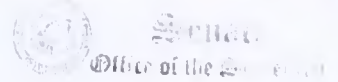


NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Third Regular Session

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24 JUL 10 P4:08

SENATE
S. No. 2729

RECEIVED BY

Introduced by Senator Robinhood Padilla

AN ACT
AMENDING REPUBLIC ACT NO. 11900, ENTITLED AN ACT REGULATING THE
IMPORTATION, MANUFACTURE, SALE, PACKAGING, DISTRIBUTION, USE,
AND COMMUNICATION OF VAPORIZED NICOTINE AND NON-NICOTINE
PRODUCTS, AND NOVEL TOBACCO PRODUCTS

EXPLANATORY NOTE

Republic Act No. 11900 otherwise known as the "Vaporized Nicotine and Non-Nicotine Products Regulation Act" was enacted in 2021 primarily to regulate the importation, sale, packaging, distribution, use, and communication of vaporized nicotine and non-nicotine products and novel tobacco products.

While support groups hailed the passage of this law to provide Filipino smokers access to regulated less harmful alternatives, among the latest products of the evolving global technology is the new type of vaping through the so-called hexahydrocannabinol (HHC) vape.

Based on reports, the HHC is a semi-synthetic cannabinoid that is obtained by hydrogenating tetrahydrocannabinol (THC). This is believed to cause a more clear-headed and uplifting high compared to THC, which can also lead to anxiety and paranoia.

With the growing popularity of vaping among Filipinos, especially young people, this representation believes that RA 11900 must also be specific in its penalties for those who will attempt to import, manufacture, sell, package, distribute, and use HHC vapes.

It is for this reason that the passage of this measure is earnestly sought.



ROBINHOOD PADILLA
Senator

NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 Section 1. Section 3 of Republic Act No. 11900 otherwise known as the
2 "Vaporized Nicotine and Non-Nicotine Products Regulation Act" is hereby amended to
3 read as follows:

4 "Section 3. *Definition of Terms.* — For purposes of this Act,
5 the following terms shall mean:

6 xxx

7 **(i) HEXAHYDROCANNABINOL (HHC) SHALL REFER TO**
8 **AS A COMPOUND BELONGING TO A CANNABINOID**
9 **SUBSTANCE GROUP THAT IS USED IN LIQUIDS FOR**
10 **VAPE, E-CIGARETTES OR OFFERED IN THE FORM OF**
11 **HHC OILS;"**

12 xxx

13 Renumber the succeeding sub-sections accordingly.

14 Sec. 2. Section 18 of Republic Act No. 11900 is likewise amended to read as
15 follows:

1 "Section 18. *Product Standard Requirements.* — The DTI, in
2 consultation with the FDA, shall set technical standards for
3 safety, consistency, and quality of the products requiring
4 registration in the immediately succeeding section based on
5 international standards: *Provided,* That no vapor product with
6 a nicotine content above sixty-five milligrams per milliliter
7 (65mg/ml) shall be allowed to be sold in the market.
8 **PROVIDED, FURTHER, THAT NO VAPOR PRODUCT**
9 **SHALL CONTAIN HEXAHYDROCANNABINOL (HHC)**
10 **REGARDLESS OF ITS QUANTITY.** The compliance with
11 these product standards shall be mandatory.

12 Sec. 3. Section 23 of Republic Act No. 11900 is likewise amended to read as
13 follows:

14 "Section 23. *Penalties for Noncompliance.* — The following
15 penalties shall apply:

16 xxx

17 **(E.) FOR VAPOR PRODUCTS CONTAINING**
18 **HEXAHYDROCANNABINOL (HHC) AS MENTIONED IN**
19 **SECTION 18, THE MANUFACTURER, IMPORTER,**
20 **DISTRIBUTOR, RETAILER AND CONSUMER SHALL BE**
21 **PUNISHED ACCORDINGLY BASED ON THE**
22 **APPLICABLE PENALTIES UNDER REPUBLIC ACT NO.**
23 **9165, OTHERWISE KNOWN AS THE "COMPREHENSIVE**
24 **DANGEROUS DRUGS ACT OF 2002."**

25 xxx

26 Sec. 4. *Separability Clause.* If any portion or provision of this Act is declared
27 unconstitutional, the remainder of this Act or any provisions not affected thereby shall
28 remain in force and effect.

29 Sec. 5. *Repealing Clause.* Any provision, ordinances, rules and regulations,
30 laws, decrees, executive or administrative orders, and other issuances or part thereof,
31 which are inconsistent with the provisions of this Act is hereby repealed or modified
32 accordingly.

1 Sec. 6. *Effectivity Clause.* This Act shall take effect after fifteen (15) days
2 following its complete publication in the Official Gazette or a newspaper of general
3 circulation.

Approved,