

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

7 OCT 16 2 7 07

SENATE
S. No. 1783

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article II, 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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* This bill was originally filed during the Thirteenth Congress, First Regular Session.

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

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

6 SECTION 1. *Short Title.* – This Act shall be known as the “Alcoholic Beverage Labeling
7 Act of 2007.”

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

11 SECTION 3. *Definition of Terms.* – As used in this Act, the term:

12 (A) “Alcoholic beverage” includes any beverage in liquid form which contains not less
13 than one-half of one percent of alcohol by volume and is intended for human
14 consumption;

15 (B) “Bottle” means to fill a container with an alcoholic beverage and to seal such
16 container;

17 (C) “Bottler” means a person who bottles an alcoholic beverage;

18 (D) “Container” means the innermost sealed container irrespective of the material from
19 which made, in which an alcoholic beverage is placed by the bottler and in which
20 such beverage is offered for sale to members of the general public;

21 (E) “Health” includes, but is not limited to, the prevention of accidents;

1 (F) “Person” means an individual, partnership, joint stock company, business trust,
2 association, corporation, or any other business or legal entity, including a receiver,
3 trustee, or liquidating agent;

4 (G) “Sale” and “distribution” include sampling or any other distribution not for sale; and

5 (H) “Secretary” means the Secretary of the Department of Health.

6 SECTION 4. *Labeling Requirement.* –

7 (A) *Statement Required to be Labeled on Container.* – On and after the expiration of the
8 12-month period following the enactment of this Act, it shall be unlawful for any person to
9 manufacture, import, or bottle for sale or distribution in the Philippines any alcoholic beverage
10 unless the container of such beverage bears the following statement:

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

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

20 (C) *Exceptions.* – Subsection (A) shall not apply with respect to alcoholic beverages that
21 are manufactured, imported, bottled, or labeled for export from the Philippines, or for delivery to
22 a vessel or aircraft, as supplies, for consumption beyond the jurisdiction of the internal revenue
23 laws of the Philippines.

24 (D) *Powers of the Secretary; rules and regulations.* – The Secretary shall have the power
25 to –

26 (1) Ensure the enforcement of the provisions of this Act; and

27 (2) Issue regulations to carry out this Act.

1 SECTION 5. *Penalties.* – Any person who shall violate the provisions of this Act, or its
2 implementing rules and regulations, shall be subject to a fine of not less than Fifty Thousand
3 Pesos (P50,000.00) but not more than One Hundred Thousand Pesos (P100,000.00) or
4 imprisonment of not less than three (3) months but not more than two (2) years, or both, at the
5 discretion of the court.

6 SECTION 6. *Report to Congress.* – If, after the expiration of the twenty four (24) months
7 following the enactment of this Act, the Secretary finds that available scientific information
8 would justify a change in, addition to, or deletion of the statement, or any part thereof, set forth
9 in Section 4(A) of this Act, the Secretary shall promptly report such information to Congress
10 together with specific recommendations for such amendments to this Act as the Secretary
11 determines to be appropriate and in the public interest.

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

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

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

20 Approved,