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SENATE

Senate Bill No. 1150

INTRODUCED BY SEN. MANNY VILLAR

EXPLANATORY NOTE

Cigarette is one of the leading causes of fire-deaths in the country.

This bill, the "Cigarette Fire Safety Act," calls for the creation of fire safety standards for cigarettes that would make them less likely to ignite upholstered furniture and mattresses and therefore reduce the number of fires caused by careless smokers.

Scientists and fire officials say a great number of deaths could often be avoided because small design changes in cigarettes would make them less prone to start fires: a filter tip, less porous paper, more expandable tobacco, a smaller diameter, and no citrate added to the paper. More recently, Philip Morris has announced in January, 2000, that it has the technology to make a safer paper for cigarettes.

Cigarettes are designed to continue burning when left unattended. If dropped on mattresses, upholstered furniture or other combustible material while still burning, their propensity to start fires varies depending on the cigarette design and content.

Studies showing the technical and economic feasibility of commercial production of fire-safe cigarettes, a result of relatively minor design changes which could reduce the propensity for igniting mattresses and upholstered furniture, were undergone. Mass production of fire-safe smoking materials has not been undertaken due to a lack of consensus on a uniform test method on which to base a standard for fire-safe cigarettes.

Mass production of cigarettes incorporating the new technology, a potentially important burn prevention tool, will not occur until standards against which fire-starting performance can be measured, have been mandated by law.


MANNY VILLAR

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**AN ACT
CONCERNING FIRE-SAFE CIGARETTES**

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

SECTION 1. Title- This Act shall be known and cited as the "Cigarette Fire Safety Act."

SECTION 2. Safety Standards.- Within two years after the effective date of this act, the Bureau of Fire Protection, after consultation with the Bureau of Product Standards, shall promulgate fire safety standards for cigarettes sold or offered for sale in the country.

As may be necessary to effectuate the purpose of this act.

b. The standards shall insure either:

1. That such cigarettes, if ignited, will stop burning within a time period specified by the standards if the cigarettes are not smoked during that period; or

2. That such cigarettes meet performance standards prescribed by the division to limit the risk that such cigarettes will ignite upholstered furniture, mattresses or other household furnishings.

In promulgating fire safety standards for cigarettes pursuant to this section, the Bureau of Fire Protection, in consultation with the Department of Health, shall consider whether cigarettes manufactured in accordance with such standards may reasonably result in increased health risks to consumers.

SECTION 3. The Bureau of Fire Protection shall be responsible for administering the provisions of this Act. The Bureau shall report to the Congress no later than 18 months after this section takes effect on the status of its work in promulgating the fire safety standards required by this act.

SECTION 4. On and after the date the fire safety standards take effect in accordance with this Act, no cigarettes shall be sold or offered for sale in the

country state unless the manufacturer thereof has certified in writing to the Bureau of Fire Protection that such cigarettes meet the performance standards prescribed by the Bureau. Copies of such written certifications shall be provided by the certifying manufacturer to all licensed wholesale dealers. The Bureau shall prescribe procedures by which licensed retail dealers are notified of which cigarettes have been certified by manufacturers as meeting the performance standards prescribed by the Bureau.

SECTION 5. The fire safety standards required under this act shall take effect on such date as the Bureau shall specify in promulgating such standards and this date shall be the earliest practicable date by which manufacturers of cigarettes can comply with the standards; except that this date shall not be later than 180 days after the standards are promulgated.

On and after that date, no person shall sell cigarettes that have not been certified by the manufacturer in accordance with this act; except, that nothing in this act shall be construed to prohibit any licensed wholesale dealer from selling cigarettes that have not been certified by the manufacturer in accordance with this act if such cigarettes are or will be stamped for sale by licensed dealers in another country or are packaged for sale outside the Philippines.

SECTION 6. Violations- Any licensed wholesale dealer or any other person who knowingly sells cigarettes wholesale in violation of this Act shall be subject to a civil penalty of no more than Php1,000,000.00 for each such sale of such cigarettes.

Any retail dealer who knowingly sells cigarettes in violation of this section shall be subject to the following: (1) a civil penalty of not more than Php300,000.00 for each such sale or offer for sale of such cigarettes, when the total number of cigarettes sold or offered for sale in such sale does not exceed 1,000 cigarettes; (2) a civil penalty of not more than Php500,000.00 for each such sale or offer for sale of such cigarettes, when the total number of cigarettes sold or offered for sale in such sale exceeds 1,000.

In addition to any penalty prescribed by law, any person engaged in the manufacture of cigarettes that knowingly makes a false certification pursuant to this Act shall be subject to a civil penalty of not more than Php500,000.00 for each such false certification.

SECTION 7. All laws, decrees or executive issuances and any rules and regulations or any part thereof which may be inconsistent with any of the provisions of this Act are hereby deemed repealed, amended or modifies accordingly.

SECTION 8. This Act shall take effect fifteen (15) days after its complete publication in two (2) newspapers of general publication.

Approved.