

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

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SENATE
S.B. No. 2627

BY: Thy

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The purpose of the present Animal Welfare Act is to protect and promote the welfare of all animals in the Philippines by supervising and regulating the establishment and operations of all facilities utilized for breeding, maintaining, keeping, treating or training of all animals either as objects of trade or as household pets.

However, under the said law, animals are allowed to suffer and even die for a mere sales demonstration. If the Animal Welfare Act is amended, the use and/or killing of live animals for the sake of sales will not be allowed.

This bill seeks to amend the Animal Welfare Act of 1998 to prohibit the use of live animals in sales and marketing demonstrations of medical devices and products.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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AN ACT
AMENDING REPUBLIC ACT NO. 8485,
ALSO KNOWN AS ANIMAL WELFARE ACT OF 1998, TO PROHIBIT THE USE OF
ANIMALS FOR MARKETING MEDICAL DEVICES

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

SECTION 1. Republic Act No. 8485, also known as the Animal Welfare Act of 1998 is hereby amended by inserting after Section 7 the following provisions:

SECTION. 8. NO PERSON MAY USE A LIVE ANIMAL TO:

(1) DEMONSTRATE A MEDICAL DEVICE OR PRODUCT TO A SALES REPRESENTATIVE FOR THE PURPOSE OF MARKETING SUCH MEDICAL DEVICE OR PRODUCT;

(2) TRAIN A SALES REPRESENTATIVE TO USE A MEDICAL DEVICE OR PRODUCT;

(3) DEMONSTRATE A MEDICAL DEVICE OR PRODUCT IN A WORKSHOP OR TRAINING SESSION FOR THE PURPOSE OF MARKETING A MEDICAL DEVICE OR PRODUCT; OR

(4) CREATE A MULTIMEDIA RECORDING (INCLUDING A VIDEO RECORDING) FOR THE PURPOSE OF MARKETING A MEDICAL DEVICE OR PRODUCT.

THIS SECTION SHALL NOT APPLY TO THE TRAINING OF MEDICAL PERSONNEL FOR A PURPOSE OTHER THAN MARKETING A MEDICAL DEVICE OR PRODUCT.

THE TERM "DEVICE" REFERS TO ANY INSTRUMENT, APPARATUS, IMPLEMENT, MACHINE, CONTRIVANCE, IMPLANT, IN VITRO REAGENT, OR OTHER

SIMILAR OR RELATED ARTICLE, INCLUDING ANY COMPONENT, PART, OR ACCESSORY, WHICH IS INTENDED FOR USE IN THE DIAGNOSIS OF DISEASE OR OTHER CONDITIONS, OR IN THE CURE, MITIGATION, TREATMENT, OR PREVENTION OF DISEASE, IN MAN OR OTHER ANIMALS, OR INTENDED TO AFFECT THE STRUCTURE OR ANY FUNCTION OF THE BODY OF MAN OR OTHER ANIMALS.

SECTION 2. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain valid and subsisting.

SECTION 3. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 4. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,