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SENATE  
S. No. 1782

13 OCT 2013  
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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

The Constitution, Article 2, Section 15 mandates the State to protect and promote the right to health of the people and to instil consciousness among them.

Alcohol is by far the substance most widely used and abused by people in the country today. Even minors, who are supposedly prohibited from purchasing and drinking alcoholic beverages, are found to be alcohol dependents. People are not well informed about the hazards of alcohol use. This is understandable, owing to the fact that these advertisements of alcoholic beverages merely proclaim the soothing taste of these alcoholic drinks, other exhilarating effects on one's virility, but conceal the more important information that alcoholic beverages can actually do as much harm as illegal drugs do.

However, these advertisements are silent on medical findings that show that alcoholic beverages can actually produce greater risk of suffering from high blood pressure, liver disease and cancer.

This bill seeks to promote consciousness on the ill effects of alcoholic beverages by requiring that advertisements for these products should bear health warnings.\*

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MIRIAM DEFENSOR SANTIAGO

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\* This bill was originally filed during the Thirteenth Congress, First Regular Session.

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SENATE  
S. No. 1782

RECEIVED BY... *Jr*

Introduced by Senator Miriam Defensor Santiago

1 AN ACT  
2 REQUIRING ADVERTISEMENTS OF ALCOHOLIC BEVERAGES TO BEAR HEALTH  
3 WARNINGS

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

4 SECTION 1. *Short Title.* - This Act shall be known as the "Sensible Advertising Act."

5 SECTION 2. . *Declaration of Policy.* - It is a policy of the State to protect and promote  
6 the right of the people to health and instill consciousness among them. Pursuant to this policy,  
7 this Act seeks to instill consciousness about the deleterious effects of alcoholic beverages by  
8 requiring alcohol advertisements include bear health warnings of imbibing alcohol.

9 SECTION 3. *Definition of Terms.* - For purposes of this Act, the term:

10 (A) "Alcoholic beverage" includes any beverage which contains not less than one-half  
11 percent of alcohol y volume and is intended for human consumption;

12 (B) "Secretary" refers to the Secretary of Health.

13 SECTION 4. *Health Warnings.* - It shall be unfair or deceptive act or practice for any  
14 person to:

15 (A) Advertise or cause to be advertised through magazines, newspaper, brochures,  
16 and promotional displays any alcoholic beverage unless the advertising bears, in accordance with  
17 the requirements in this Section, one of the following health warnings:

1           GOVERNMENT WARNING: If you are pregnant, don't drink. Drinking  
2 alcohol during pregnancy may cause mental retardation and other birth defects.

3           GOVERNMENT WARNING: Alcohol is a drug and may be addictive.

4           GOVERNMENT WARNING: Drive sober. If you don't, you could lose  
5 your driver's license or even your life. Alcohol impairs your ability to drive a car  
6 or operate machinery.

7           GOVERNMENT WARNING: Don't mix alcohol with over-the-counter,  
8 prescription, or illicit drugs.

9           GOVERNMENT WARNING: If you drink too much alcohol too fast, you  
10 can die of alcohol poisoning.

11           GOVERNMENT WARNING: Drinking increases your risks of high blood  
12 pressure, liver disease, and cancer. The more you drink, the more likely it is that  
13 you will have such health problems.

14       (B) Advertise or cause to be advertised through radio, television broadcasting  
15 (including cable broadcasting and paid per view or subscription television), or other electronic  
16 means any alcoholic beverage unless the advertising includes, in accordance with the  
17 requirements of this Section, one of the following health warnings;

18           GOVERNMENT WARNING: If you are pregnant, don't drink. Drinking  
19 Alcohol during pregnancy may cause mental retardation and other birth defects.

20           GOVERNMENT WARNING: Alcohol is a drug and may be addictive.

21           GOVERNMENT WARNING: Drive sober. If you don't, you could lose  
22 your driver's license or even your life.

23           GOVERNMENT WARNING: Don't mix alcohol with over-the-counter,  
24 prescription, or illicit drugs.

25           GOVERNMENT WARNING: If you drink too much alcohol, you can die  
26 from alcohol poisoning.

27           GOVERNMENT WARNING: Drinking increases your risks of high blood  
28 pressure, liver disease, and cancer.

1           SECTION 5. *Requirements.* - The health warnings required for alcoholic beverage  
2 advertisements by Section 4 shall be located in a conspicuous and prominent place on each  
3 advertisement, as determined by the Secretary of Health in regulations to take effect not later  
4 than six (6) months after the date of the effectivity of this Act.

5           SECTION 6. *Report.* - If the Secretary finds that available scientific information would  
6 justify the change, addition, or deletion of the requirements prescribed in Section 4, the Secretary  
7 shall promptly submit a report to the appropriate committee of Congress containing:

8           (A)    The information; and

9           (B)    Specific recommendations for such amendments to this Act as the Secretary  
10 determines to be appropriate and in the public interest.

11           SECTION 7. *Separability Clause.* - If any provision or part thereof is held invalid or  
12 unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain  
13 valid and subsisting.

14           SECTION 8. *Repealing Clause.* - Any law, presidential decree or issuance, executive  
15 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent  
16 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

17           SECTION 9. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its  
18 publication in at least two (2) newspapers of general circulation.

Approved,