


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

7 AUG 14 2013

SENATE
S. No. 1469

RECEIVED BY: 

Introduced by **Senator Richard J. Gordon**

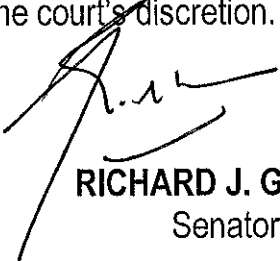
EXPLANATORY NOTE

Nineteen years ago the Philippines enacted Republic Act No. 6675, otherwise known as the Generics Act of 1988, which sought to promote, require, and ensure the labeling, prescribing, and dispensing of medicines using their generic names. But after almost two decades, the Generics Act has suffered from weak enforcement.

The Philippine Center for Investigative Journalism (PCIJ) reported in 2006 that while consumers are familiar with the generic names of popular over-the-counter branded medicines such as Tylenol (paracetamol) and Ponstan (mefenamic acid), people still do not ask for the generic equivalents. Surveys have indicated that many health care practitioners and patients are not aware that generic drug alternatives are available, or that the generic alternatives act the same way as the brand-name drugs -- that they are just as safe and effective.

To address these problems, this bill seeks to increase public awareness of the existence of generic drugs and their efficacy. Drugstores, will be required to post in at least two conspicuous places a sign that informs buyers that "GENERIC DRUGS ARE CHEAPER", and must show the buyer a list of available generic equivalents of branded medicines, together with their corresponding prices. Moreover, each doctor's prescription must prominently indicate the generic name of every medicine prescribed.


Finally, this bill seeks to exact stricter compliance with the Generics Act by increasing the penalties for its violation. Failure to inform the patient of the generic name of the drug, and failure to indicate the generic name on prescriptions shall mean a fine of at least 40,000 pesos and suspension of license for at least one year. Failure of drugstores to post a sign that says generic drugs are cheaper, and failure to show the buyer a list of available generic equivalents of branded medicines together with their corresponding prices carries a fine of at least 500,000 pesos plus suspension or revocation of license. The person directly responsible for the violation shall be fined at least 40,000 pesos and suspension or revocation of license to practice his profession, or imprisonment of 6 months to 1 year, or both fine and imprisonment at the court's discretion.


RICHARD J. GORDON
Senator

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

7 AUG 14 2018

SENATE
S. No. 1469

RECEIVED BY: 

Introduced by **Senator Richard J. Gordon**

**AN ACT AMENDING REPUBLIC ACT NO. 6675 OTHERWISE KNOWN AS THE
GENERIC ACT OF 1988**

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

1 **SECTION 1.** Section 5 of Republic Act No. 6675, otherwise known as the Generics
2 Act of 1988, is hereby amended to read as follows:

3 “Sec. 5. *Posting and Publication* – The Department of Health shall
4 publish annually in at least THREE (3) newspapers of general circulation in
5 the Philippines the generic names, and the corresponding brand names under
6 which they are marketed, of all drugs and medicines available in the
7 Philippines.”

8 **Sec. 2.** Section 6 of Republic Act No. 6675, otherwise known as the Generics Act of
9 1988, is hereby amended to read as follows:

10 “Sec. 6. *Who Shall Use Generic Terminology* - (a) All government
11 health agencies and their personnel as well as other government agencies
12 shall use generic terminology or generic names in all transactions related to
13 purchasing, prescribing, dispensing and administering of drugs and
14 medicines.

15 (b) All medical, dental and veterinary practitioners, including private
16 practitioners, SHALL INFORM THE PATIENT OF THE GENERIC NAME OF
17 THE DRUG PRESCRIBED AND shall write prescriptions INDICATING
18 PROMINENTLY the generic name. The brand name may be included IN
19 PARENTHESIS BESIDE THE GENERIC NAME if so REQUESTED.

20 (c) Any organization or company involved in the manufacture, importation,
21 repacking, marketing and/or distribution of drugs and medicines shall indicate

1 prominently the generic name of the product. In the case of brand name
2 products, the generic name shall appear prominently and immediately above
3 the brand name in all product labels as well as in advertising and other
4 promotional materials.

5 (d) Drug outlets, including drugstores, hospital and non-hospital pharmacies
6 and non-traditional outlets such as supermarkets and stores, shall inform
7 AND SHOW any buyer A LIST OF drug products having the same generic
8 name, together with their corresponding prices, so that the buyer may
9 adequately exercise, his option.

10 The drug outlets referred to herein shall post in AT LEAST TWO (2)
11 conspicuous places in their establishments, VISIBLE TO ALL BUYERS, a list
12 of drug products with the same generic name and their corresponding prices,
13 AND A SIGN THAT SAYS 'GENERIC DRUGS ARE CHEAPER' OR 'MAS
14 MURA ANG GENERIC'."

15 **Sec. 3.** Section 11 of Republic Act No. 6675, otherwise known as the Generics Act
16 of 1988, is hereby amended to read as follows:

17 "Sec. 11. *Education Drive* – The Department of Health jointly with the
18 Department of Education, Culture and Sports, Philippine Information Agency
19 and the Department of Local Government shall conduct a continuous
20 information campaign for the public and a continuing education and training
21 for the medical and allied medical professions on drugs with generic names
22 as an alternative of equal efficacy to the more expensive brand name drugs.
23 Such educational campaign shall include information on the illnesses or
24 symptoms which each generically named drug is supposed to cure or
25 alleviate, as well as its contraindications, AND SHALL EMPHASIZE THE
26 EQUAL EFFICACY AND CHEAPER PRICE OF GENERIC DRUGS. The
27 Department of Health with the assistance of the Department of Local
28 Government and the Philippine Information Agency shall monitor the progress
29 of the education drive, and shall submit ANNUAL reports to Congress."

30 **Sec. 4.** Section 12 of Republic Act No. 6675, otherwise known as the Generics Act
31 of 1988, is hereby amended to read as follows:

32 "Sec. 12. *Penalty* – A) Any person who shall violate Section 6(a) or
33 6(b) of this Act shall suffer the penalty OF FINE IN THE AMOUNT OF NOT