

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HB NO. 400

Introduced by Rep. Roseller L. Barinaga

EXPLANATORY NOTE

This proposed bill to allow parallel importation of medicines will go a long way in making medicines affordable to everyone and will compel the local manufacturers to lower their prices to more realistic levels.

To enable the DOH to perform its role in the development of public health, it is essential to enact a law to allow parallel importation of medicine as an exception to existing jurisprudence that would bar the same. This is premised on Section 11, Article XIII of the 1987 Constitution which provides:

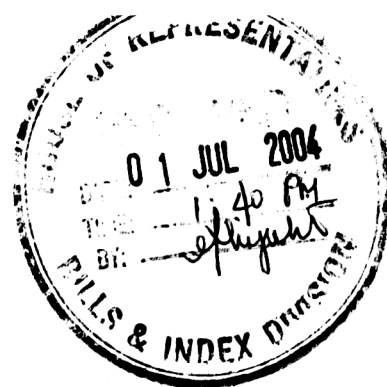
“Section 11. The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged sick, elderly, disabled, women and children. The State shall endeavor to provide free medical care to paupers.”

Approval of this bill is earnestly sought.


ROSELLER L. BARINAGA

Representative

2nd District, Zamboanga del Norte



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**AN ACT
INSTITUTING A SYSTEM OF ALLOWING PARALLEL IMPORTATION OF
MEDICINES INTO THE COUNTRY**

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

SECTION 1. The parallel importation of medicines into the Philippines in competition with exclusive distributors shall be allowed.

SEC. 2. Pursuant to the provisions of existing laws on ensuring the quality and bio-equivalence of imported medicines, the Bureau of Food and Drugs (BFAD) and the Department of Health (DOH) shall require the importers to submit the following documentary pre-requisites:

- (a) certificates of free sale from the country of origin;
- (b) certificates of status of manufacturer issued by the Government Health Agency of the country of origin; and
- (c) other data required from exclusive distributors and domestic manufacturers in the drug registration process, such as:
 - (1) list of ingredients;
 - (2) finished product specification and estimated shelf life;
 - (3) method of manufacture; and
 - (4) certificate of analysis and analytical methods used.

SEC. 3. *The BFAD and the DOH shall promulgate the appropriate rules and regulations for the effective implementation of the provision of this Act.*

SEC. 4. This Act shall take effect fifteen (15) days after its publication in at least two newspapers of national circulation or the Official Gazette.

Approved.