



## HOUSE OF REPRESENTATIVES

H. No. 4541

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BY REPRESENTATIVES EJERCITO, RODRIGUEZ (R.), RODRIGUEZ (M.) AND  
MARAÑON, PER COMMITTEE REPORT NO. 881

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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:*

1           SECTION 1. *Short Title.* – This Act shall be known as the “Mercury  
2 Exposure Information Act of 2011”.

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

9           SEC. 3. *Mercury Exposure Information Program.* – The Secretary of  
10 Health shall, in consultation with other government agencies and nonprofit  
11 private entities, including cooperative health extension services, design and

1 implement a Mercury Exposure Information Program to ensure that the public  
2 is informed of the hazards and adverse effects of mercury exposure through the  
3 consumption of fish and other seafood.

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

8 The Secretary of Health shall provide:

9 (a) Medical information on the signs and symptoms, treatment and  
10 prevention of mercury-related illnesses; and

11 (b) Reliable information on the mercury levels in fish and other  
12 seafood, the safe dose and consumption limits with emphasis on limiting the  
13 consumption of fish and other seafood with unsafe or high levels of mercury.

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

17 The health advisory shall be posted in the following areas:

18 (1) In the patient and client areas of all maternal and child health  
19 hospitals, clinics, centers and similar offices; and

20 (2) In markets and business establishments where fish and other  
21 seafood are sold for human consumption.

22 The Secretary of Health shall periodically update the health advisory.

23 SEC. 4. *Mercury Warning Consumer's Guide.* – A mercury warning  
24 consumer's guide or manual on the potential dangers of exposure to mercury  
25 shall be prepared and distributed by the Department of Health (DOH), in  
26 coordination with the Department of Environment and Natural Resources  
27 (DENR), to the following:

1 (a) Appropriate fisheries, wildlife and environmental law enforcement  
2 agencies;

3 (b) All applicants for fishing license at the time the license is issued;  
4 and

5 (c) The public upon request.

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

16 SEC. 6. *Penalties.* – A fine of not less than Five thousand pesos  
17 (P5,000.00) but not more than Ten thousand pesos (P10,000.00) shall be  
18 imposed upon the head or official of any maternal and child hospital, clinic,  
19 center, or similar office who fails to post the consumer advisory on the hazards  
20 of mercury pursuant to Section 2 of this Act.

21 A fine of not less than Four thousand pesos (P4,000.00) but not more  
22 than Eight thousand pesos (P8,000.00) shall be imposed upon the administrator  
23 or operator of any market or business establishment that sells fish and other  
24 seafood who fails to post the consumer advisory on the hazards of mercury  
25 pursuant to Section 2 of this Act.

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

1           SEC. 8. *Repealing Clause.* – Any law, presidential decree or issuance,  
2 executive order, letter of instruction, administrative order, rule or regulation  
3 contrary to or inconsistent with the provisions of this Act is hereby repealed,  
4 modified or amended accordingly.

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

Approved,

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