

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 547



Introduced by **Representative Jaime R. Fresnedi**

EXPLANATORY NOTE

This significant piece of legislation aims to safeguard public health by addressing the critical issue of lead contamination in cookware. By regulating the lead contained in the average *kaldero*, we prevent the long term effects of prolonged lead exposure to our fellow Filipinos.

Lead in cookware poses a significant health risk, most especially when it leaches into food during cooking. Scientific evidence has consistently demonstrated the dangers of lead exposure, necessitating the regulation and limitation of lead content in cookware. Lead poisoning, even at low levels, can result in permanent neurological damage, with children being particularly vulnerable. The World Health Organization (WHO) has affirmed that there is no known safe level of lead exposure, emphasizing that any amount of lead in the body can have harmful effects, particularly on the cognitive development of children.¹

Furthermore, lead exposure from cookware can lead to a range of health problems, including learning disabilities, developmental delays and behavioral issues in children. In adults, lead exposure can result in high blood pressure, kidney damage and fertility problems. Cookware containing lead-based glazes or coatings can serve as a significant source of lead exposure, especially in regions with less stringent regulations or where traditional or homemade cookware is commonly used. Studies have shown that lead contamination in cookware is a global problem, impacting over 50 countries.^{2 3}

The vulnerability of children to lead exposure is a particularly concerning aspect of this issue. Even low levels of lead exposure can impair their brain development. Moreover, the long-term consequences of lead exposure in childhood are severe, including reduced IQ,

¹ World Health Organization, "Lead Poisoning," August 11, 2023, <https://www.who.int/news-room/fact-sheets/detail/lead-poisoning-and-health>.

² "Philippines Lead (Pb) Exposures - Status Report," Pure Earth Organization Philippines, July 2023.

³ "Health Effects of Lead Exposure," Center for Disease Control and Prevention, September 2, 2022, <https://www.cdc.gov/nceh/lead/prevention/health-effects.htm>.

academic difficulties, and an increased risk of criminal behavior. According to the WHO, lead exposure contributes to 600,000 new cases of children with intellectual disabilities each year globally.

Beyond the health implications, lead exposure carries significant economic costs, encompassing healthcare expenses, lost productivity, and increased educational costs for children with lead-related developmental issues. In conclusion, the dangers of lead in cookware are well-documented, with scientific research underscoring the severe health risks, particularly for children. Legislation and regulations aimed at limiting lead content in cookware are essential to protect public health and mitigate the enduring consequences of lead exposure. These measures are crucial to ensuring that cookware products prioritize the safety and well-being of consumers.

This bill represents a vital step in addressing a pressing public health concern. By regulating lead content, enhancing transparency through labeling, and promoting consumer awareness, this legislation aims to ensure that cookware products on the market prioritize the safety and well-being of consumers. It is a comprehensive and proactive effort to protect public health, reflecting our commitment to a safer and healthier future.

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



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AN ACT
PROVIDING FOR COOKWARE SAFETY LABELING, AND APPROPRIATING FUNDS
THEREFOR

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

SECTION 1. - Short Title. - This Act shall be referred to as the "*The Cookware Safety and Lead Regulation Act.*"

SEC. 2. Declaration of Policy. – It is the policy of the State to regulate, restrict or prohibit the importation, manufacture, processing, sale, distribution, use and disposal of chemical substances and mixtures that present unreasonable risk or injury to the health or the environment. Towards this end, the State shall ensure the protection of all against potential health hazards and safety through special labelling of cookware.

SEC. 3. Definition of Terms. – For purposes of this Act, the following terms shall be defined as follows:

- (a) *Hazardous Substance* refers to any substance or mixture of substances which is toxic, corrosive, irritant, a strong sensitizer, flammable or combustible, or generates pressure through decomposition, heat or other means, if such substance or mixture of substances causes any substantial injury or illness during or as a proximate result of any customary or reasonably foreseeable ingestion by children.
- (b) *Label or labeling* refers to the display of written, printed or graphic matter on any consumer product, its immediate container, tag, literature or other suitable material affixed thereto for the purpose of giving information as to identity components, ingredients, attributes, directions for use, specifications and such other information as may be required by law or regulations.
- (c) *Package or packaging* refers to any container or wrapping in which any consumer product is enclosed for use in the delivery or display of that consumer product to retail purchasers.

- (d) *Principal display panel* refers to the part of the label that is most likely to be displayed, presented, shown or examined under normal and customary conditions of display for retail or sale.

SEC. 4. *Labeling Requirements for Cookware.* – All cookware locally or internationally manufactured that are imported, donated, distributed and sold in the Philippines shall comply with the appropriate provisions on safety labeling and manufacturer's markings found in the Philippine National Standards (PNS) for the safety of cookware: *Provided, That* the Department of Trade and Industry (DTI) shall cause the effective dissemination of the PNS in both the traditional form of mass media and the internet to guide manufacturers, retailers, distributors and various sellers.

SEC. 5. *General Labeling Requirements.* – Except as provided in Sections 6 and 7 hereof, any cautionary statement shall be displayed in its entirety on the principal display panel of the product's package and on any descriptive material which accompanies the product. In the case of bulk sales of such product when unpacked, the cautionary statement shall be displayed on the bin or container used for the retail display of the product, and any vending machine from which the unpacked product is dispensed and displayed, in English or Filipino or both written in common language, in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on such package, descriptive materials, bin, container and vending machine, and in the manner consistent with the provisions of Republic Act No. 7394, otherwise known as the "*Consumer Act of the Philippines*".

SEC. 6. *Exception.* – Products manufactured and packaged outside the country and directly shipped from the manufacturer to the consumer by mail or other delivery service which do not bear the required statement provided under Section 5 hereof shall be admitted if other accompanying material shipped with the product bears such statement.

SEC. 7. *Special Rules for Certain Packages.* – A cautionary statement required by Section 4 hereof or in lieu of display on the principal display panel of the product's package, shall be displayed on another panel of the package if the package has a principal display panel of fifteen (15) square inches or less, and the required statement is displayed in English or Filipino or both written in common language, and the statement is displayed on the principal display panel and is accompanied by an arrow or other indicator pointing towards the place on the package where the statement required in Section 5 hereof appears.

SEC. 8. *Treatment on Misbranded or Banned Hazardous Substance.* – Any piece of cookware whose packaging is not in compliance with the requirements of this Act shall be considered a misbranded or banned hazardous substance. It shall be withdrawn from the market at the expense of the manufacturer or importer and shall not be allowed to be distributed, sold or offered for sale in the Philippines unless and until the requirements of this Act are complied without prejudice to any liability and penalty that may be incurred under Section 10 hereof.

SEC. 9. *Penalties.* – Any person who shall violate any provision of this Act shall be subject to a fine of not less than Ten thousand pesos (P10,000.00) but not more than Fifty thousand pesos (P50,000.00) or imprisonment of not less than three (3) months but not more than two (2) years, or both, at the discretion of the court.

SEC. 10. *Disposal of Seized Materials.* – Any cookware found to be in violation of the provisions of this Act shall be confiscated and forfeited in favor of the government and shall be disposed

in accordance with pertinent laws and regulations: *Provided*, That a sufficient representative sample shall be retained for evidentiary purposes. The retained representative sample shall remain in *custodia legis* until the final resolution of proceedings thereon. Equipment and materials imported in violation of this Act shall be subject to seizure and immediate disposal by the Bureau of Customs.

If the offense is committed by a corporation, trust, firm, partnership or association or other entity, the penalty shall be imposed upon the guilty officer or officers of such corporation, trust, firm, partnership or association or entity.

SEC. 11. *Rules and Regulations*. – The DTI, in consultation with the DOH, shall promulgate the rules and regulations for the implementation of this Act. The DTI shall regularly publish every six (6) months, the list of all manufacturers, importers, distributors and retailers who failed to comply with the requirements of this Act. Likewise, the DOH shall publish every six (6) months, the list of all misbranded or banned hazardous substances the sale, offer for sale and distribution of which shall not be allowed under this Act.

SEC. 12. *Funding*. – The DTI and the DOH shall include in their respective annual budget the amount necessary for the effective implementation of this Act.

SEC. 13. *Grace Period*. – Manufacturers, retailers, distributors and importers are given one (1) year grace period to comply with these requirements from the effectivity of this Act.

SEC. 14. *Separability Clause*. – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

SEC. 15. *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. 16. *Effectivity Clause*. – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,