



Introduced by Senator Maria Lourdes Nancy S. Binay  
RECEIVED BY: *[Signature]*

**RESOLUTION**  
**DIRECTING THE FOOD AND DRUG ADMINISTRATION UNDER THE**  
**DEPARTMENT OF HEALTH TO CREATE GUIDELINES REGARDING ONLINE**  
**SELLING, ADVERTISING AND PROMOTION OF PHARMACEUTICAL**  
**PRODUCTS WITH THE INTENTION OF PROTECTING CONSUMER**  
**HEALTHCARE AGAINST COUNTERFEIT PHARMACEUTICAL PRODUCTS**  
**BEING SOLD, ADVERTISED AND PROMOTED THROUGH THE INTERNET**

**WHEREAS**, Section 2 of Republic Act 3720, provides that, "it is the policy of the State to insure safe and good quality of food, drug and cosmetic, and to regulate the production, sale and traffic of the same to protect the health of the people"<sup>1</sup>;

**WHEREAS**, counterfeit pharmaceutical products are widely available, advertised and promoted throughout the internet especially in social networking and buy and sell websites;

**WHEREAS**, The Food and Drug Administration (FDA) released advisories forewarning the public about the presence of counterfeit pharmaceutical products online<sup>2</sup>;

**WHEREAS**, a definitive guideline regarding online selling, advertising and promotion of pharmaceutical products is yet to be established;

**WHEREAS**, 33.6 million of the 95 million Filipinos have access to the internet, thus a large number of the population is at risk of being victimized by websites selling counterfeit pharmaceutical products<sup>3</sup>;

**WHEREAS**, immediate response to this matter is needed, the risk to the healthcare of Filipinos is at stake and citizens experiencing poverty is the most vulnerable due to cheaper prices of counterfeit pharmaceutical products;

<sup>1</sup> Chan Robles Virtual Law Library website, Republic Act 3720, "Food, Drug, and Cosmetic Act

<sup>2</sup> Food and Drug Administration website, FDA Advisory No. 2014-004, FDA Advisory No. 2013-043

<sup>3</sup> Philstar website, Internet penetration rises to 35%,  
<http://www.philstar.com/business/2013/02/02/903770/internet-penetration-rises-35>

**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE**, as it is hereby resolved directing the Food and Drug Administration FDA under the Department of Health to create guidelines regarding online selling, advertising and promotion of pharmaceutical products with the intention of protecting consumer healthcare against counterfeit pharmaceutical products being sold, advertised and promoted through the internet.

Adopted,

  
**MARIA LOURDES NANCY S. BINAY**  
Senator