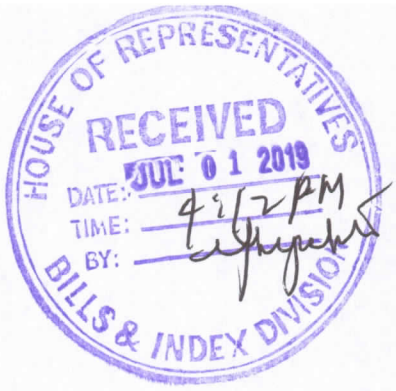

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 641

Introduced by **HON. JOY MYRA S. TAMBUNTING**

EXPLANATORY NOTE

Water is life. It is very vital for human survival. And with the population boom also comes the proliferation of bottled water stations some owned by big multi-national companies which they franchise to local entrepreneurs and others which are small time and unbranded operators.

It is in this light that the undersigned has come to refile HB 6388 which was approved by the House of Representatives in the Fifteenth Congress but failed to prosper in the Senate. This version, however, has minor changes and some additions.

The undersigned hopes that with the filing and approval of this bill, fly-by-night and sub-standard bottled water providers will be eliminated thereby, protecting consumers' health. And also, this bill ensures that quality standards are set in place for the bottled water distributors and providers to follow.

In this light the passage of this bill is earnestly sought

JOY MYRA S. TAMBUNTING

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 641

Introduced by **HON. JOY MYRA S. TAMBUNTING**

AN ACT
ESTABLISHING QUALITY STANDARDS FOR THE PRODUCTION OF MINERAL, CARBONATED AND OTHER BOTTLED WATER

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 "SAFE BOTTLED WATER ACT OF 2019."

SECTION 2. ***Statement of Policy.*** – It is the policy of the state to protect and promote the health of the people by ensuring that potable, safe and affordable drinking water is available to all the people by adopting a comprehensive policy framework to regulate the activities of mineral, carbonated and other bottled water business including suppliers, distributors and sellers therefor.

SECTION 3. Quality Standards for Bottled Water. -
(a) The interim or revised national primary drinking water regulations concerning maximum contaminant levels promulgated by the director of the food and drugs administration (FDA) shall be applicable to all kinds of bottled drinking water, including mineral, spring, natural sparkling and vended water.

(b) Within twelve (12) months after the date of the effectivity of this act, the secretary of the department of health (DOH) shall establish quality standards and definitions for mineral water and carbonated water, which shall include:

(1) Limits for total dissolved solids, sulfate, sodium and trihalomethane content; and

(2) As determined by established health-based drinking water standards.

SECTION 4. Source Protection. – Within twelve (12) months after the date of the effectivity of this Act, the Director of the FDA shall:

(a) Identify safe sources of bottled water; and

(b) Establish criteria to determine the adequacy as well as the protection of "approved sources" of bottled water including, but not limited to:

(1) Minimum construction standards for water wells;

(2) Minimum distance separation from upstream wastewater discharges; and

(3) Minimum distance separation from abandoned wells, septic tanks, waste impoundment and landfills.

SECTION 5. Monitoring, Reporting and Inspection. – Within twelve (12) months after the date of the effectivity of this Act, the Director of the FDA shall:

(a) Establish a bottled water monitoring program which, at a minimum, shall: (1) Be as stringent as that used for public water supplies and which provides for yearly testing and monitoring for unregulated contaminants for which public water utilities must test, and (2) Require that any analysis or testing be performed in an approved and certified laboratory.

(b) Establish a bottled-water reporting program that shall:

(1) Stipulate time-tables and procedures for timely reporting;

(2) Provide public notification procedures should any bottled water be found to be excess of health-based standards;

(3) Establish a national registry of bottled water facilities and their most current reporting information; and

(4) Require that records of sampling and analysis be maintained at the plant for not less than two (2) years and shall be available for official review upon request.

(c) Establish a bottled water facility inspection program which includes, at a minimum, two (2) scheduled inspections a year and one (1) unscheduled inspection a year.

SECTION 6. ***Recall Regulations.*** -- Within six (6) months after the date of the effectivity of this Act, the Director of the FDA shall:

(a) Establish procedures and public notification guidelines for recall of a bottled water product which fall below any health-based standard; and

(b) Require each bottle water manufacturer to develop and submit individual recall notification and recall procedures.

SECTION 7. ***Prohibition of Dual Use of Bottled Water Equipment.*** – Within twelve (12) months after the date of the effectivity of this Act, the Director of

the FDA shall prohibit the processing and bottling of noncarbonated water with equipment used to process milk, fruit juice or other food products likely to contribute nutrients for microbiological growth.

SECTION 8. ***Bottling, Packaging and Storage Study.*** – The Director I of the FDA shall conduct a comprehensive study of contaminants and the extent to which they contribute to the degradation of bottled water from the unique processing and storage of bottled water. The Director shall pay particular attention to contamination problems, which may arise from the bottling, packaging or storage of bottled water products.

SECTION 9. ***Labeling.*** – Within six (6) months after the date of the enactment of this Act, the Secretary of the DOH shall:

(a) Establish and enforce clear, concise, and uncoded uniform source labeling requirements for all bottled water products which, at a minimum, includes:

(1)The original source of the water;
(2)Type of water;
(3)Type of treatment, if any;
(4)The date of bottling;
(5)The address of the bottler; and
(6)Provide numerical specification of sodium content.

(b) Define mineral water, spring water, naturally carbonated, naturally sparkling, well water, natural well water, artesian water, natural artesian water, purified water, distilled water, drinking water and all other variants of bottled water existing in the market, and require that the definition for the appropriate product be placed on the bottle.

SECTION 10. ***Appropriations.*** – The initial amount necessary to implement the provisions of this Act shall be charged against the current year's appropriations of the FDA under the DOH. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SECTION 11. ***Implementing Rules and Regulations (IRR).*** – The DOH shall issue the IRR for this Act within ninety days (90) days from its effectivity.

SECTION 12. ***Separability Clause.*** – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid or subsisting.

SECTION 13. ***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 14. ***Effectivity Clause***. – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,