


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

04 AUG -3 12:43

SENATE
S.B. No. **1603**

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 15, provides:

The State shall protect and promote the right to health of the people and instill health consciousness among them.

The public should be informed about the health hazards that may result from the consumption or abuse of alcoholic beverages. Health warning on all containers of alcoholic beverages is appropriate and necessary in view of the substantial role of the government in promoting public health and safety.


This bill seeks to increase consciousness on the health hazards that may be associated with the consumption or abuse of alcoholic beverages by requiring that containers of alcoholic beverages should carry health warnings.


MIRIAM DEFENSOR SANTIAGO

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04 AUG -3 P2:43

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AN ACT
 REQUIRING THAT ALCOHOLIC BEVERAGES CARRY HEALTH WARNINGS ON
 THEIR CONTAINERS

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

SECTION 1. *Short Title.* – This Act shall be known as the “Alcoholic Beverage Labeling Act.”

SECTION 2. *Policy.* – It is hereby declared the policy of the State to protect and promote the right to health of the people and instill health consciousness among them.

SECTION 3. *Definition of terms.* – As used in this Act, the terms –

- (1) “Alcoholic beverage” includes any beverage in liquid form which contains not less than one-half of one percent of alcohol by volume and is intended for human consumption;
- (2) “Bottle” means to fill a container with an alcoholic beverage and to seal such container;
- (3) “Bottler” means a person who bottles an alcoholic beverage;
- (4) “Container” means the innermost sealed container irrespective of the material from which made, in which an alcoholic beverage is placed by the bottler and in which such beverage is offered for sale to members of the general public;
- (5) “Health” includes, but is not limited to, the prevention of accidents;
- (6) “Person” means an individual, partnership, joint stock company, business trust, association, corporation, or any other business or legal entity, including a receiver, trustee, or liquidating agent;

(7) "Sale" and "distribution" include sampling or any other distribution not for sale; and

(8) "Secretary" means the Secretary of the Department of Health.

SECTION 4. *Labeling Requirement.* –

(1) Statement Required to be Labeled on Container – On and after the expiration of the 12-month period following the enactment of this Act, it shall be unlawful for any person to manufacture, import, or bottle for sale or distribution in the Philippines any alcoholic beverage unless the container of such beverage bears the following statement:

"GOVERNMENT WARNING: (1) Women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. (2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery, and may cause health problems."

(2) Conspicuous and Prominent Location of Statement on Container – The statement required by subsection (1) shall be located in a conspicuous and prominent place on the container of such beverage, shall be in type of a size, as determined by the Secretary, and shall appear on a contrasting background. The Secretary shall make such determinations within ninety (90) days after the enactment of this Act.

(3) Subsection (1) shall not apply with respect to alcoholic beverages that are manufactured, imported, bottled, or labeled for export from the Philippines, or for delivery to a vessel or aircraft, as supplies, for consumption beyond the jurisdiction of the internal revenue laws of the Philippines.

(4) Powers of the Secretary; rules and regulations – The Secretary shall have the power to –

(A) ensure the enforcement of the provisions of this Act; and

(B) issue regulations to carry out this Act.

SECTION 5. *Penalties.* – Any person who shall violate the provisions of this Act, or its implementing rules and regulations, shall be subject to a fine of not less than Fifty Thousand

Pesos (P50,000.00) but not more than One Hundred Thousand pesos (P100,000.00) or imprisonment of not less than three (3) months but not more than two (2) years, or both, at the discretion of the court.

SECTION 6. *Report to Congress.* – If, after the expiration of the 24-month period following the enactment of this Act, the Secretary finds that available scientific information would justify a change in, addition to, or deletion of the statement, or any part thereof, set forth in section 4 (1) of this Act, the Secretary shall promptly report such information to Congress together with 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.