

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



HOUSE OF REPRESENTATIVES

Introduced by Representative Maximo B. Rodriguez, Jr.

House Bill No. **4003**

EXPLANATORY NOTE

This bill was originally introduced as House Bill No. 3285 during the 15th Congress where it was approved by the Committee on Health and substituted by House Bill No. 4541, approved on 2nd reading, approved on 3rd reading and was transmitted to the Senate where it was not acted upon. It was again re-filed during the 16th Congress where it was also approved by the House of Representatives and transmitted to the Senate.

Mercury is a persistent, bio-accumulative heavy metal that poses a significant risk to human health, wildlife, and the environment.

Unfortunately, mercury discharges into the atmosphere and surface oceans have increased two-to-five fold since the beginning of the industrialized period due to human activities. Substantial evidence is accumulating that exposure to methyl-mercury is widespread in the general public and occurring at higher than health-based levels of concern according to the World Health Organization. Fish and seafood caught or sold in the Philippines are contaminated with methyl-mercury a toxic element that may cause neurological damage and other health related problems as a result of fish or seafood consumption.

Evidence is continuing to emerge linking increased risk of coronary heart disease to mercury exposure, as presented in at least 2 peer reviewed studies.

Sadly, health advisory information on mercury-contaminated fish, which is necessary to protect public health, is not widely known to the government. This lack of awareness potentially threatens tens of millions of Filipinos who may unknowingly ingest harmful amounts of mercury because they are not aware of exposure risks from consumption of freshwater fish and seafood.

The proposed measure is filed to address this problem by providing the public with adequate notice and education on the effects of exposure to mercury, through the development of health advisories and by requiring that such appropriate advisories be posted, or made readily available, at all businesses that sell fresh, frozen, and canned fish and seafood where the potential for mercury exposure exists.

Hence, immediate passage of this bill is earnestly sought.

MAXIMO B. RODRIGUEZ, JR.

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AN ACT

ESTABLISHING THE MERCURY EXPOSURE INFORMATION PROGRAM AND FOR OTHER PURPOSES

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

SECTION 1. Short Title – This Act shall be known as the “**Mercury Exposure Information Act**”.

SEC 2. Declaration of Policy – Pursuant to the 1987 Constitution, the State hereby declares the policy of protecting and promoting the right to health of the people and instilling health consciousness among them. Towards this end, the State shall adopt an integrated and comprehensive approach to health development, which shall endeavor to make essential goods, health and other social services available to every Filipino at affordable cost.

SEC. 3. Mercury Exposure Information Program – The Secretary of Health shall, in consultation with other government agencies and nonprofit private entities, including cooperative health extension services, design and implement a Mercury Exposure Information Program to ensure that the public is informed of the hazards and adverse effects of mercury exposure through the consumption of fish and other seafood.

Under this program, the Secretary of Health shall issue a comprehensive health advisory to the general public about the presence of methyl mercury in fish and other seafood and its potential dangers to health, particularly to the sensitive population or high risk group such as pregnant women and children.

The Secretary of Health shall provide:

- 1) Medical information on the signs and symptoms, treatment and prevention of mercury-related illnesses; and
- 2) Reliable information on the mercury levels in fish and other seafood, the safe dose and consumption limits with emphasis on limiting the consumption of fish and other seafood with unsafe or high levels of mercury.

The health advisory shall be clear, concise and printed in English, Filipino or any dialect that the Secretary of Health may deem appropriate to effectively disseminate the information.

The health advisory shall be posted in the following areas:

- 1) In the patient and client areas of all maternal and child health hospitals, clinics, centers and similar offices; and
- 2) In markets and business establishments where fish and other seafood are sold for human consumption.

The Secretary of Health shall periodically update the health advisory.

SEC. 4. Mercury Warning Consumer's Guide – A mercury warning consumer's guide or manual on the potential dangers of exposure to mercury shall be prepared and distributed by

the Department of Health (DOH), in coordination with the Department of Environment and Natural Resources (DENR), to the following:

- (a) Appropriate fisheries, wildlife and environmental law enforcement agencies;
- (b) All applicants for fishing license at the time the license is issued; and
- (c) The public upon request.

SEC. 5. Sampling and Monitoring – The Secretary of Health shall ensure that seafood methyl-mercury sampling and monitoring program are conducted by the Food and Drug Administration (FDA) to assist in the documentation of mercury levels in various fish species. The sampling program shall be conducted to provide statistically valid monitoring data with respect to mercury levels in fish and other seafood, including market-basket studies, and the extent to which fish and other seafood with mercury levels in excess of the acceptable level are sold in commerce. Such information, along with information gathered by the DENR, shall be compiled into an annual report to track changes in dietary exposure to mercury from fish and other seafood.

SEC. 6. Penalties – A fine of not less than Five thousand pesos (P5,000.00) but not more than Ten thousand pesos (P10,000.00) shall be imposed upon the head or official of any maternal and child hospital, clinic, center or similar office who fails to post the consumer advisory on the hazards of mercury exposure pursuant to Section 3 of this Act.

A fine of not less than Four thousand pesos (P4,000.00) but not more than Eight thousand pesos (P8,000.00) shall be imposed upon the administrator or operator of any market or business establishment that sells fish and other seafood who fails to post the consumer advisory on the hazards of mercury exposure pursuant to Section 3 of this Act.

SEC. 7. Implementing Rules and Regulations – Within sixty (60) days after the effectivity of this Act, the Secretary of Health shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 8. 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. 9. Effectivity Clause – This Act shall take effect fifteen (15) days after its publication in any national newspaper of general circulation.

Approved,