

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH (15TH) CONGRESS
Second Regular Session



COMMITTEE REPORT NO. 2273

Submitted by the Committee on Trade And Industry on 09 JUL 2012

Re : House Bill No. 6388

Recommending its approval in substitution of House Bill No. 1075

Sponsors : Representatives Garcia A.R., Apacible, and Rodriguez R.

Mr. Speaker:

The Committee on Trade And Industry to which was referred House Bill No. 1075, introduced by Representatives Rufus B. Rodriguez, Maximo B. Rodriguez, Jr. and Ben P. Evardone, entitled:

AN ACT
ESTABLISHING QUALITY STANDARDS FOR MINERAL, CARBONATED
AND OTHER BOTTLED WATER

has considered the same and recommends that the attached House Bill No. 6388, entitled

AN ACT
ESTABLISHING QUALITY STANDARDS FOR MINERAL, CARBONATED
AND OTHER BOTTLED WATER

be approved in substitution of House Bill No. 1075 with Representatives Rodriguez R., Rodriguez M., Evardone, Garcia A. R., Apacible, Duavit, Biron, Defensor, Alvarez A., Treñas, Casiño, Villarica, Mandanas, Fernandez, Garay, Teodoro, Del Rosario A.R., Sacedalan, Osmeña, Joson, Rodriguez I., Lacson-Noel, Yu, Ferrer J., Sahidulla, Lagdameo A., Bonoan-David, Mellana, Sakaluran, Quisumbing, Unabia, Batocabe, Colmenares, Haresco, Villar, Pancho, Enverga, Cojuangeo E., Cajayon, Tugna, Ty, Romualdez, Arroyo D., Gonzales A., Panotes, and Bagasina as authors thereof.

Respectfully Submitted:


ALBERT S. GARCIA

Chairman

Committee on Trade and Industry

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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FIFTEENTH (15TH) CONGRESS
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HOUSE BILL NO. 6038
(In Substitution of House Bill No. 1075)

Introduced by Representatives Rodriguez R., Rodriguez M., Evardone, Garcia A. R., Apacible, Duavit, Biron, Defensor, Alvarez A., Treñas, Casiño, Villarica, Mandanas, Fernandez, Garay, Teodoro, Del Rosario A.R., Sacdalan, Osmeña, Joson, Rodriguez I., Lacson-Noel, Yu, Ferrer J., Sahidulla, Lagdameo A., Bonoan-David, Mellana, Sakaluran, Quisumbing, Unabia, Batocabe, Colmenares, Haresco, Villar, Pancho, Enverga, Cojuangco E., Cajayon, Tugna, Ty, Romualdez, Gonzales A., Panotes, and Bagasina

AN ACT
ESTABLISHING QUALITY STANDARDS FOR MINERAL, CARBONATED
AND OTHER BOTTLED WATER

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the “*Safe Bottled Water*
2 *Act of 2012*.”

3 **SEC. 2. *Statement of Policy.*** – It is the policy of the State to protect and promote
4 the health of the people. Towards this end, it shall ensure that potable, safe and
5 affordable drinking water is available to all the people by adopting a comprehensive
6 policy framework to regulate the activities of the mineral, carbonated and other bottled
7 water businesses including suppliers, distributors and sellers thereof.

8 **SEC. 3. *Quality Standards for Bottled Water.*** –

9 a. The interim or revised national primary drinking water regulations concerning
10 maximum contaminant levels promulgated by the Director of the Food and Drugs

1 Administration (FDA) shall be applicable to all bottled drinking waters, including
2 mineral, spring, natural sparkling and vended water.

3 b. Within twelve (12) months after the date of the effectivity of this Act, the
4 Secretary of the Department of Health (DOH) shall establish quality standards and
5 definitions for mineral water and carbonated water which shall include:

- 6 1) limits for total dissolved solids, sulfate, sodium and trihalomethane
7 content;
- 8 2) as determined by established health-based drinking water standards.

9 **SEC. 4. Source Protection.** – Within twelve (12) months after the date of
10 effectivity of this Act, the Director of the FDA shall:

- 11 a. identify safe sources of bottled water;
- 12 b. establish criteria to determine the adequacy as well as the protection of
13 ‘approved sources’ of bottled water including but not limited to:
 - 14 1) minimum construction standards for water wells;
 - 15 2) minimum distance separation from upstream wastewater discharges;
 - 16 3) minimum distance separation from abandoned wells, septic tanks, waste
17 impoundment and landfills.

18 **SEC. 5. Monitoring, Reporting and Inspection.** – Within (12) months after the
19 date of the effectivity of this Act, the Director of the FDA shall:

- 20 a. establish a bottled water monitoring program which, at a minimum, shall:
 - 21 1) be as stringent as that used for public water supplies and which provides
22 for yearly testing and monitoring for unregulated contaminants for which
23 public water utilities must test, and
 - 24 2) require that any analysis or testing be performed in an approved and
25 certified laboratory;
- 26 b. establish a bottled water reporting program that shall:
 - 27 1) stipulate time tables and procedures for timely reporting;
 - 28 2) provide public notification procedures should any bottled water be found
29 to be in excess of health-based standards;

1 3) establish a national registry of bottled water facilities and their most current
2 reporting information, and

3 4) require that records of sampling and analysis be maintained at the plant for
4 not less than two (2) years and shall be available for official review upon
5 request.

6 c. establish a bottled water facility inspection program which includes, at a
7 minimum, two scheduled inspections a year and one unscheduled inspection a
8 year.

9 **SEC. 6. Recall Regulations** Within six (6) months after the date of effectivity
10 of this Act, the Director of the FDA shall -

11 a. establish procedures and public notification guidelines for recall of a bottled
12 water product which fall below any health-based standard;

13 b. require each bottled water manufacturer to develop and submit individual
14 recall notification and recall procedures.

15 **SEC. 7. Prohibition of Dual Use of Bottled Water Equipment.** - Within twelve
16 (12) months after the date of effectivity of this Act, the Director of the FDA shall prohibit
17 the processing and bottling of non-carbonated water with equipment used to process
18 milk, fruit juice or other food products likely to contribute nutrients for microbiological
19 growth.

20 **SEC. 8. Bottling, Packaging and Storage Study.** - The Director of the FDA shall
21 conduct a comprehensive study of contaminants and the extent to which they contribute
22 to the degradation of bottled water from the unique processing and storage of bottled
23 water. The Director shall pay particular attention to contamination problems which may
24 arise from the bottling, packaging or storage of bottled water products.

25 **SEC. 9. Labeling.** - Within six (6) months after the date of enactment of this Act,
26 the Secretary of the DOH shall:

27 a. establish and enforce clear, concise, and un-coded uniform source labeling
28 requirements for all bottled water products which, at a minimum, includes-

29 1) the original source of the water;

30 2) type of water;

- 1 3) type of treatment, if any;
- 2 4) the date of bottling;
- 3 5) the address of the bottler; and
- 4 6) provide numerical specification of sodium content.
- 5 b. define mineral water, spring water, naturally carbonated, naturally sparkling,
- 6 well water, natural well water, artesian water, natural artesian water, purified
- 7 water, distilled water, drinking water and all other variants of bottled water
- 8 existing in the market, and require that the definition for the appropriate
- 9 product be placed on the bottle.

10 **SEC. 10. Appropriations.** – The initial amount necessary to implement the
11 provisions of this Act shall be charged against the current year's appropriation of the
12 Food and Drug Administration under the Department of Health. Thereafter, such sums as
13 maybe necessary for the continued implementation of this Act shall be included in the
14 annual General Appropriations Act.

15 **SEC. 11. Implementing Rules and Regulations (IRR).** – The DOH shall issue
16 the IRR for this Act within one hundred twenty (120) days from its effectivity.

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

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

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

26 *Approved.*

FACT SHEET

House Bill No. 6888

(As Approved by the Committee on October 11, 2011)

AN ACT ESTABLISHING QUALITY STANDARDS FOR MINERAL, CARBONATED AND OTHER BOTTLED WATER

Introduced by: Rep. Rufus B. Rodriguez, Rep. Maximo B. Rodrigue and Rep. Ben P. Evardone

Committee Referral: COMMITTEE ON TRADE & INDUSTRY

Committee Chairperson: REP. ALBERT RAYMOND S. GARCIA

OBJECTIVE:

- To regulate the sale of bottled water by establishing quality standards for mineral, carbonated and other bottled water in order to protect consumers from trade malpractices and from substandard or hazardous products consistent with Article 16, Section 9 of the Philippine Constitution.

KEY PROVISIONS:

- Sets a National Primary Drinking Water Regulations for bottled water providing for, among others, its source protection, monitoring, reporting and inspection, recall regulations, prohibition of dual use of bottled water equipment and for its bottling, packaging and storage study
- Empowers the Secretary of Health to establish quality standards and definitions for mineral water and carbonated water as specified in Section 3 of this Act.
- Provides a uniform source labeling requirement for bottled water by identifying the original source of the water; type of water; type of treatment, if any, the date of bottling; the address of the bottler; and numerical specification of sodium content
- Defines bottled water to include all other variants of bottled water existing in the market
- Authorizes the Department of Health and the Food and Drugs Administration to appropriate in their respective annual budgets the amount necessary for the effective implementation of this Act.

RELATED LAW:

- The Consumer Act (Republic Act 7394)