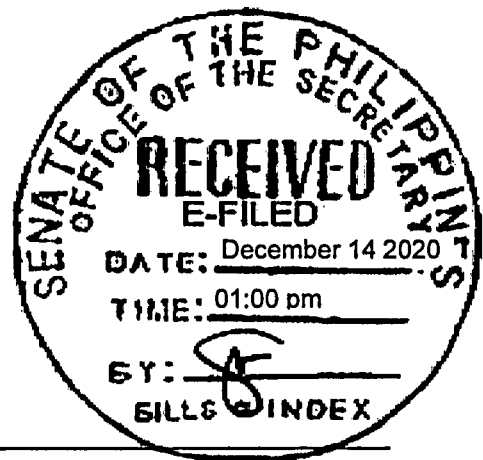


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE

S. No. 1951



Introduced by Senator Ralph G. Recto

AN ACT
REGULATING THE IMPORTATION, MANUFACTURE, SALE, PACKAGING,
DISTRIBUTION, USE, AND COMMUNICATION OF VAPOR PRODUCTS AND
HEATED TOBACCO PRODUCTS

EXPLANATORY NOTE

Vaporized Nicotine Products refer to a category of novel consumer goods that generate a nicotine-containing or non-nicotine containing aerosol without combustion or burning. This product category embraces both heated tobacco products and vapor products.

This bill seeks to regulate, the importation, manufacture, sale, packaging, distribution, use, advertisement, promotion and sponsorship of Vaporized Nicotine Products to reduce the harm caused by smoking, promote a healthy environment and protect the citizens from any potential hazards coming from the use of these novel consumer products. This bill also declares it a State policy to consider harm reduction measures as a public health strategy whereby these novel consumer products are properly regulated, the citizens protected from the hazards of tobacco smoke while ensuring that access to non-combustible alternatives to cigarettes is not curtailed.

This measure imposes a minimum age restriction of 18 years for these products to ensure that only adults are allowed access to its use. It also mandates that buyers be made to verify their age through a government-issued identification card. Websites that carry these products should also be age gated.

To ensure that adult smokers are made aware of these products and encouraged to switch to these novel products, this bill allows product communication in points of sale, on the internet, and through direct marketing. However, the bill also provides that product communication should not be false or unsubstantiated. It is also prohibited for these marketing materials to target minors or non-smokers.

This bill prohibits the use of these products in schools, hospitals, government offices, and facilities intended particularly for minors. It further limits to designated vaping areas, the use of these products in indoor facilities and in other specific places that are open to the general public.

Most importantly, this bill grants the Department of Trade and Industry jurisdiction over these products. To ensure that defective, dangerous, and substandard products are kept off the market, product standards for consumables and electrical devices in line with international practices shall be made mandatory.

Finally, this bill also requires risk-appropriate health warnings to be displayed on the package.

The immediate approval of this bill is earnestly sought.



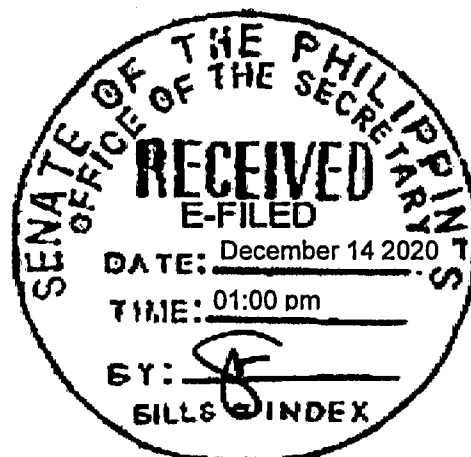
RALPH G. RECTO

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

1 Section 1. *Short Title.* – This Act shall be known as the “Vaporized Nicotine
2 Products Regulation Act”.

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

6 For this purpose, the government shall regulate, the importation, manufacture,
7 sale, packaging, distribution, use, advertisement, promotion and sponsorship of
8 Vaporized Nicotine Products in order to reduce the harm caused by smoking, promote
9 a healthy environment and protect the citizens from any potential hazards of these
10 novel consumer products.

11 It is further declared the policy of the State to enact a balanced policy by
12 enforcing harm reduction measures as a public health strategy whereby these novel
13 consumer products are properly regulated in order to promote a healthful environment
14 and to protect the citizens from the hazards of tobacco smoking by ensuring that
15 access to its non-combustible alternatives is not curtailed.

16 Sec. 3. *Definition of Terms.* – For purposes of this Act, the following terms shall
17 mean:

- 1 a) *Advertising* refers to the business of conceptualizing, presenting, making
2 available and communicating to the public, through any form of mass
3 media, any fact, data or information about the attributes, features, quality
4 or availability of consumer products, services or credit. For the purpose of
5 this Act, advertising shall be understood as Vaporized Nicotine Product
6 advertising and shall not include non-promotional communication intended
7 for informational purposes only;
- 8 b) *Child-resistant* shall refer to the type of containers that can be opened only
9 by operating, puncturing or removing one of its functional and necessary
10 parts using a tool that is not supplied with the container and comply with
11 the existing standards on child-resistant packaging;
- 12 c) *Designated Vaping Area* shall refer to an assigned indoor or outdoor area
13 where the use of Vaporized Nicotine Products shall be allowed.
- 14 d) *Distributor* shall refer to any entity to whom Vaporized Nicotine Products is
15 delivered to or sold for purposes of distribution in commerce, except that
16 such term does not include a manufacturer or retailer or common carrier of
17 such product.
- 18 e) *Heated Tobacco Product Consumables* or *Heat-Not-Burn-Product*
19 *Consumables*, also referred to as "Heated Tobacco Products (HTPs)", shall
20 refer to tobacco products that are intended to be consumed through
21 heating tobacco, either electronically or through other means sufficient to
22 release an aerosol that can be inhaled, without combustion of the tobacco.
23 Heated Tobacco Product Consumables or Heat-Not-Burn Product
24 Consumables may also include liquid solutions and gels that are part of the
25 product and are heated to generate an aerosol. HTPs may or may not
26 operate by means of a Heated Tobacco Product Device.
- 27 f) *Heated Tobacco Product Device* or *HTP Device* shall refer to the component
28 or combination of components of a Heated Tobacco Product System
29 intended to be used in combination with HTP Consumables that generate
30 an aerosol without combustion.

- 1 g) *Heated Tobacco Product System* or *HTP System* shall refer to a HTP
2 Consumable and HTP Device that are intended to be used together as a
3 system.
- 4 h) *Ingredient* means any substance that is used to make the Vapor Product
5 Refills or Heated Tobacco Product Consumables that is present in the
6 finished product;
- 7 i) *Manufacturer* shall refer to an establishment engaged in any and all
8 operations involved in the production of Vapor Products or Heated Tobacco
9 Products including preparatory processing, compounding, formulating,
10 filling, refilling, packaging, repackaging, altering, ornamenting, finishing
11 and labeling for the purpose of its storage, sale or distribution;
- 12 j) *Nicotine* shall refer to nicotinic alkaloids, including any salt or complex of
13 nicotine whether derived from tobacco or synthetically produced;
- 14 k) *Nicotine Mixture* shall refer to the nicotine-containing liquid, solid or other
15 non-tobacco substance in the product;
- 16 l) *Nicotine Shots* refer to nicotine in liquid or any other form/substances that
17 is added to or mixed with vapor product refills or cartridges that has the
18 effect of increasing the dosage or nicotine concentration in a refill or
19 cartridge;
- 20 m) *Package* shall refer to packs, boxes, cartons, or containers of any kind in
21 which Vapor Products or HTPs are contained when offered for sale to
22 consumers;
- 23 n) *Principal display surface* shall refer to the panel of the package that faces
24 the consumer when displayed for sale;
- 25 o) *Point of Sale* shall refer to any location, physical or online, where an
26 individual can purchase or obtain Vaporized Nicotine Products, which may
27 include a product testing area;
- 28 p) *Product Comprehension Session* shall refer to the act of testing by using a
29 Vaporized Nicotine Product for the purpose of informing and familiarizing a
30 prospective buyer, who is of legal age for the purpose of this Act, with the
31 operation and characteristics of the product;

- 1 q) *Promotion* shall refer to an event or activity organized by or on behalf of a
2 Vaporized Nicotine Products manufacturer, importer, distributor, or retailer
3 with the aim of promoting a brand of a Vaporized Nicotine Product, which
4 event or activity would not occur if not for the support given to it by or on
5 behalf of the Vaporized Nicotine Product manufacturer, importer,
6 distributor, or retailer. This includes the paid use of Vaporized Nicotine
7 Product bearing the brand names, trademarks, logos, and the like by
8 performers in movies, television and other forms of entertainment. For the
9 purpose of this Act, promotion shall be understood as Vaporized Nicotine
10 Product promotion;
- 11 r) *Refill container* shall refer to a container for holding e-liquid or nicotine
12 mixture;
- 13 s) *Retailer* shall refer to any establishment which sells or offers to sell any
14 Vaporized Nicotine Product directly to the general public subject to Section
15 6 of this Act;
- 16 t) *Sponsorship* shall refer to any public or private contribution, whether in
17 cash or in kind, from a third party in relation to an event, team, or activity
18 made with the aim of promoting a brand of Vaporized Nicotine Products,
19 which event, team or activity would still exist or occur without such
20 contribution. For the purpose of this Act, sponsorship shall be understood
21 as Vaporized Nicotine Products sponsorship;
- 22 u) *Tamper-resistant* shall refer to the type of packages constructed such that
23 it has one or more indicators or barriers to entry which, if breached or
24 missing, can reasonably be expected to provide visible evidence that the
25 product or its packaging has been opened, or otherwise comply with
26 standards on tamper-resistant packaging;
- 27 v) *Vapor Product Refills*, also referred to as "Vapor Products", shall refer to
28 the liquid, solid, gel or combination, which may or may not contain nicotine,
29 that is transformed into an aerosol without combustion by a Vapor Product
30 Device;

1 w) *Vapor Product Device* shall refer to a device or a combination of devices
2 used to heat a Vapor Product, to produce an aerosol, mist, or vapor that
3 users inhale;

4 x) *Vapor Product System* shall refer to the specific combination consisting of
5 the Vapor Product Refill and Vapor Product Device which, based on the
6 information made available to the consumer by the provider, are intended
7 to be used together. These may include combinations of a liquid solution
8 or gel, that are heated and transformed into an aerosol without combustion
9 through the employment of a mechanical or electronic heating element,
10 battery, or circuit, and includes, but is not limited to a cartridge, a tank, or
11 a device without a cartridge or tank; and

12 y) *Vaporized Nicotine Product* shall refer to the category of products used in
13 both HTP System and Vapor Product System, as defined herein, which are
14 novel consumer goods that generate a nicotine-containing or non-nicotine
15 containing aerosol without combustion.

16 **Sec. 4. *Packaging and Health Warnings.*** – All manufacturers, importers, and
17 distributors duly authorized to sell Vapor Product Refills and HTP Consumables shall
18 comply with the following packaging requirements:

19 a) Only the unit packaging or any outside consumer packaging of Vapor
20 Product Refills or HTP Consumables and refill containers shall bear the
21 following health warnings on the lower fifty percent (50%) of the principal
22 display surface:

23 “This product is harmful and contains nicotine which is a highly addictive
24 substance. It is not recommended for use by non-smokers.”;

25 b) Nothing shall be printed or applied on a location where it is likely to obscure
26 or cover, in part or in whole, the health warning; and

27 c) No part of the warning may be obliterated, obscured, folded, severed or
28 become unreadable when the package is opened or closed or when a
29 wrapper on the package is removed.

30 **Sec. 5. *Tamper-resistant and Child-resistant Design.*** – The receptacles of Vapor
31 Product Refills shall be child-resistant, tamper-resistant, and shall be protected against
32 breakage and leakage.

1 **Sec. 6. *Minimum Age Sales and Purchase.*** – The minimum allowable age for
2 the purchase, sale and use of Vaporized Nicotine Products shall be eighteen (18) years
3 old.

4 It shall not be a defense for the person selling or distributing that he/she did
5 not know or was not aware of the real age of the purchaser. Neither shall it be a
6 defense that he/she did not know nor had any reason to believe that the product was
7 for the consumption of a person below eighteen (18) years of age.

8 **Sec. 7. *Proof-of-Age Verification.*** – Retailers shall ensure that no individual
9 below eighteen (18) years of age is allowed to purchase Vaporized Nicotine Products.
10 It shall be the responsibility of retailers to verify the age of buyers. For this purpose,
11 the presentation of any valid identification card exhibiting the buyer’s photograph and
12 age or date of birth may be required.

13 **Sec. 8. *Online Trade.*** – The sale or distribution of Vaporized Nicotine Products
14 through internet websites or via e-commerce and/or other similar media, shall be
15 allowed: *Provided*, That the seller or distributor shall adopt measures to ensure that
16 such access shall be restricted to persons below eighteen (18) years of age and that
17 the internet website shall bear the signages required under this Act.

18 In compliance with the aforementioned age restriction, and when seeking
19 access to such media platform, the person’s legal age shall be self-declared in the
20 opening first page of the website.

21 **Sec. 9. *Sales within School Perimeters.*** – The sale or distribution of Vaporized
22 Nicotine Products within one hundred (100) meters from any point of the perimeter
23 of a school, playground or other facility frequented particularly by minors shall be
24 prohibited.

25 **Sec. 10. *Point-of-Sale Signage.*** – Point-of-sale establishments offering, selling,
26 or distributing Vaporized Nicotine Products shall post the following statement in a clear
27 and conspicuous manner: “THE SALE OR DISTRIBUTION OF VAPOR PRODUCTS OR
28 HEATED TOBACCO PRODUCTS TO OR BY PERSONS BELOW EIGHTEEN (18) YEARS
29 OF AGE IS ILLEGAL.

30 **Sec. 11. *Product Communication Restrictions.*** – Advertisements and other
31 forms of consumer communication shall be allowed in points of sale or retail

1 establishments, through direct marketing, and on the internet: *Provided*, That the
2 following guidelines shall apply:

- 3 a) These shall not be targeted to or particularly appeal to persons under
4 eighteen (18) years of age;
- 5 b) Quit-smoking messages shall not be undermined while non-tobacco and
6 non-nicotine users shall not be encouraged to use Vaporized Nicotine
7 Products;
- 8 c) These shall not contain any information that is false or not scientifically
9 substantiated, particularly with regard to product characteristics, health
10 effects, risks or emissions;
- 11 d) Product comprehension sessions shall be allowed in designated locations,
12 by those licensed to sell Vaporized Nicotine Products; and
- 13 e) These restrictions apply to commercial communications only and shall not
14 prevent a company from providing information regarding its company, its
15 products and other non-promotional information on Vaporized Nicotine
16 Products.

17 No Vaporized Nicotine Product advertisements may be placed on objects or
18 places outside points of sale such as but not limited to vehicles of any kind, billboards,
19 posters, streamers.

20 *Sec. 12. Restrictions on Vaporized Nicotine Product Promotional Activities. –*

21 The following restrictions shall apply to any promotional activity related to Vaporized
22 Nicotine Product:

- 23 a) Promotional events and activities, such as, but not limited to, product
24 sampling or product offers, must be directed only to persons at least
25 eighteen (18) years of age. No person below eighteen (18) years of age
26 shall participate in such promotions. The participants in such promotions
27 must be required to provide proof of age;
- 28 (i) Communications to consumers about promotional events for Vaporized
29 Nicotine Products shall comply with the provisions of this Act governing
30 Vaporized Nicotine Products advertising. In addition to the required
31 health warning, the age requirement for participation in any

1 promotional activity must be clearly marked on the program materials
2 distributed to consumers;

3 (ii) All stalls, booths, and other displays concerning Vaporized Nicotine
4 Product promotions must be limited to point-of-sale locations or adult-
5 only facilities; and

6 (iii) Telecommunications concerning promotional offers, programs or
7 events must include a recorded health warning message in English or
8 Filipino consistent with the warnings specified in this Act.

9 b) No product promotional placement or advertisement shall be made by any
10 manufacturer, distributor, or retailer of any Vaporized Nicotine Product
11 package, including use of the product, in any manner, in a video game or
12 in any television program or motion picture authorized by regulatory
13 agencies concerned for viewing by those under eighteen (18) years of age;

14 c) No promotional merchandise such as, but not limited to, t-shirts, caps,
15 sweatshirts, visors, backpacks, sunglasses, writing implements and
16 umbrellas, may be distributed, sold or offered, directly or indirectly, with the
17 name, logo or other indicia of a Vaporized Nicotine Product brand displayed
18 so as to be visible to others when worn or used;

19 d) No name, logo, or other indicia of a Vaporized Nicotine Product brand, may
20 appear on promotional merchandise or element of a brand-related
21 marketing activity that is marketed to or likely to be used by minors such
22 as, but not limited to, sports equipment, toys, dolls, video games, and food.
23 The manufacturer or company must take all available measures to prevent
24 third parties from using the company's brand names, logos, or other
25 proprietary symbol on products that are directed toward minors; and

26 e) No Vaporized Nicotine Product advertisements may be placed on shopping
27 bags.

28 **Sec. 13. *Restrictions on Sponsorship.*** – The following restrictions shall apply on
29 all Vaporized Nicotine Product promotional sponsorships:

30 a) Sponsorships shall be limited to industry associations or trade events, where
31 only persons at least eighteen (18) years of age shall be allowed to
32 participate. No person below eighteen (18) years of age may participate in

1 such a sponsored event. The participants in the sponsored event must be
2 required to provide proof of age;

3 b) Communications to consumers about Vaporized Nicotine Product sponsored
4 events shall comply with the provisions of this Act governing Vaporized
5 Nicotine Product advertising. In addition to the mandatory health warning,
6 the age requirement for participation in any sponsored events must be
7 clearly marked on the program materials distributed to consumers;

8 c) All display materials concerning Vaporized Nicotine Product sponsored
9 events must be limited to point-of-sale locations or adult-only facilities; and

10 d) Telecommunications concerning sponsored events must include a recorded
11 health warning message in English or Filipino consistent with the warnings
12 specified in this Act.

13 *Sec. 14. Use in Public Place.* – The use of Vaporized Nicotine Products shall be
14 allowed in public places except that indoor use is prohibited in schools, hospitals,
15 government offices, and facilities intended particularly for minors. In other indoor
16 places open to the general public, the use of Vaporized Nicotine Products shall not be
17 allowed except in designated vaping areas or in point-of-sale establishments for
18 purposes of conducting product comprehension sessions.

19 *Sec. 15. Standards for Designated Vaping Areas.* – Designated Vaping Areas
20 (DVAs) shall comply with the following standards:

21 a) Persons below eighteen (18) years of age shall not be allowed within the
22 DVA;

23 b) Every DVA shall have the following signages highly visible and prominently
24 displayed:

25 i. "Vaping Area" signage; and

26 ii. Prohibition on entry of persons below eighteen (18) years of age;

27 c) Smoking shall not be allowed in DVAs; and

28 d) The number of persons allowed inside shall be controlled by the
29 establishment owner taking into consideration the size of the DVA and its
30 location.

31 *Sec. 16. Product Notification.* – Three (3) months prior to placing Vaporized
32 Nicotine Products in the market, all manufacturers and importers must notify the

1 Department of Trade and Industry (DTI) and submit information demonstrating
2 compliance with product standards and assessment requirements in accordance with
3 this Act. For products that are already in-market, they shall be given eighteen (18)
4 months to register their products with the DTI and submit information demonstrating
5 compliance with product standards and assessment requirements consistent with
6 Section 16 of this Act.

7 *Sec. 17. Product Standard Requirements for Vapor Product Refills, Devices and*
8 *Systems.* – The DTI shall set technical standards for safety, consistency and quality of
9 Vapor Product Refills, Devices and Systems in line with international practice for Vapor
10 Products.

- 11 a) The substances listed below may not be added to Vapor Product Refills:
- 12 i. Additives that have carcinogenic, mutagenic or reprotoxic properties in
 - 13 unburnt form;
 - 14 ii. Vitamins or other additives that create the impression that the product
 - 15 has a health benefit or presents reduced health risks:
 - 16 iii. Caffeine, taurine, or other additives and stimulant compounds that are
 - 17 associated with energy and vitality;
 - 18 iv. Additives having coloring properties for emissions;
 - 19 v. Ethylene glycol;
 - 20 vi. Diethylene glycol;
 - 21 vii. Diacetyl; and
 - 22 viii. 2,3-pentanedione;
- 23 b) Producers of electrical Vapor Product Devices intended to be used in
- 24 combination with Vapor Product Refills shall ensure that such devices
- 25 comply with the applicable electrical safety standards as may be determined
- 26 by the BPS of the DTI;
- 27 c) Batteries must comply with applicable industry requirements as may be
- 28 determined by the BPS of the DTI;
- 29 d) All ingredients in the Vapor Product Refill should be listed on the label where
- 30 they are used in quantities of 0.1% or more of the final formulation of the
- 31 e-liquid. Where a flavor ingredient contains several component chemicals,
- 32 it can be described on the label by the name of the flavor. For confidentiality

1 reasons, companies may choose to describe individual ingredients used in
2 quantities below 0.1% of the final formulation by category;

- 3 e) A full list of ingredients in the flavoring must be included in notifications
4 through the DTI;
- 5 f) Nicotine, propylene glycol and glycerol used in the manufacture of the e-
6 liquids shall meet the requirements of either the European or American
7 Pharmacopoeia and other ingredients in the manufacture of the e-liquids,
8 such as flavors, shall be of food grade;
- 9 g) Consumer packaging of Vapor Product Refills shall include an information
10 leaflet about the safe use of the product. This shall also include appropriate
11 advice on product storage, particularly on how to ensure that the battery
12 does not malfunction;
- 13 h) Vapor Product Refills may not be marketed, packed or presented with
14 characterizing flavors other than tobacco and menthol. Fruit flavors, nuts,
15 coffee, tea, vanilla, and caramel flavored e-liquids shall be prohibited.

16 *Sec. 18. Product Standard Requirements for Heated Tobacco Product*
17 *Consumables, Devices and Systems.* – The DTI shall have exclusive jurisdiction to set
18 standards on HTP Consumables, Devices, and System as guided by the following
19 requirements:

- 20 a) The substances listed below may not be added to HTP Consumables:
- 21 i. Additives that have carcinogenic, mutagenic or reprotoxic properties in
22 unburnt form;
- 23 ii. Vitamins or other additives that create the impression that the product
24 has a health benefit or presents reduced health risks:
- 25 iii. Caffeine, taurine, or other additives and stimulant compounds that are
26 associated with energy and vitality;
- 27 iv. Additives having coloring properties for emissions;
- 28 v. Ethylene glycol;
- 29 vi. Diethylene glycol;
- 30 vii. Diacetyl; and
- 31 viii. 2,3-pentanedione;

- 1 b) Manufacturers of electrical HTP Devices, intended for use in combination
2 with HTPs, shall ensure that such devices do not combust or burn the
3 tobacco mixture;
- 4 c) Manufacturers of electrical HTP Devices, intended for use in combination
5 with HTPs, shall ensure that such devices comply with the applicable safety
6 standards as may be determined by the BPS of the DTI; and
- 7 d) Batteries must comply with applicable industry requirements as may be
8 determined by the BPS of the DTI.

9 **Sec. 19. *Restriction on the Retail and Sale of Nicotine Shots.*** – The retail or use
10 of nicotine shots and/or concentrates shall be strictly prohibited.

11 **Sec. 20. *Jurisdiction.*** – Vaporized Nicotine Products are novel consumer
12 products that do not combust tobacco and are to be governed exclusively by this Act
13 and such other regulations as may be issued by the DTI pursuant to this Act in their
14 sole and exclusive authority and jurisdiction.

15 **Sec. 21. *Penalties for Noncompliance.*** – The following penalties shall
16 individually apply to manufacturers, importers, distributors, and sellers of Vaporized
17 Nicotine Products as well as their agents for any violation of this Act:

- 18 a) On the first offense, a fine of not more than One Hundred Fifty Thousand
19 Pesos (P150,000.00);
- 20 b) On the second offense, a fine of not more than Two Hundred Fifty Thousand
21 Pesos (P250,000.00);
- 22 c) On the third offense, a fine of not more than Five Hundred Thousand Pesos
23 (P500,000.00); or imprisonment of not more than five (5) years, or both, at
24 the discretion of the court: *Provided*, That the business permits and licenses,
25 in the case of a business entity or establishment shall be revoked or
26 cancelled.

27 Non-compliant Vaporized Nicotine Products found in the market for sale or
28 distribution shall be subject to confiscation.

29 Online sellers and distributors of Vaporized Nicotine Products and online
30 platforms that are non-compliant with Section 8 of this Act shall be ordered by the
31 DTI to immediately suspend trading of such products, and shall be liable for the fines
32 and penalties imposed under this Section. Suspension shall continue until the seller,

1 distributor or online platform has complied with the requirements provided under
2 Section 8 of this Act.

3 If the guilty officer is a foreign national, the officer shall be deported after
4 service of sentence and/or payment of applicable fines without need of further
5 deportation proceedings and shall be permanently barred from re-entering the
6 Philippines.

7 *Sec. 22. Role of Local Government Units (LGUs).* - All LGUs shall ensure that
8 this Act is implemented within their respective jurisdictions. No LGU may establish or
9 continue to implement any of its requirement for a vapor product or heated tobacco
10 product, which is different from, or in addition to, any requirement under the
11 provisions of this Act.

12 *Sec. 23. Congressional Oversight Committee on Vaporized Nicotine Products.* -
13 A Congressional Oversight Committee on Vaporized Nicotine Products (COC-VNP) is
14 hereby constituted to monitor and review the implementation of this Act for a period
15 not exceeding three (3) years. The COC-VNP shall be composed of the Chairpersons
16 of the Senate Committees on Health, Trade and Commerce, Agriculture, and Public
17 Information, and the House of Representatives Committees on Trade and Industry,
18 Health, Public Information, and Agriculture, and a Member of the House of
19 Representatives representing the tobacco producing provinces.

20 The Secretariat of the COC-VNP shall be drawn from the existing personnel of
21 the standing committees comprising the Congressional Oversight Committee and its
22 funding requirements shall be charged against the appropriations of both the House
23 of Representatives and Senate of the Philippines.

24 *Sec. 24. Implementing Rules and Regulation.* - Within three (3) months from
25 the date of effectivity of this Act, the DTI shall issue the implementing rules and
26 regulations ("IRR") for this Act. The non-promulgation of the IRR shall not prevent the
27 implementation of this Act upon its effectivity.

28 *Sec. 25. Appropriations.* - The amount necessary to implement the provisions
29 of this Act shall be charged against the current year's appropriations of the national
30 government agencies concerned. Thereafter, such funds as may be necessary for the
31 continued implementation of this Act shall be included in the budgets of the national
32 government agencies concerned under the annual General Appropriations Act.

1 **Sec. 26. *Transitory Provision.*** – Existing industries and businesses affected by
2 the implementation of this Act shall be given an eighteen (18) month transitory period
3 from the effectivity of this Act to comply with the requirements herein.

4 **Sec. 27. *Separability Clause.*** – If any provision or any part hereof is held invalid
5 or unconstitutional, the remainder of the law or the provisions not otherwise affected
6 shall remain valid and subsisting.

7 **Sec. 28. *Repealing Clause.*** – All laws, decrees, rules and regulations or parts
8 thereof which may govern the product category, market access, period of compliance,
9 jurisdiction, labeling, packaging and health warning, sales and purchase, online trade,
10 age restrictions, product and brand communications, promotions, sponsorships, use
11 and designated vaping area, and product standards, of Vaporized Nicotine Products,
12 and those other laws, decrees, rules and regulations or parts thereof which are
13 inconsistent with the provisions of this Act, are hereby repealed, amended or modified
14 accordingly.

15 **Sec. 29. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
16 publication in the *Official Gazette* or in at least two (2) newspapers of general
17 circulation.

 Approved,