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SENATE  
S. No. 3137

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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

According to ARTICLE XIII Section 12 of the 1987 Constitution:

“The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health, manpower development, and research, responsive to the country's health needs and problems.”

Dietary supplements and weight-loss aids are not subject to the same rigorous standards by the Bureau of Food and Drugs (BFAD) as are prescription drugs or medications sold over-the-counter. These weight-loss supplements do not have to disclose a full list of ingredients, and often trigger a host of harmful side effects, including nausea, high blood pressure, diarrhea, indigestion, heart rate irregularities, insomnia, vomiting, or worse. This "buyer beware" policy is troublesome enough regarding adult consumers, but it is particularly alarming with regard to teenagers and children. Warning labels on many of these products alert that they are "for adult use only," or are "not for use by individuals under 18 years of age," but yet there are no regulations which restrict a retailer from selling these products to children. We must protect our children from unfettered access to untested weight-loss supplements that could wreak potentially permanent damage on their bodies.

This legislation would address this problem by not only making prohibiting the sale of over-the-counter weight loss supplements to persons younger than 18, but also by requiring retailers selling these supplements to post in a conspicuous location a sign stating that selling over-the-counter weight loss supplements to persons younger than 18 is a violation of the law.

  
MIRIAM DEFENSOR SANTIAGO

SENATE  
S. No. **3137**

RECEIVED: *JH*

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AN ACT  
PROHIBITING THE SALE OF OVER-THE-COUNTER WEIGHT LOSS SUPPLEMENTS TO  
MINORS

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

3 SECTION 1. *Definition.* – For the purposes of this Act, “Over-the-counter weight loss  
4 supplements” means any product intended for the purpose of weight loss that are sold without  
5 the need of a prescription.

6 SECTION 2. *Prohibition.* – Any person operating a place of business where over-the-  
7 counter weight loss supplements are sold or offered for sale is prohibited from selling such  
8 products to individuals under eighteen years of age.

9 SECTION 3. *Sign.* - Any person operating a place of business where over-the-counter  
10 weight loss supplements are sold or offered for sale shall post in a conspicuous place a sign upon  
11 which there shall be imprinted the following statement, “Sale of over-the-counter weight loss  
12 supplements to persons under eighteen years of age is prohibited by law.” Such sign shall be  
13 printed on a white card in red letters at least one-half inch in height.

14 SECTION 4. *Penalty.* – Any person who violates section 2 and 3 of this Act shall  
15 be penalized with a fine of not less than Fifty Thousand Pesos (P 50,000.00) but not more than  
16 Two Hundred thousand Pesos (P 200,000.00) or imprisonment of not less than six (6) months but  
17 not more that five (5) years, or both such fine and imprisonment at the discretion of the court.

1           SECTION 5. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or  
2 parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or  
3 modified accordingly.

4           SECTION 6. *Separability Clause.* – If, for any reason, any provision of this Act is  
5 declared to be unconstitutional or invalid, the other sections or provisions hereof which are not  
6 affected thereby shall continue to be in full force and effect.

7           SECTION 7. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days  
8 following its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

9           Approved,