



OFFICE OF THE SB SECRETARY

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR, HELD AT THE MUNICIPAL SESSION HALL ON JUNE 30, 1997.

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PRESENT:

Hon. Edgardo G. Jamero,
Hon. Nacianceno Pacalioga, Jr.,
Hon. Zacarias P. Tangalin,
Hon. Jovencio Bono,
Hon. Eddie Bueno,
Hon. Edman Ambil,
Hon. Wellie Geographia,
Hon. Inocencio Faunillan,
Hon. Nita dela Torre,
Hon. Libertine Retes,

Vice Mayor, Presiding Officer
Sangguniang Bayan Member

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ABSENT:

N o n e

ORDINANCE NO. 8, s. 1997

"AN ORDINANCE PROHIBITING AND/OR BANNING THE SALE, DISPLAY, STORE AND STOCK OF INDONESIA-MADE DETERGENTS WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF DUMINGAG, PROVINCE OF ZAMBOANGA DEL SUR AND IMPOSING PENALTIES FOR VIOLATION THEREOF."

E X P L A N A T O R Y N O T E

WHEREAS, scientific studies show that Indonesia-made detergents such as ekstra aktif, kucing, angora, a go go, superbusa, cucu and super so, contains alkaline-benzene (alkyl-benzene) surfactants, a highly hazardous bio-degreable substance which pollutes the environment;

WHEREAS, in view of the above-cited premise, the proliferation of the Indonesia-made detergents poses a great threat to the environment, health and safety of the inhabitants of this municipality in particular, and to the peoples of the world in general;

WHEREAS, the sale and distribution of said detergents, is a direct violation to the State Policy for Clean and Safe Philippine Environment or Environmental Protection; and

WHEREAS, such hazardous non-bio-degreable substance which pollutes environment, effects likewise the sale of locally made detergents or laundry soaps;

NOW, THEREFORE, this Ordinance is indispensable to prevent the proliferation of Indonesia-made detergents to our municipality due to its substance which pollutes the environment.

BE IT ENACTED BY THE SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR IN SESSION ASSEMBLED:

Section 1. TITLE - This Ordinance shall be known as "INDONESIA-MADE DETERGENTS PROLIFERATION PROTECTION LAW OF DUMINGAG."

Section 2. SCOPE OF APPLICATION - This Ordinance shall apply to any person engaged in the sale, display, store and stock of Indonesia-made detergents within the Municipality of Dumingag, Province of Zamboanga del Sur.

Section 3. AUTHORITY- Pursuant to sub-paragraph (vi), paragraph 1 of Article 100 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the Sangguniang Bayan has the power to provide for the protection of environment and impose penalties for acts, which endanger the environment.

Section 4. PROHIBITION AND BANNING - (a) Any person is prohibited to store, stock, display and engage in the sale of Indonesia-made detergents, bar or powder, such as ekstra aktif, kucing, angora, a go go, superbusa, cucu and super so, which contains alkaline-benzene surfactants which shall affect the physical condition of the water source and environment.

(b) All Indonesia-made detergents mentioned in paragraph (a) hereof are hereby banned under this Ordinance.

Section 5. ENFORCEMENT AGENCIES - The Local Philippine National Police (PNP) Command, Rural Health Unit (RHU), CVO's and Members of Santay Bayan are hereby mandated to enforce this Ordinance.

Section 6. ADMINISTRATIVE SANCTIONS - Any person, natural or juridical, partnership or association or corporation who, upon the approval of this Ordinance, is/are caught possessing, storing, stocking, displaying and/or selling the Indonesia-made detergents mentioned herein, shall be given a grace period of three(3) months to dispose such remaining stocks. After such grace period, the enforcement agencies shall inspect all business establishments engaged in such detergents and confiscate any item/items discovered from the possessor for court exhibit.

Section 7. PENAL PROVISIONS - Any person, natural or juridical, partnership or association or corporation who violates this Ordinance shall, upon conviction, be meted with the following graduated penalties:

- (a) Possessing one (1) cut to one (1) bar of banned detergent-a fine of One Hundred Pesos (P100.00) or an imprisonment of two (2) days or both at the discretion of the court.
- (b) Possessing more than one (1) bar to five (5) bars of banned detergents-a fine of Two Hundred Pesos (P200.00) or an imprisonment of five (5) days or both at the discretion of the court.
- (c) Possessing more than five (5) bars to one (1) box of banned detergents-a fine of Five Hundred Pesos (P500.00) or an imprisonment of ten (10) days or both upon the discretion of the court.
- (d) Possessing more than one (1) box of banned detergents - a fine of One Thousand Pesos (P1,000.00) or an imprisonment of fifteen (15) days or both upon the discretion of the court.
- (e) Penalties imposed to person or persons engaged in the sale of powder detergents shall be in the same manner to those of persons engaged in banned detergent bars, provided, however, that quantities shall be counted based on the prices of bar and powder detergents.
- (f) Confiscated banned detergents shall be turned over to the Rural Health Unit after the decision of the court. The RHU, with the presence of an elective municipal official and municipal treasurer or his/her representative, shall burn such confiscated detergents.

Section 8. SEPARABILITY CLAUSE - Any provision, section or portion of this Ordinance which may be declared invalid or unconstitutional, the same shall not affect the validity of the remaining portion or provisions thereof not directly affected by such declaration.

Section 9. REPEALING CLAUSE - Any resolution or ordinance inconsistent hereof, is modified, repealed or superseded accordingly.

Section 10. EFFECTIVITY - This Ordinance shall take effect upon its approval.

Adopted June 30, 1997

ATTENDED:

SS Secretary

APPROVED:

August 13, 1997.

CERTIFIED CORRECT:

EDUARDO G. CORDERO
Vice Mayor