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THIRTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
First Regular Session )

RECEIVED BY: \_\_\_\_\_

SENATE  
S. B. No. 1262

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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 instill health 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, or their exhilarating effects on one's virility, but conceal the more important information that alcoholic beverages can actually do such harm as other drugs do. Apparently, these advertisements are oblivious to medical findings that alcoholic beverages can actually produce greater risk of suffering from high blood pressure, liver disease and cancer.

This bill seeks to infuse consciousness on the ill effects of alcoholic beverages by requiring that their advertisements should bear health warnings.

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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AN ACT  
REQUIRING ADVERTISEMENTS OF ALCOHOLIC BEVERAGES  
TO BEAR HEALTH WARNINGS

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

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

SECTION 2. *Declaration of Policy.*- The State shall protect and promote the right of the people to health and instill health consciousness among them.

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

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

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

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

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

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

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

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

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

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

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

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

GOVERNMENT WARNING: If you are pregnant, don't drink alcohol. Alcohol may cause mental retardation and other birth defects.

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

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

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

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

GOVERNMENT WARNING: Drinking too much alcohol increases your risk of high blood pressure, liver disease, and cancer.

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

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

- (A) The information; and
- (B) Specific recommendations for such amendments to this Act as the Secretary determines to be appropriate and in the public interest.

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

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

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

Approved.

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21 August 1998