

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 7718



Introduced by HON. MANUEL F. ZUBIRI

EXPLANATORY NOTE

Given its archipelagic nature, the Philippines is surrounded by approximately 2.2 million square kilometers of territorial waters. Its tropical climate and geographical peculiarities give it a biodiversity only a handful of countries can match. It is home to thousands of coral reefs, sea grass beds, and mangrove forests which allow marine and fluvial species to thrive¹.

Though the Philippines is the "center of the center" of marine biodiversity, pollution and the destruction of marine habitats – among other causes – are taking their toll on the country's ability to produce food. Currently, less than 1% of Philippine coral reefs are in excellent condition². There is a clear imperative on our part to protect our marine resources, both for our health, food security, and the sustainability of our marine resources.

Recently, the British Parliamentary passed legislature to the effect of absolutely banning the use of plastic microbeads in rinse-off cosmetics and personal care products. Since these microbeads are too small to be filtered by water waste segregation systems, millions of these microbeads make it to our oceans and are mistaken for food by marine life, altering their diet³. Because of their pernicious effects to marine ecosystems, even the United States, New Zealand, and Australia have banned their use altogether⁴.

Apart from altering marine animals' diets (changing their preference from organic food to plastic), microbeads have the propensity to eventually sink to seabeds, ending up as

¹ World Bank, "Philippine Coastal and Marine Resources: An Introduction", <http://siteresources.worldbank.org/INTPHILIPPINES/Resources/PEM05-ch1.pdf>, Accessed on January 17, 2018

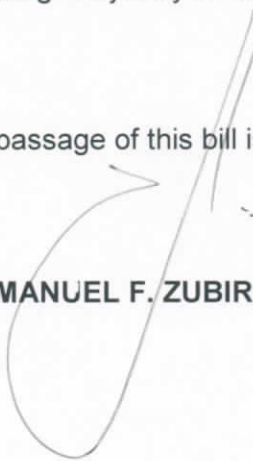
² Rappler, "Marine scientist calls for stronger action to protect Philippine seas", <https://www.rappler.com/move-ph/193567-marine-scientist-action-protect-philippine-seas>, Accessed on January 17, 2018

³ Imogen Calderwood, "The Long Awaited Ban on Plastic Microbeads in the UK is Finally Here", https://www.globalcitizen.org/en/content/microbeads-ban-uk/?utm_source=twitter&utm_medium=social&utm_content=global&utm_campaign=general-content&linkId=46907380, Accessed on January 17, 2018

⁴ Anna Hirtenstein, "British Ban on Microbeads to Protect Oceans Come Into Force", https://www.bloomberg.com/news/articles/2018-01-09/u-k-ban-on-microbeads-takes-effect-to-save-oceans-from-plastics?cmpid=socialflow-twitter-business&utm_content=business&utm_campaign=socialflow-organic&utm_source=twitter&utm_medium=social, Accessed on January 17, 2018

marine pollution⁵. Due to their interaction with marine life and the water, they may adsorb or desorb various chemical pollutants from the surrounding environmental medium. Whether they become eaten by animals or settle as sediments in our seabed, microbeads provide no benefit to our marine ecosystems enough to justify their existence in our grocery and store shelves.

In view of the abovementioned, the passage of this bill is earnestly sought.



MANUEL F. ZUBIRI

⁵ Environment and Climate Change Canada, Microbeads – A Science Summary, http://www.ec.gc.ca/ese-ees/adda4c5f-f397-48d5-ad17-63f989ebd0e5/microbeads_science%20summary_en.pdf, Accessed January 17, 2018

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HOUSE BILL NO. 7718

Introduced by HON. MANUEL F. ZUBIRI

**AN ACT PROHIBITING THE MANUFACTURE, USE, SALE, AND IMPORTATION OF
COSMETIC AND PERSONAL CARE PRODUCTS CONTAINING PLASTIC
MICROBEADS**

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

1 SECTION 1. *Declaration of Policy* – It is the State's policy to protect and advance
2 the right of the people to a balanced and healthful ecology in accord with the rhythm and
3 harmony of nature.

4
5 SECTION. 2. *Definition of Terms* – For the purposes of this Act:

- 6
7 (a) "Microbeads" are defined as as synthetic polymer particles that, at the time of
8 their manufacture, are greater than 0.1 μ m and less than or equal to 5 mm in
9 size. This includes different forms of particles including solid, hollow,
10 amorphous, solubilized, etc.;
- 11 (b) "FDA" refers to the Food and Drug Administration;
- 12 (c) "DENR" refers to the Department of Environment and Natural Resources
- 13

14 SECTION 3. *Prohibited Acts Under the Ban.* – The manufacture, use, sale, and
15 import of cosmetic and personal care products containing plastic microbeads are hereby
16 prohibited.

17

18 SECTION 4. *Exemption.* – Exempt from the prohibition as provided for in Section 3
19 of this Act are those for use in scientific, research, and technological purposes. Persons,
20 whether natural or juridical, who wish to avail of the exemption shall secure a certificate of
21 exemption from the Food and Drug Authority.

22

23 SECTION 5. *Penalty Clause.* – At the onset of the prohibition, any person who
24 violates this Act or part thereof shall be imposed a fine as follows:

- 25 (A) If the violator is a manufacturer or importer. – A fine of not less than One
26 Hundred Thousand Pesos (P100,000) but not more than Five Hundred
27 Thousand Pesos (P500,000), or imprisonment of one year to two years or both,
28 upon conviction by a competent court;
- 29 (B) If the violator is a seller. – A fine of not less than Fifty Thousand Pesos
30 (P50,000) but not more than One Hundred Thousand Pesos (P100,000), or
31 imprisonment of six months to one year or both, upon conviction by a competent
32 court;
- 33 (C) If the violator is a consumer or user of the product. – A fine of not less than Ten
34 Thousand Pesos (P10,000) but not more than Fifty Thousand Pesos (P50,000),
35 or imprisonment of one month to six months or both, upon conviction by a
36 competent court.

37 If the violator is a juridical person, the president or the chief executive officer of
38 the entity shall be held responsible for the violation.

39

40 SECTION 6. *Implementing Rules and Regulations* - The DENR, in consultation with
41 the FDA, within ninety (90) days from the effectivity of this Act, shall promulgate the rules
42 and regulations necessary for the effective implementation of the provisions of this Act.

43

1 SECTION 6. *Implementing Rules and Regulations* - The DENR, in consultation with
2 the FDA, within ninety (90) days from the effectivity of this Act, shall promulgate the rules
3 and regulations necessary for the effective implementation of the provisions of this Act.
4

5
6
7 SECTION 7. *Repealing Clause*. - All laws, parts of laws, decrees, presidential
8 issuances, proclamations, orders, ordinances, and administrative regulations in conflict with
9 the provisions of this Act are hereby amended, modified or repealed accordingly.
10

11 SECTION 8. *Effectivity*. - This Act shall take effect fifteen (15) days after its
12 publication in the Official Gazette or in at least two (2) newspapers of general circulation.
13

14
15 *Approved,*