

1 Republic of the Philippines

2
3 **House of Representatives**
4 Quezon City

5
6 *SIXTEENTH CONGRESS*
7 First Regular Session

8
9 HOUSE BILL NO. 2860



10
11 **Introduced by Honorable Anthony M. Bravo and Honorable**
12 **Cresente C. Paez**

EXPLANATORY NOTE

Studies by the United States Center for Disease Control show that most people carry in their bodies concentrations of a family of synthetic chemicals known as phthalates. Phthalates, or phthalate esters, are a group of chemical compounds that are mainly used as plasticizers or substances added to plastics to increase their flexibility. They are chiefly used to turn polyvinyl chloride from a hard plastic into a flexible plastic.

Phthalates are commonly found in plastics, pesticides, and personal care products like shampoos, soaps, and makeup. Exposure to phthalates has been linked to malformed sex organs in male lab animals. Alarming enough, a recent study revealed that there is a link between mothers exposed to phthalates and genital birth defects in male infants.

As the saying goes, an ounce of prevention is worth a pound of cure. Thus, this bill seeks to avoid the hazardous effects of phthalates on children by prohibiting the sale of toys and other articles intended for children three (3) years of age and below.


HON. ANTHONY M. BRAVO


HON. CRESENTE C. PAEZ

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13
14 **AN ACT**

15 **PROHIBITING THE SALE OF TOYS AND OTHER ARTICLES CONTAINING**
16 **PHthalATES TO CHILDREN THREE YEARS OF AGE AND BELOW**

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

17 SECTION 1. *Short Title.* – This Act shall be known as the “Phthalate-Free Toy Act.”

18 SECTION 2. *Declaration of Policy.* – It is a policy of the State to protect the physical,
19 moral and social well-being of children. Towards this end, the State shall prohibit the sale of
20 toys containing phthalates to children three (3) years of age or below.

21 SECTION 3. *Definition of Phthalates.* – For the purposes of this Act, the term
22 “phthalates” means dialkyl or alkyl aryl esters of 1,2-benzenedicarboxylic acid including, but
23 not limited to, dimethyl phthalate, diethyl phthalate, diallyl phthalate, di-n-propyl phthalate,
24 di-n-butyl phthalate, diisobutyl phthalate, butyl cyclohexyl phthalate, di-n-pentyl phthalate,
25 dicyclohexyl phthalate, butyl benzyl phthalate, di-n-hexyl phthalate, diisohexyl phthalate,
26 diisoheptyl phthalate, butyl decyl phthalate, di(2-ethylhexyl) phthalate, di(n-octyl) phthalate,
27 diisooctyl phthalate, n-octyl n-decyl phthalate, diisononyl phthalate, diisodecyl phthalate,
28 diundecyl phthalate, diisoundecyl phthalate, ditridecyl phthalate, and diisotridecyl phthalate.

29 SECTION 4. *Prohibition on the Sale of Toys Containing Phthalates; Penalties.* – On
30 or after one hundred and twenty (120) days from the passage of this Act, no toy or article

intended for use by children three (3) years of age or younger if it contains any measurable amount of phthalates.

Any person found in violation of this Act shall be punished by a penalty of *prison correctional*, or a fine ranging from Ten Thousand Pesos (₱10,000.00) to Fifty Thousand Pesos (₱50,000.00), or both, at the discretion of the court, taking into consideration the circumstances of the case.

If the offender is a corporation, trust or firm, partnership, association or any other entity, the penalty of imprisonment shall be imposed on the entity's responsible officers, including, but not limited to, the president, vice-president, chief executive officer, general manager, managing director or partner directly responsible therefor.

SECTION 5. *Separability Clause.* – If any part hereof, is held invalid or unconstitutional, the remainder of the provision not otherwise affected shall remain valid and subsisting.

SECTION 6. *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.

SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,