

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

HOUSE OF REPRESENTATIVES  
H.B. No. 3043

HOUSE OF REPRESENTATIVES	
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Introduced by Representative Harry L. Roque Jr.

#### EXPLANATORY NOTE

Studies by the United States Center for Disease Control show that most people carry in their bodies concentrations of a family of synthetic chemicals known as phthalates. Phthalates, or phthalate esters, are a group of chemical compounds that are mainly used as plasticizers or substances added to plastics to increase their flexibility. They are chiefly used to turn polyvinyl chloride from a hard plastic into a flexible plastic.<sup>1</sup>

Phthalates are commonly found in plastics, pesticides, and personal care products like shampoos, soaps, and makeup. Exposure to phthalates has been linked to malformed sex organs in male lab animals. Alarmingly enough, a recent study revealed that there is a link between mothers exposed to phthalates and genital birth defects in male infants.

As the saying goes, an ounce of prevention is worth a pound of cure. Thus, this bill seeks to avoid the hazardous effects of phthalates on children by prohibiting the sale of toys and other articles intended for children three (3) years of age and below.<sup>2</sup>



HARRY L. ROQUE JR.

<sup>1</sup> <http://en.wikipedia.org/wiki/Phthalates>.

<sup>2</sup> This bill was originally filed during the Fourteenth Congress, First Regular Session., and refiled by Senator Miriam Defensor Santiago during the Sixteenth Congress, First Regular Session.

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1 AN ACT  
2 PROHIBITING THE SALE OF TOYS AND OTHER ARTICLES CONTAINING  
3 PHTHALATES TO CHILDREN THREE YEARS OF AGE AND BELOW

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

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5 SECTION 1. *Short Title.* – This Act shall be known as the “Phthalate-Free Toy Act.”  
6

7 SECTION 2. *Declaration of Policy.* – It is a policy of the State to protect the physical, moral  
8 and social well-being of children. Towards this end, the State shall prohibit the sale of toys  
9 containing phthalates to children three (3) years of age or below.  
10

11 SECTION 3. *Definition of Phthalates.* – For the purposes of this Act, the term “phthalates”  
12 means dialkyl or alkyl aryl esters of 1,2-benzenedicarboxylic acid including, but not limited to,  
13 dimethyl phthalate, diethyl phthalate, diallyl phthalate, di-n-propyl phthalate, di-nbutyl phthalate,  
14 diisobutyl phthalate, butyl cyclohexyl phthalate, di-n-pentyl phthalate, dicyclohexyl phthalate, butyl  
15 benzyl phthalate, di-n-hexyl phthalate, diisohexyl phthalate, diisoheptyl phthalate, butyl decyl  
16 phthalate, di(2-ethylhexyl) phthalate, di(n-octyl) phthalate, diisooctyl phthalate, n-octyl n-decyl  
17 phthalate, diisononyl phthalate, diisodecyl phthalate, diundecyl phthalate, diisoundecyl phthalate,  
18 ditridecyl phthalate, and diisotridecyl phthalate.

1           SECTION 4. *Prohibition on the Sale of Toys Containing Phthalates; Penalties.* – On or after  
2 one hundred and twenty (120) days from the passage of this Act, no toy or article intended for use by  
3 children three (3) years of age or younger if it contains any measurable amount of phthalates.

4           Any person found in violation of this Act shall be punished by a penalty of *prision*  
5 *correctional*, or a fine ranging from Ten Thousand Pesos (₱10,000.00) to Fifty Thousand Pesos  
6 (₱50,000.00), or both, at the discretion of the court, taking into consideration the circumstances of  
7 the case.

8           If the offender is a corporation, trust or firm, partnership, association or any other entity, the  
9 penalty of imprisonment shall be imposed on the entity's responsible officers, including, but not  
10 limited to, the president, vice-president, chief executive officer, general manager, managing director  
11 or partner directly responsible therefor.

12  
13           SECTION 5. *Separability Clause.* – If any provision or any part hereof is held invalid or  
14 unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain valid  
15 and subsisting.

16  
17           SECTION 6. *Repealing Clause.* – Any law, presidential decree or issuance, executive order,  
18 letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with, the  
19 provisions of this Act is hereby repealed, modified, or amended accordingly.

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21           SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
22 publication in at least two (2) newspapers of general circulation.

23           Approved,