



HOUSE OF REPRESENTATIVES

H. No. 6992

BY REPRESENTATIVES SANTIAGO (N.), PRIETO-TEODORO, GONZALES (N.),
DE GUZMAN AND DEL MAR, PER COMMITTEE REPORT NO. 2500

AN ACT PROHIBITING THE SALE OF TOYS AND OTHER
ARTICLES CONTAINING HEREIN SPECIFIED PHTHALATES
TO CHILDREN

*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 “Phthalate-
2 Free Toy and Other Articles Act of 2009”.

3 SEC. 2. *Declaration of Policy.* – It is a policy of the State to protect
4 the physical, moral and social well-being of children. Towards this end, the
5 State shall prohibit the sale of toys containing herein specified phthalates to
6 children.

7 SEC. 3. *Definition of Phthalates.* – For purposes of this Act, the
8 following terms shall be defined as:

9 (a) *Phthalates* refer to esters of phthalic acid that are mainly used as
10 plasticizers for manufacturing toys and child-care articles;

1 (b) *Child-care article* refers to any product intended to facilitate
2 sleep, relaxation, hygiene, the feeding of children or sucking on the part of
3 children; and

4 (c) *Toy* refers to any product or material designed or clearly intended
5 for use in play by children less than fourteen (14) years of age.

6 SEC. 4. *Prohibition on the Sale of Toys and Child-care Articles*
7 *Containing Phthalates.* – On or after one hundred twenty (120) days from the
8 passage of this Act, no toys or child-care articles intended for use by children
9 shall contain the following phthalates as a constituent of preparation in
10 concentrations greater than zero point one percent (0.1%) by mass of the
11 plasticized material, in toys and child-care articles:

12 (a) Di (2-ethylhexyl) phthalates (DEHP);

13 (b) Dibutyl phthalate (DBP);

14 (c) Benzyl butyl phthalate (BBP);

15 (d) Diisononyl phthalate (DINP);

16 (e) Diisodecyl phthalate (DIDP); and

17 (f) Di-n-octyl phthalate (DNOP).

18 SEC. 5. *Penalties.* – Any person found in violation of this Act shall be
19 punished by a penalty of *prision correccional* or a fine ranging from Fifteen
20 thousand pesos (P15,000.00) to One hundred fifty thousand pesos
21 (P150,000.00), or both, at the discretion of the court, taking into consideration
22 the circumstances of the case.

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

1 SEC. 6. *Implementing Agency.* — The provisions of this Act and its
2 implementing rules and regulations shall be enforced by the Department of
3 Health.

4 SEC. 7. *Separability Clause.* — If any part hereof is held invalid or
5 unconstitutional, the remainder of the provisions not otherwise affected shall
6 remain valid and subsisting.

7 SEC. 8. *Repealing Clause.* — Any law, presidential decree or issuance,
8 executive order, letter of instruction, administrative order, rule or regulation
9 contrary to or inconsistent with the provisions of this Act is hereby repealed,
10 modified or amended accordingly.

11 SEC. 9. *Effectivity Clause.* — This Act shall take effect fifteen (15)
12 days after its publication in at least two (2) newspapers of general circulation.

Approved,

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