

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

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SENATE
S. No. 1873

RECEIVED BY

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 11, Section 15 mandates the State to protect and promote the right to health of the people and to instil 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, other exhilarating effects on one's virility, but conceal the more important information that alcoholic beverages can actually do as much harm as illegal 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.¹

acc. 
MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed during the Thirteenth Congress, First Regular Session

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 REQUIRING ADVERTISEMENTS OF ALCOHOLIC BEVERAGES TO BEAR HEALTH
3 WARNINGS

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

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

5 SECTION 2. . *Declaration of Policy.* - It is a policy of the State to protect and promote
6 the right of the people to health and instill consciousness among them. Pursuant to this policy,
7 this Act seeks to instill consciousness about the deleterious effects of alcoholic beverages by
8 requiring alcohol advertisements include bear health warnings of imbibing alcohol.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 GOVERNMENT WARNING: Drinking increases your risks of high blood
28 pressure, liver disease, and cancer.

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

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

8 (A) The information; and

9 (B) Specific recommendations for such amendments to this Act as the Secretary
10 determines to be appropriate and in the public interest.

11 SECTION 7. *Repealing Clause.* - Any law, presidential decree or issuance, executive
12 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
13 with the provision of this Act is hereby repealed, modified or amended accordingly.

14 SECTION 8. *Separability Clause.* - If any provision or part hereof, is held invalid or
15 unconstitutional, the remainder of the la or the provision not otherwise affected shall remain
16 valid and subsisting.

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

Approved,