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Introduced by Senator Manny B. Villar

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RESOLUTION

**RECOMMENDING TO THE DEPARTMENT OF TRADE AND INDUSTRY THE BANNING OF  
MANUFACTURE, SALE AND IMPORTATION OF CADMIUM LADEN CHILDREN TOYS AND OTHER  
CHILDREN'S PRODUCTS WITH HIGH LEVEL OF TOXIC METALS WITH THE END IN VIEW OF  
ELIMINATING HEALTH HAZARDOUS TOYS AVAILABLE IN THE PHILIPPINE MARKET.**

**Whereas**, the 1987 Constitution states that "[t]he State shall protect and promote the right to health of the people and instill health consciousness among them (Article II, Section 15);"

**Whereas**, the Constitution also provides that "[t]he State shall protect consumers from trade malpractices and from substandard or hazardous products (Article XVI, Section 9);"

**Whereas**, recently the United States of America enacted their Consumer Product Safety Improvement Act of 2008, which banned products with toxic lead that exceeded federal guidelines;

**Whereas**, considering the dangers posed by lead in toys, other countries followed suit in the banning of use of lead in manufacture of toys, these countries include members of the European Union, Canada and Samoa;

**Whereas**, barred from using lead in children's jewelry, manufacturers of toys shifted to using Cadmium as a substitute in the manufacture of children's jewelry and other sparkling charms;

**Whereas**, Cadmium is a heavy metal used as a stabilizer in polyvinyl chloride (PVC) and in coatings and pigments in plastic and paint;

**Whereas**, Cadmium is reported to be more dangerous than lead as adult and children alike need not ingest Cadmium to be at risk, as mere suckling or biting the Cadmium laden toy will expose the individual to health risks;

**Whereas**, Cadmium is known to be a carcinogen and like lead, it can also hinder brain development, learning disabilities and permanent IQ loss and it also cause kidney, lung, and intestinal problems, and cause weakened bones and developmental defects;

**Whereas**, albeit Cadmium being ranked as 7<sup>th</sup> in the most hazardous substance in the environment by US Center for Disease and Control, there are still no restrictions on its use on jewelry;

**Whereas**, the tests conducted by the United States Consumer Product Safety Commission (CPSC) reveal that toys manufactured from China used the most Cadmium as it was found that toys imported therein contain between 89% to 91% Cadmium by weight;

**Whereas**, most of these toys with Cadmium are toys manufactured in China which also reach the Philippine market;

**Whereas**, Health Canada, when it conducted an investigation of currently available toys in the country, advised that a number of toys they tested contained high levels of lead;

**Whereas**, it is already the start of "ber" months where retail stores already start stocking China manufactured alluring and sparkling toys;

**Whereas**, currently there is no strict policy being implemented by the Philippine government as regards the banning or restriction of manufacture or importation of toys laden with either lead or Cadmium or any other toxic materials;

**Whereas**, considering the health risks posed to the public especially to children, it is necessary that the *Department of Trade and Industry* and the *Department of Health* investigate the matter with the goal of drafting regulations that will ban products, especially children toys, with excessively high levels toxic metals such as of cadmium or lead;

**RESOLVED AS IT IS HEREBY RESOLVED**, to recommend to the Department of Trade and Industry the banning of manufacture, sale and importation of Cadmium laden children toys and *other children's products with high level of toxic metals with the end in view of eliminating health hazardous toys available in the Philippine market.*

**Adopted,**

  
Manny Villar