxic or hazardous substance and shall be recalled and withdrawn from the market at the expense of the manufacturer, importer or distributor or shall not be allowed to be distributed, sold or offered for sale unless and until the requirements of this Act is complied without prejudice to whatever liability and penalty to be incurred under Section 9.

**SEC. 9. Penalties.**- Any person both natural and juridical who shall violate any provision of this Act, shall be subject to a fine of not less than twenty thousand pesos (P20,000.00) but not more than one hundred thousand (P100,000.00) or imprisonment of not less than three (3) months but not more than two (2) years or both at the discretion of the court.

Should the offense be committed by a juridical person, the Chairman of the Board of Directors, the president, general manager, or the partners and/or the persons directly responsible therefore shall be penalized.

Should the offense be committed by a foreign national, he/she shall, in addition to the penalties prescribed, be deported without further proceeding after service of sentence.

**SEC.10. Consumer Education and Information.** - The Secretary of the Department of Trade and Industry in coordination with the Food and Drugs Administration shall carry out activities which will educate consumers about-

(1). The availability of chemical content information in the label or labelling of children's toys and child articles, and

(2). The importance of that information in maintaining and safeguarding the health and well being of consumers in general and of children in particular.

SEC. 11. **Implementing Rules and Regulations** – The Department of Trade and Industry in consultation with the Food and Drug Administration shall promulgate within ninety (90) days from the effectivity of this Act, issue the necessary rules and regulations for the effective implementation of the provisions of this Act.

SEC.12. **Seperability Clause.**- If any provision, or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

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

SEC. 14. **Effectivity Clause** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved.