

12 February 2020

SENATOR AQUILINO PIMENTEL III

Chairperson

Committee on Trade, Commerce, and Entrepreneurship

Senate of the Philippines

GSIS Financial Complex, Roxas Boulevard

Pasay City, Philippines

Dear **Senator Pimentel**:

We are pleased to submit the Department's position on Senate Bill No. 58, entitled:

**An Act Requiring the Mandatory Labelling of Household Products
Containing Hazardous Substances**

This is without prejudice to the Department's submission of additional inputs.

With my best regards.

Very truly yours,



RAMON M. LOPEZ
Secretary

OFFICE OF THE SECRETARY

DTI Position on

Senate Bill No. 58

An Act Requiring the Mandatory Labelling of Household Products Containing Hazardous Substances

The Department supports the objectives of the proposed bill in promoting a regulatory framework that would efficiently manage the exposure of consumers to health and safety hazards. A label warning would aid consumers in making an informed choice, particularly on household products made with a potentially toxic substance.

However, the DTI notes that there are existing laws and policies that indicate guidelines and/or standards in the labelling of hazardous household products, viz:

1. Joint DTI-DENR-DA-DOF-DOH-DILG-DOLE-DOTC Administrative Order (AO) No. 01, Series of 2009 - The Adoption and Implementation of the Globally Harmonized System (GHS) Classification and Labelling of Chemicals;

The joint AO was drafted after the publication of the GHS Classification and Labelling of Chemicals in 2003. It provided revised guidelines on the labelling of household pesticide, institutional use pesticide and/or public health pesticide products by adopting GHS and the Guidelines on Good Labelling Practice for Pesticides.¹ The Joint AO also indicated the mandates and coverage of the implementing and coordinating agencies

2. Article 77(c) of Republic Act (RA) No. 7394 or the Consumer Act of the Philippines;

The provision includes “warning of toxicity” as a minimum labelling requirement for consumer products. The label shall appear with such conspicuousness and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase or use. It shall also form an integral part of the label without danger of being erased or detached under ordinary handling of the product.

3. Presidential Decree (PD) No. 881 which empowered the Secretary of Health to regulate the labelling, sale and distribution of hazardous substances; and
4. AO No. 311, Series of 1977 which provided for the labelling requirements for hazardous substances, including pesticides, insecticides and other economic poison.

A review/update/amendment of current guidelines and/or standards may be sufficient in addressing the concerns of the proposed legislation.

The Department expresses its views on certain provisions of the bill, to wit:

Proposed Provision	DTI Position
Sec. 4. Hazard Labelling. Any household product which may be scientifically found or categorized to contain substances that	<ul style="list-style-type: none">• The DTI seeks consideration on labelling the warnings for hazardous products in both English and Filipino,

¹ Published by the Food and Agriculture Organization (FAO) of the United Nations (UN)

<p>are toxic, corrosive, irritant, strong sensitizer or flammable shall be prominently labeled as such</p> <p>xxx</p> <p>The label shall prominently display in conspicuous and eligible type the following information:</p> <p>xxx</p> <p>c. The signal word "Danger" for products that are corrosive, extremely flammable, or highly toxic;</p> <p>d. The signal word "Caution" or "Warning" for all other hazardous products;</p> <p>e. An affirmative statement of the principal hazard or hazards that the product presents, for example, "Flammable," "Harmful if Swallowed," "Causes Burns," "Vapor Harmful," etc.;</p> <p>f. Precautionary statements telling users what they must do or what actions they must avoid to protect themselves;</p> <p>g. Where it is appropriate, instructions for first aid treatment to perform in the event that the product injures someone;</p> <p>h. The word "Poison" for a product that is highly toxic, in addition to the signal word "Danger;"</p> <p>i. If a product requires special care in handling or storage, instructions for consumers to follow to protect themselves; and</p> <p>j. The statement "Keep out of reach of children."</p>	<p>as using both official languages may be more effective in communicating the warning to the general public.</p> <ul style="list-style-type: none"> • As provided by Joint AO No. 01, Series of 2009, the DTI, through the Bureau of Product Standards (BPS, now referred to as the Bureau of Philippine Standards), will remain in charge of preparing label standards for chemical substances and mixtures for consumer products, and ensure the clear differences of risk- and hazard-based labelling for consumer products. • On the other hand, we defer to the Department of Health (DOH), particularly the Food and Drug Administration (FDA), in providing technical assistance to concerned government agencies related to health/toxicological concerns on GHS for hazardous household substances and in issuing implementing rules and regulations on GHS implementation.
---	---

The DTI reiterates its position that a review/update/amendment of relevant legislations and executive issuances should suffice in addressing the objectives of the proposed bill. The Department also maintains its continuous involvement in the development, promulgation, and implementation of standards for all products in the Philippines and ensures the manufacture, production, and distribution of quality products for the protection of consumers.

Ruyaptrichay

Bureau of Trade and Industrial Policy Research

24 January 2020

Ref: BTIPR-122019-42

/avmr_{avt}