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SENATE

P. S. Res. No. 1202

RECEIVED BY



INTRODUCED BY THE HONORABLE MAR ROXAS

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON TRADE AND COMMERCE TO INVESTIGATE AND LOOK INTO THE UNFAIR TRADE AND MARKETING PRACTICES OF MULTINATIONAL PHARMACEUTICAL COMPANIES, PARTICULARLY PFIZER INCORPORATED, THAT OBSTRUCT THE FREE MARKET FROM DICTATING JUST AND REASONABLE PRICES OF MEDICINES IN FAVOR OF FILIPINO CONSUMERS, WITH THE END IN VIEW OF DETERMINING REMEDIAL LEGISLATION NECESSARY TO CURB THE SAME.

WHEREAS, Section 11, Article XIII of the 1987 Constitution categorically declares that the State shall adopt an integrated and comprehensive approach to health and development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost;

WHEREAS, Section 2 of Republic Act No. 9502, otherwise known as the *Universally Accessible Cheaper and Quality Medicines Act* further lays down the policy of the State to protect public health and to adopt appropriate measures to promote and ensure access to affordable quality drugs and medicines for all and recognizes that regulation of prices of drugs and medicines is one of the means to promote and ensure access to quality affordable medicines;

WHEREAS, the passage of Republic Act No. 9502 in spite of the many roadblocks particularly the persistent lobby efforts against it by big multinational pharmaceutical firms, is truly a triumph for the Filipino people and is a leap towards making health care more affordable to the people;

WHEREAS, notwithstanding the passage of the law, Pfizer Inc. has apparently continued with its lobby efforts to derail and impede the swift implementation of the law, as revealed during the Quality Affordable Medicines Oversight Committee hearing where Mr. Augusto Villanueva of Roche Philippines and Pharmaceutical and Healthcare Association of the Philippines Executive Director Reiner Gloor testified that Pfizer initiated and arranged the July 8, 2009 meeting of pharmaceutical industry representatives with President Gloria Macapagal-Arroyo for the purpose of discussing the necessity of imposing Maximum Retail Prices (MRP) for 22 essential medicines;

WHEREAS, in the same hearing, PHAP Executive Director Reiner Gloor also revealed that Pfizer Inc. initially offered Health Secretary Francisco Duque III that it will issue 5 Million discount cards or “Sulit Cards”;

WHEREAS, recent news reports state that multinational drug firm Pfizer even offered promotional posters endorsing the said “Sulit Cards” with the President Arroyo’s and Sec. Duque’s photos in the posters;

WHEREAS, the “Sulit Card” discount scheme of Pfizer Inc. raises alarming trade and marketing practices issues, foremost of which are Pfizer’s ability to amass a huge marketing database through the “Sulit Card” membership forms distributed by doctors and the conditions in fine print imposed therein that allows Pfizer to send emails, calls or text messages to the “Sulit Card” members and disqualifies an individual using the “Sulit Card” from using the Senior Citizen’s discount;

WHEREAS, equally disturbing is the fact that the “Sulit Card” was allegedly offered by Pfizer Inc. to prevent the approval of the proposed Executive Order imposing MRP and in effect, to obviate the full implementation of Republic Act No. 9502;

WHEREAS, the Pfizer “Sulit Card” program has been in existence beginning 2002, hence, should have extended its benefits and provided access to more affordable medicines to millions of Filipinos since then;

WHEREAS, it is alarming that Pfizer Inc. offered to expand its “Sulit Card” program to an additional 5 Million more patients only at a time when the discount card system was under review and the imposition of MRP is being studied and considered by the Department of Health;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Senate Committee on Trade and Commerce investigate and look into the unfair trade and marketing practice of multinational pharmaceutical companies, particularly Pfizer Incorporated, that obstruct the free market from dictating just and reasonable prices of medicines in favor of Filipino consumers;

BE IT RESOLVED FURTHER THAT, the Senate Committee on Trade and Commerce issue the necessary subpoena *duces tecum* and other compulsory legal process to Pfizer Inc. for the submission of records of representations and positions made relative to the legislation of Republic Act No. 9502.

Adopted,


M A R ROXAS
Senator