

**TWENTIETH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES**
First Regular Session

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25 JUL 15 P1:50

SENATE

RECEIVED



S.B. No. 634

Introduced by SEN. WIN GATCHALIAN

**AN ACT
GRANTING ENHANCED PROTECTION TO CONSUMERS, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 7394, OTHERWISE KNOWN AS
"THE CONSUMER ACT OF THE PHILIPPINES"**

EXPLANATORY NOTE

In view of rapid technological advancements that continuously change the means and mechanisms of exchanging products and services, there is an even greater need for an effective consumer legislation to help put consumers on equal footing with merchants, businesses, and industries. This is especially true for consumers who have little to no bargaining power in the marketplace in view of their economic status or educational attainment.

In order to protect all consumers, especially those who are unaware of their rights as consumers and are uninformed of illegal, unfair, or fraudulent schemes employed by unscrupulous merchants, it is imperative to develop and maintain a strong consumer protection policy with due consideration of the economic and social circumstances of consumers, their particular needs, and the costs and corresponding benefits of consumer protection measures.

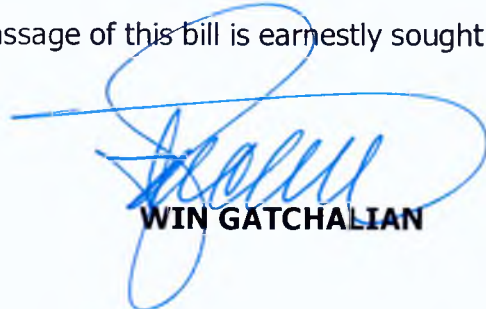
Consistent with the State policy to protect the interests of consumers, promote their general welfare, and establish standards of conduct for business and industry, this proposed measure aims to introduce additional safeguards for consumers, as well

as establish standards of ethical conduct for offline and online business and industry. Thus, this bill seeks to amend Republic Act No. 7394 or the Consumer Act of the Philippines, specifying the eight (8) basic consumer rights which shall be the pillars for consumer-related measures and policies. It also specifically prohibits the employment of pseudo-investments, including pyramid sales schemes, Ponzi schemes, telemarketing fraud, and technology fraud, in the sale of consumer products.

To ensure transparency in commercial transactions, this measure lays down stricter rules on labeling products, such as the inclusion of English or Filipino translation of product labels in foreign languages and the setting of guidelines for proper labeling of drugs and cosmetics. Significantly, this measure does not only impose stricter standards and additional requirements for business and industry, but also creates a concurrent responsibility on the part of consumers in terms of vigilance, proactiveness, social concern, and environmental awareness.

These amendments aim to enhance consumer protection and promote ethical standards in trade practices which will consequently improve market outcomes for the entire economy.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



WIN GATCHALIAN

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

Article I
General Provisions

1 Sec. 1. *Short Title.* — This Act shall be known as the "Enhanced Consumer Act
2 of the Philippines".

3
4 Sec. 2. Article 2 of Republic Act (R.A.) No. 7394, as amended, is hereby
5 amended to read as follows:

6
7 "Article 2. *Declaration of Policy.* — It is the policy of the State to protect
8 the interests of [the] consumer**S**, promote [his] **THEIR** general welfare
9 and [to] establish standards of conduct for business and industry.

1 **THE STATE NEEDS TO DEVELOP AND IMPLEMENT A STRONG**
2 **CONSUMER PROTECTION POLICY, PROMOTE THE GENERAL**
3 **WELFARE OF CONSUMERS, AND ESTABLISH STANDARDS OF**
4 **ETHICAL CONDUCT FOR OFFLINE AND ONLINE BUSINESS AND**
5 **INDUSTRY.**

6
7 Towards this end, the State shall implement measures to achieve the
8 following objectives:

- 9 ~~[a) protection against hazards to health and safety;~~
10 ~~b) protection against deceptive, unfair and unconscionable sales acts~~
11 ~~and practices;~~
12 ~~c) provision of information and education to facilitate sound choice and~~
13 ~~the proper exercise of rights by the consumer;~~
14 ~~d) provision of adequate rights and means of redress; and~~
15 ~~e) involvement of consumer representatives in the formulation of social~~
16 ~~and economic policies.]~~

17
18 **A. DEVELOP AND IMPLEMENT A STRONG CONSUMER**
19 **PROTECTION POLICY THAT WILL ENSURE THE ACCESS OF**
20 **CONSUMERS TO QUALITY, SAFE, AND NON-HAZARDOUS**
21 **PRODUCTS AND FAIR, EQUITABLE AND SUSTAINABLE**
22 **ECONOMIC AND SOCIAL DEVELOPMENT AND**
23 **ENVIRONMENTAL PROTECTION;**

24 **B. UPHOLD STANDARDS OF ETHICAL CONDUCT FOR**
25 **INDIVIDUALS ENGAGED IN THE PRODUCTION AND**
26 **DISTRIBUTION OF GOODS AND SERVICES TO CONSUMERS,**
27 **INCLUDING INTERNET TRANSACTIONS;**

28 **C. ENCOURAGE SELF-REGULATION IN THE ADVERTISING**
29 **INDUSTRY TO ENHANCE AND ENSURE CONSUMER**
30 **PROTECTION THROUGH THE ADOPTION AND OBSERVANCE**

1 OF A CODE OF ETHICS CONSISTENT WITH THIS ACT AND
2 ITS IMPLEMENTING RULES AND REGULATIONS;

3 D. PREVENT ENTERPRISES FROM ENGAGING IN ABUSIVE
4 BUSINESS PRACTICES;

5 E. FACILITATE THE RECOGNITION OF INDEPENDENT
6 CONSUMER GROUPS;

7 F. ENCOURAGE THE DEVELOPMENT OF MARKET CONDITIONS
8 THAT ARE FREE FROM HOARDING AND HELP CONSUMERS
9 MAKE WELL-INFORMED CHOICES; AND

10 G. PROMOTE SUSTAINABLE CONSUMPTION TO FACILITATE
11 PRODUCTION AND DISTRIBUTION PATTERNS WHICH
12 BALANCE THE RESOURCES AND THE NEEDS OF THE
13 CONSUMERS, THEREBY REDUCING THE RATE OF
14 HOUSEHOLD INSECURITIES."

15
16 Sec. 3. A new Article 4 is hereby inserted after Article 3 of Republic Act No.
17 7394, as amended, and the subsequent articles shall be renumbered accordingly:
18

19 "ARTICLE 4. *CONSUMER RIGHTS.* – THE GOVERNMENT, IN
20 MAINTAINING AND STRENGTHENING THE PROMOTION OF
21 CONSUMER INTEREST AND WELFARE IN RELATION TO
22 BUSINESS AND INDUSTRY PRACTICE AS WELL AS THE
23 PRODUCTION AND DISTRIBUTION OF CONSUMER PRODUCTS,
24 SHALL ADOPT MEASURES AND FORMULATE POLICIES TAKING
25 INTO ACCOUNT THE EIGHT (8) BASIC CONSUMER RIGHTS.
26 EVERY CONSUMER SHALL BE ENTITLED TO THE:

27 A. *RIGHT TO BASIC NEEDS.* EVERY CONSUMER SHALL HAVE
28 ACCESS TO BASIC AND ESSENTIAL GOODS AND SERVICES,
29 SUCH AS ADEQUATE FOOD, CLOTHING, SHELTER,

1 HEALTHCARE, EDUCATION, PUBLIC UTILITIES, WATER,
2 AND SANITATION;

3 B. *RIGHT TO CHOOSE.* EVERY CONSUMER SHALL HAVE THE
4 RIGHT TO SELECT FROM A VARIETY OF GOODS AND
5 SERVICES OFFERED AT COMPETITIVE PRICES, EITHER
6 SOLD IN PERSON OR ONLINE, WITH AN ASSURANCE OF
7 SATISFACTORY QUALITY;

8 C. *RIGHT TO BE HEARD.* – EVERY CONSUMER SHALL BE
9 ENTITLED TO EXPRESS INTEREST, TO BE INVOLVED,
10 HEARD, AND CONSIDERED IN THE FORMULATION AND
11 IMPLEMENTATION OF GOVERNMENT POLICIES;

12 D. *RIGHT TO REDRESS.* EVERY CONSUMER SHALL HAVE
13 ACCESS TO APPROPRIATE REMEDIES FOR
14 MISREPRESENTATION, SUBSTANDARD OR DEFECTIVE
15 PRODUCTS OR UNSATISFACTORY SERVICES:

16 E. *RIGHT TO CONSUMER EDUCATION.* – EVERY CONSUMER
17 SHALL HAVE ACCESS TO KNOWLEDGE AND SKILLS NEEDED
18 TO MAKE INFORMED CHOICES AND UNDERSTAND THE
19 ENVIRONMENTAL, SOCIAL, AND ECONOMIC
20 CONSEQUENCES OF THEIR DECISIONS THROUGH THE USE
21 OF ALL AVAILABLE AND CONVENIENT MEANS;

22 F. *RIGHT TO SAFETY.* – EVERY CONSUMER SHALL BE
23 PROTECTED AGAINST HAZARDOUS PRODUCTS,
24 PRODUCTION PROCESSES, AND SERVICES;

25 G. *RIGHT TO A HEALTHY ENVIRONMENT.* – EVERY CONSUMER
26 SHALL HAVE THE RIGHT TO LIVE AND WORK IN AN
27 ENVIRONMENT THAT IS NEITHER THREATENING NOR
28 DANGEROUS, AND ALLOWS A LIFE OF DIGNITY AND WELL-
29 BEING; AND

1 **H. *RIGHT TO INFORMATION.* – EVERY CONSUMER SHALL BE**
2 **PROVIDED WITH INFORMATION NECESSARY TO MAKE AN**
3 **INFORMED CHOICE ON PRODUCTS AND SERVICES AND**
4 **SHALL BE PROTECTED AGAINST DISHONEST OR**
5 **MISLEADING ADVERTISING AND LABELING.”**
6

7 Sec. 4. A new Article 5 is hereby inserted after the new Article 4 of Republic
8 Act No. 7394, as amended, and the subsequent articles shall be renumbered
9 accordingly:
10

11 **“ARTICLE 5. *CONSUMER RESPONSIBILITIES.* – IN RELATION**
12 **TO THE BASIC RIGHTS GRANTED IN THE PRECEDING ARTICLE,**
13 **EVERY CONSUMER SHALL EXERCISE THE FOLLOWING**
14 **RESPONSIBILITIES:**

15 **A. *CRITICAL AWARENESS.* – EVERY CONSUMER SHALL BE**
16 **VILIGANT AND INFORMED ABOUT THE USE, PRICE,**
17 **SOURCE, AND QUALITY OF GOODS AND SERVICES;**

18 **B. *ACTION.* – EVERY CONSUMER SHALL ASSERT THE RIGHT TO**
19 **TAKE ACTION TO ENSURE THAT ONE’S RIGHTS AS A**
20 **CONSUMER ARE AMPLY PROTECTED;**

21 **C. *SOCIAL CONCERN.* – EVERY CONSUMER SHALL BE AWARE**
22 **OF THE IMPACT OF ONE’S CONSUMPTION ON OTHER**
23 **CITIZENS ESPECIALLY THE MARGINALIZED GROUPS;**

24 **D. *ENVIRONMENTAL AWARENESS.* – EVERY CONSUMER**
25 **SHALL BE CONSTANTLY AWARE OF THE IMPACT OF HUMAN**
26 **ACTIVITY TO THE ENVIRONMENT. THE CONSUMER SHOULD**
27 **RECOGNIZE THE OBLIGATION OF INDIVIDUALS, AND OF**
28 **SOCIETY IN GENERAL, TO UTILIZE NATURAL RESOURCES**
29 **SUSTAINABLY AND RESPONSIBLY, AND TO SECURE AND**
30 **PROTECT THE EARTH FOR FUTURE GENERATIONS; AND**

1 **E. *SOLIDARITY.* – CONSUMERS SHALL ORGANIZE**
2 **THEMSELVES INTO GROUPS OR ASSOCIATIONS TO**
3 **STRENGTHEN THEIR POSITION IN THE FORMULATION OF**
4 **POLICIES AIMED AT ADVANCING AND PROTECTING THEIR**
5 **INTERESTS.”**
6

7 Sec. 5. Article 4 (k) of Republic Act No. 7394, as amended, is hereby amended
8 to read as follows:
9

10 "Article [4] **6. *Definition of Terms.*** — For purposes of this Act, the term:

11 k. Chain distribution plan~~S [or pyramid sales schemes means sales~~
12 ~~devices whereby a person, upon condition that he makes an~~
13 ~~investment, is granted by the manufacturer or his representative a~~
14 ~~right to recruit for profit one or more additional persons who will~~
15 ~~also be granted such right to recruit upon condition of making similar~~
16 ~~investments: Provided, That the profits of the person employing~~
17 ~~such a plan are derived primarily from the recruitment of other~~
18 ~~persons into the plan rather than from the sale of consumer~~
19 ~~products, services and credit: Provided, further, That the limitation~~
20 ~~on the number of participants does not change the nature of the~~
21 ~~plan.]~~ **OR “PSEUDO-INVESTMENTS” REFER TO ANY**
22 **BUSINESS STRUCTURE, SALES OR MARKETING PLAN OR**
23 **SCHEME SUCH AS:**

- 24 **1. “PYRAMID SALES SCHEME” REFERS TO A SALE DEVICE**
25 **OR PLAN WHEREBY, UPON CONDITION THAT AN**
26 **INVESTMENT IS MADE BY WAY OF PURCHASING**
27 **GOODS OR PAYING A FEE, A PERSON IS GRANTED BY**
28 **A MANUFACTURER OR THE MANUFACTURER’S**
29 **REPRESENTATIVE THE RIGHT TO SELL PRODUCTS AND**
30 **SERVICES AS WELL AS RECRUIT ONE OR MORE**

1 **ADDITIONAL PERSONS WHO WILL BE GRANTED SUCH**
2 **RIGHT TO RECRUIT, UPON CONDITION OF MAKING**
3 **SIMILAR INVESTMENTS;**

4 **2. "PONZI SCHEME" REFERS TO A BUSINESS STRUCTURE**
5 **OPERATED BY A PERSON OR GROUP, NATURAL OR**
6 **JURIDICAL, WHERE THERE IS NO TRUE PRODUCT OR**
7 **SERVICE BEING OFFERED IN EXCHANGE FOR THE**
8 **INVESTMENT AND WHERE THE MONEY TENDERED BY**
9 **NEW INVESTORS ARE PAID TO EARLIER INVESTORS;**

10 **3. "TELEMARKETING FRAUD" REFERS TO A SCHEME**
11 **WHERE HIGH PRESSURE SALES TACTICS ARE MADE**
12 **OVER THE PHONE WITH THE INTENT TO MAKE THE**
13 **INVESTOR BUY INTO A FRAUDULENT OR NON-**
14 **EXISTENT INVESTMENT OFFERING; AND**

15 **4. "TECHNOLOGY FRAUD" REFERS TO A SCHEME**
16 **WHEREIN INVESTORS ARE DECEIVED INTO MAKING**
17 **PRUCHASES OF OR INVESTMENTS ON NON-EXISTENT**
18 **PRODUCTS, THROUGH THE INTERNET OR DIGITAL**
19 **PLATFORMS."**

20
21 Sec. 6. A new Article 54 is hereby inserted after the renumbered Article 53 of
22 Republic Act No. 7394, as amended, and the subsequent articles shall be renumbered
23 accordingly:

24
25 **"ARTICLE 54. BILLING STATEMENTS AND OTHER**
26 **TRANSACTION DOCUMENTS. – BILLING STATEMENTS AND**
27 **OTHER TRANSACTION DOCUMENTS MAY BE SENT IN PRINTED**
28 **OR ELECTRONIC FORM AT THE OPTION OF, AND WITHOUT ANY**
29 **ADDITIONAL COST, TO CONSUMERS. THE CONSUMERS' RIGHT**
30 **TO SELECT THE MODE IN WHICH THEY RECEIVE THEIR**

1 **BILLING STATEMENTS AND OTHER TRANSACTION**
2 **DOCUMENTS MAY NOT BE CONDITIONED ON THE VALUE OF**
3 **THE PRODUCTS OR SERVICES PROVIDED IN THE**
4 **TRANSACTION.**

5
6 Sec. 7. Article 53 of Republic Act No. 7394, as amended, is hereby amended to
7 read as follows:

8
9 "ARTICLE. [53] **56.** Chain Distribution Plans or [Pyramid Sales
10 Schemes.] **PSEUDO-INVESTMENTS.** – Chain distribution plans or
11 [pyramid sales schemes] **PSEUDO-INVESTMENTS** shall not be
12 employed in the sale of consumer products."

13
14 Sec. 8 Article 64 of Republic Act No. 7394, as amended, is hereby amended to
15 read as follows:

16
17 "Article [64] **67.** *Fraudulent Practices Relative to Weights and Measures.*
18 – The following acts relating to weights and measures are prohibited: x
19 x x

20
21 **L. FOR ANY PERSON TO CONCEAL OR DESTROY (1) A FALSE OR**
22 **COUNTERFEIT SEAL, STICKER, BRAND, STAMP, TAG,**
23 **CERTIFICATE, LICENSE OR DYE, OR (2) AN ALTERED,**
24 **TAMPERED, VANDALIZED SCALE, BALANCE, WEIGHT, OR**
25 **MEASURE TO PREVENT DISCOVERY OR SEIZURE; OR**

26
27 [!] **M.** For any person to procure, **OR COOPERATE IN, OR PROFIT**
28 **FROM THE** commission of any such offense abovementioned by
29 another.

1 Instruments officially sealed at some previous time which have remained
2 unaltered and accurate and the seal or tag officially affixed thereto
3 remains intact and in the same position and condition in which it was
4 placed by the official sealer or his duly authorized representative shall,
5 if presented for sealing, be sealed promptly on demand by the official
6 sealer or his authorized representative without penalty except a
7 surcharge fixed by law or regulation.”
8

9 Sec. 9. Article 76 of Republic Act No. 7394, as amended, is hereby amended to
10 read as follows:
11

12 “Article [76] **79. Prohibited Act on Labeling and Packaging.** – It shall be
13 unlawful for any person, either as principal or agent, engaged in the
14 [~~labeling or packaging~~] **SALE, DISTRIBUTION, MANUFACTURING**
15 of any consumer product, to display, **SELL**, or distribute, or to cause to
16 be displayed, **SOLD** or distributed in commerce any consumer product
17 whose package or label does not conform to the provisions of this
18 chapter.
19

20 **CONSUMER PRODUCTS THAT DO NOT COMPLY WITH THE DATE**
21 **LABEL REQUIREMENT SHALL NOT BE SOLD OR DISTRIBUTED**
22 **IN THE MARKET ONE (1) YEAR AFTER THE ENACTMENT OF THIS**
23 **ACT.**
24

25 The prohibition in this chapter shall not apply to persons engaged in the
26 business or wholesale or retail distributors of consumer products **OR**
27 **CONSUMER PRODUCTS MANUFACTURED OUTSIDE THE**
28 **COUNTRY AND DIRECTLY SHIPPED FROM THE MANUFACTURER**
29 **TO CONSUMER BY MAIL OR OTHER DELIVERY SERVICES** except
30 to the extent that such persons:

- a. are engaged in the packaging or labeling of such products;
- b. prescribe or specify by any means the manner in which such products are packaged or labeled; or
- c. having knowledge, refuse to disclose the source of the mislabeled or mispackaged products."

Sec. 10. Article 77 of Republic Act No. 7394, as amended, is hereby amended to read as follows:

"Article [77] **80. Minimum Labeling Requirements for Consumer Products.** – All consumer products domestically sold whether manufactured locally or imported shall indicate the following in their respective labels of packaging: x x x

- g. country of manufacture, if imported; [and]
- h. if a consumer product is manufactured, refilled or repacked under license from a principal, the label shall so state the fact; **AND**

I. ITS "MANUFACTURING DATE", "EXPIRATION DATE", AND IF APPLICABLE, THE "BEST BEFORE DATE." THE UNIFORM DATE LABEL MUST BE PRINTED CLEARLY AND LEGIBLY ON THE LABEL IN THE FOLLOWING ORDER: MONTH, DAY, AND YEAR. THE DAY AND THE YEAR MUST BE WRITTEN IN FIGURES, WHILE THE MONTH MUST BE WRITTEN IN WORDS. THE TEXT MUST BE IN A SINGLE EASY-TO-READ TYPE STYLE USING UPPER- AND LOWER-CASE LETTERS IN THE STANDARD FORM. THE USE OF "USE-BY", "CONSUME BEFORE", "BEST IF USED BY" AND OTHER SIMILAR PHRASES SHALL NOT BE USED AS DATE LABELS ON THE PACKAGING OF CONSUMER PRODUCTS.

1 FOR PURPOSES OF THIS ACT, "MANUFACTURING DATE"
2 REFERS TO THE DATE WHEN THE PRODUCT WAS
3 PRODUCED OR MADE BY THE MANUFACTURER; "BEST
4 BEFORE DATE" REFERS TO THE DATE WHEN THE QUALITY
5 OF THE PRODUCT BEGINS TO DETERIORATE, BUT IS STILL
6 ACCEPTABLE FOR CONSUMPTION BEFORE THE
7 EXPIRATION DATE; AND "EXPIRATION DATE" REFERS TO
8 THE DATE STATED ON THE LABEL OF FOOD, DRUG,
9 COMESTIC, OR SIMILAR CONSUMER PRODUCT AFTER THE
10 SAFETY, EFFICACY, QUALITY OR POTENCY MUST HAVE RUN
11 ITS COURSE.

12 The following may be required by the concerned department in
13 accordance with the rules and regulations they will promulgate
14 under authority of this Act: x x x"

15
16 Sec. 11. Article 84 of Republic Act No. 7394, as amended, is hereby amended
17 to read as follows:

18
19 "Article [84] **87. Additional Labeling Requirement for Food.** – The
20 following additional labeling requirements shall be imposed by the
21 concerned department for food:

22 a) [~~expiry or~~] **MANUFACTURING DATE**, expiration date, [~~where~~] and
23 **WHENEVER** applicable, **THE BEST BEFORE DATE**; x x x"

24
25 Sec 12. Article 86 of Republic Act No. 7394, as amended, is hereby amended
26 to read as follows:

27
28 "Article [86] **89. Labeling of Drugs.** – The Generics Act, **AND OTHER**
29 **LAWS AMENDATORY THERETO**, shall apply in the labeling of drugs.
30 **THE FOOD AND DRUG ADMINISTRATION SHALL ENSURE THAT**

1 **ALL DRUGS MANUFACTURED AND DISTRIBUTED LOCALLY**
2 **SHALL HAVE "MANUFACTURING DATE" AND "EXPIRATION**
3 **DATE" ON THEIR LABELS. THE UNIFORM DATE LABELS**
4 **REQUIRED MUST BE PRINTED CLEARLY AND LEGIBLY ON THE**
5 **LABEL IN THE FOLLOWING ORDER: MONTH, DAY AND YEAR.**
6 **THE DAY AND THE YEAR MUST BE WRITTEN IN FIGURES WHILE**
7 **THE MONTH MUST BE WRITTEN IN WORDS. THE TEXT MUST BE**
8 **IN A SINGLE EASY-TO-READ TYPE STYLE USING UPPER- AND**
9 **LOWER-CASE LETTERS IN THE STANDARD FORM.**

10
11 **FOR PRODUCTS RECONSTITUTED PRIOR TO USE, AND THOSE**
12 **WHICH CAN BE ADMINISTERED MULTIPLE TIMES, THE LABEL**
13 **SHALL INCLUDE THE PERIOD OF GUARANTEED SAFETY,**
14 **EFFICACY, AND QUALITY OF THE RECONSTITUTED**
15 **PREPARATION AFTER FIRST OPENING AT GIVEN STORAGE**
16 **CONDITIONS."**

17
18 Sec. 13. Article 87 of Republic Act No. 7394, as amended, is hereby amended
19 to read as follows:

20
21 "Article [87] **90. Additional Labeling Requirements for Cosmetics.** – The
22 following additional requirements may be required for cosmetics:
23 a) **MANUFACTURING DATE AND** expiry or expiration date; x x x"

24
25 Sec. 14. A new Article 93 is hereby inserted after the renumbered Article 92 of
26 Republic Act No. 7394, as amended, and the subsequent articles shall be renumbered
27 accordingly:

28
29 **"ARTICLE 93. ENGLISH OR FILIPINO TRANSLATIONS OF**
30 **PRODUCT LABELS WRITTEN IN FOREIGN CHARACTERS OR**

1 ***LANGUAGES. – CONSUMER PRODUCTS WITH PRODUCT LABELS***
2 ***WRITTEN IN FOREIGN CHARACTERS OR LANGUAGE SHALL BE***
3 ***ALLOWED ENTRY INTO THE COUNTRY AND INTRODUCED INTO***
4 ***COMMERCE ONLY IF THEY HAVE A CORRESPONDING ENGLISH***
5 ***OR FILIPINO TRANSLATION TO ENABLE THE AUTHORITIES TO***
6 ***DETERMINE WHETHER THE PRODUCT HAS COMPLIED WITH***
7 ***ALL THE OTHER LABELING REQUIREMENTS AS WELL AS***
8 ***PROVIDE THE CONSUMERS PROPER GUIDANCE ON THE***
9 ***CONTENTS AND ORIGIN OF THE PRODUCT.”***

10
11 Sec. 15. A new Article 94 is hereby inserted after the new Article 93 of Republic
12 Act No. 7394, as amended, and the subsequent articles shall be renumbered
13 accordingly:

14
15 ***“ARTICLE 94. OFFICIAL SOURCES OF INFORMATION FOR***
16 ***IMPORTED CONSUMER PRODUCTS. – IMPORT DATA FROM THE***
17 ***BUREAU OF CUSTOMS AND BUREAU OF IMPORT SERVICES OF***
18 ***THE DEPARTMENT OF TRADE AND INDUSTRY SHALL BE***
19 ***RECOGNIZED AS OFFICIAL SOURCES OF INFORMATION TO***
20 ***VALIDATE THE FOLLOWING INFORMATION RELATIVE TO A***
21 ***PARTICULAR IMPORTED CONSUMER PRODUCT:***

- 22 ***1. COUNTRY OF MANUFACTURE;***
23 ***2. NAME AND ADDRESS OF MANUFACTURER OR EXPORTER;***
24 ***3. NAME AND ADDRESS OF IMPORTER OR CONSIGNEE;***
25 ***4. VALUE AND VOLUME OF SHIPMENT;***
26 ***5. DATE OF ARRIVAL; AND***
27 ***6. OTHER INFORMATION RELEVANT TO THE SHIPMENT IN***
28 ***QUESTION.”***

1 Sec. 16. Article 116 of Republic Act No. 7394, as amended, is hereby amended
2 to read as follows:

3
4 "Article ~~[116]~~ **121. Permit to Conduct Promotion.** – No person shall
5 conduct any sales ~~[campaigns, including beauty contest, national in~~
6 ~~character, sponsored and promoted by manufacturing enterprises]~~
7 **PROMOTION OF PRODUCTS AND SERVICES OR THE SALE**
8 **THEREOF, THROUGH AND WITH THE USE OF ALL FORMS OF**
9 **MEDIA, INFORMATION AND COMMUNICATIONS**
10 **TECHNOLOGIES, INCLUDING BEAUTY CONTESTS THAT ARE**
11 **NATIONAL IN CHARACTER, SPONSORED AND PROMOTED BY**
12 **PRODUCERS, MANUFACTURERS, DISTRIBUTORS, SUPPLIERS,**
13 **IMPORTERS, RETAILERS OR THEIR AGENTS** without first securing
14 a permit from the concerned department of at least ~~[thirty (30) calendar]~~
15 **FIFTEEN (15)** days prior to the commencement thereof. ~~[Unless an~~
16 ~~objection or denial is received within fifteen (15) days from filing of the~~
17 ~~application, the same shall be deemed approved and the promotion~~
18 ~~campaign or activity may be conducted]~~ *Provided,* That any sales
19 promotion campaign using medical prescriptions or any part thereof or
20 attachment ~~[thereto for raffles or a promise of reward]~~ shall not be
21 allowed, nor a permit be issued thereof.

22
23 Sec 17. *Implementing Rules and Regulations.* — Within ninety (90) days after
24 the effectivity of this Act, the Department of Trade and Industry, in coordination with
25 the implementing agencies under this Act, other relevant government agencies, and
26 stakeholders, shall promulgate the rules and regulations to effectively implement the
27 provisions of this Act.

1 Sec. 18. *Separability Clause.* — If any portion or provision of this Act is declared
2 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
3 remain in full force and effect.

4
5 Sec. 19. *Repealing Clause.* — Any laws, presidential decrees or issuances,
6 executive orders, letters of instruction, and rules or regulations inconsistent with the
7 provisions of this Act are hereby repealed or modified accordingly.

8
9 Sec. 20. *Effectivity.* — This Act shall take effect fifteen (15) days following its
10 complete publication in two (2) newspapers of general circulation or in the Official
11 Gazette.

Approved,