

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 3783

EXPLANATORY NOTE

Lead poisoning is a medical condition caused by increased levels of the heavy metal lead in the body. Lead interferes with a variety of body processes and is toxic to many organs and tissues including the heart, bones, intestines, kidneys, and reproductive and nervous systems. It interferes with the development of the nervous system and is therefore particularly toxic to children, causing potentially permanent learning and behavior disorders. Symptoms include abdominal pain, headache, anemia, irritability, and in severe cases seizures, coma, and death.

Lead exposure can occur from contact with lead in air, household dust, soil, water, and commercial products.

Unfortunately, some lead compounds are colorful and are used widely in paints, and lead paint is a major route of lead exposure. Deteriorating lead paint can produce dangerous lead levels in household dust and soil.

Recent laboratory tests conducted by the EcoWaste Coalition show that 69 percent of household enamel paints sold in the country exceed the standard for lead levels in paint set by the United States. 24 out of 35 paint samples the group bought in local hardware shops and sent to the University of Cincinnati (UC) in Ohio for testing exceeded the US lead in paint standard of 90 parts per million (ppm). More than one half of the samples had lead levels 100 times greater than the US standard.

However, the fact that 12 out of 35 of the paints tested – including a yellow paint, a color that is often high in lead – meet the current US standard is proof that substitutes for lead in paint do exist in the Philippines and that it is technologically and economically feasible to manufacture high-quality paints without lead additives.

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


RUFUS B. RODRIGUEZ

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
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HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. **3783**

AN ACT

PROHIBITING THE USE OF LEAD IN THE PRODUCTION OF PAINTS IN THE COUNTRY, MANDATING THAT IMPORTED PAINTS BEING SOLD IN THE COUNTRY BE TESTED TO ENSURE THAT THEY ARE LEAD-FREE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

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

SECTION 1. *Declaration of Policy* – It is the policy of the State to protect and promote the right to health of the people.

SEC. 2. It is hereby prohibited for paint producers in the Philippines to use any form of lead or lead additives in the production or formulation of their paint products.

SEC. 3. It is hereby mandated that all imported paints from foreign countries be tested by the Department of Trade and Industry to ensure that they are lead free before being sold in the Philippine market.

SEC. 4. *Penal Provisions* – Any person, whether juridical or natural, caught producing paint that contain any form of lead be held liable to pay a fine of not less than Five hundred Thousand Pesos (P500,000) nor more than One Million Pesos (P1,000,000) and imprisonment of not less than five (5) years nor more than ten (10) years.

Any person, whether juridical or natural, caught selling paint that was not tested by the proper authorities and contain lead shall be held liable to pay a fine of not less than Five hundred Thousand Pesos (P500,000) nor more than One Million Pesos (P1,000,000) and imprisonment of not less than five (5) years nor more than ten (10) years.

SEC. 5. *Implementing Rules* – The Department of Health and the Department of Trade and Industry shall issue such orders, rules and regulations and other issuances as may be necessary to ensure the effective implementation of this Act.

SEC. 6. *Separability Clause* – If for any reason, any part of or provision of this Act is declared unconstitutional or invalid, such parts not affected thereby shall remain in full force and effect.

SEC. 7. *Repealing Clause* – Any law, executive order, letter of instruction, rules and regulations, circulars, issuances or any part thereof inconsistent with any of the provisions of this Act is hereby repealed, modified or amended accordingly.

SEC. 8. *Effectivity* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,