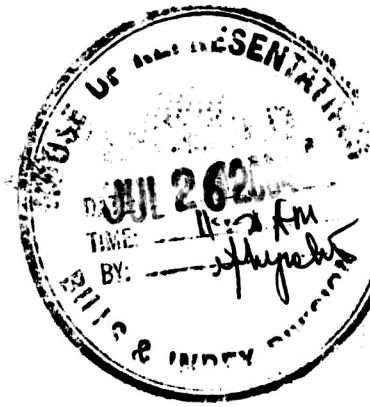


Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

THIRTEENTH CONGRESS  
First Regular Session

HB NO. 1632



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Introduced by **Rep. Roseller L. Barinaga**

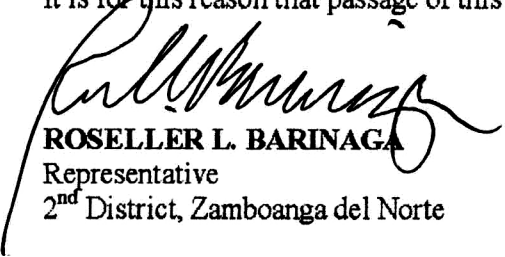
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**EXPLANATORY NOTE**

The World Health Organization (WHO) contends that the problem of tobacco addiction among the youth the world over is consistently worsening. This was confirmed by a recent research conducted by a leading organization in the United States. The results of the study revealed that there are 3.8 million minors who are currently addicted to cigarette-smoking all over the world and that out of this number 60% are found in Indonesia while 18.5% are in the Philippines.

Thousands of Filipinos have already died and are continuously suffering from smoking-related diseases. Unless concrete measures are taken, such malady is expected to further worsen. In order therefore to protect the youth from the harmful and pernicious effects of cigarette smoking, this bill seeks to restrict the access of the youth to tobacco products.

It is for this reason that passage of this bill is sought.

  
**ROSELLER L. BARINAGA**  
Representative  
2<sup>nd</sup> District, Zamboanga del Norte

Congress of the Philippines )  
Thirteenth Congress )  
First Regular Session )

**HOUSE OF REPRESENTATIVES**

**HB NO. 1632**

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Introduced by Rep. Roseller L. Barinaga

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**AN ACT  
TO RESTRICT THE ACCESS OF YOUTH TO CIGARETTES AND OTHER  
TOBACCO PRODUCTS**

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

**SECTION 1. Title.** - This Act shall be cited as the "Control Youth Access to Tobacco Act of 2004."

**SEC. 2. Access.**—

(a) **VENDING MACHINES** - Vending Machines may be used to sell tobacco products only in an area or establishment from which individuals under the minimum age prescribed by subsection (b) are denied access.

(b) **MINIMUM AGE** - No manufacturer, distributor, or retailer of tobacco products may offer or distribute tobacco products may sell a tobacco product to an individual who is less than 18 years old.

(c) **PACKAGES OF CIGARETTES** - Only cigarettes in a package of 20 cigarettes may be sold or distributed by a manufacturer, distributor, or retailer of tobacco products.

(d) **SAMPLING** - No manufacturer, distributor, or retailer of tobacco products may offer or distribute tobacco products for sampling except in an area or establishment from which minors are denied access.

**SEC. 3. Sales.** -

(a) **SIGNS** - Retailers of tobacco products shall prominently place in the areas of their establishments where tobacco products are sold signs which indicate the minimum age for the purchase of tobacco products prescribed by Section 2 (b) and the proof of age requirements which shall include the presentation of any card – e.g. student identification cards – identifying the purchaser with a photograph.

(b) **FACE-TO-FACE SALES** - The retailers of tobacco products and their employees shall ensure that all sales transactions involving tobacco products are conducted face-to-face.

**SEC. 4. *Coupons or coins.*** No manufacturer, distributor, or retailer of tobacco products may offer or distribute tobacco products through the redemption of coupons or coins except in face-to-face transactions where proof of age is required as established by Section 2 (b).

**SEC. 5. *Definition.*** For purposes of this Act, the term "tobacco product" includes cigarettes, cigars, little cigars, pipe tobacco, and smokeless tobacco.

**SEC. 6. *Penalty.*** The distributor, seller or whoever causes the violation of any paragraph of the preceding Section shall pay a fine in an amount not exceeding Fifty thousand pesos (P50,000.00). The manufacturer of the tobacco products shall be held subsidiary liable.

**SEC. 7. *Separability Clause.*** If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

**SEC. 6. *Repealing Clause.*** Any law, decree, order, rules and regulations or part thereof which is inconsistent with this Act is hereby repealed or modified accordingly.

**SEC. 7. *Effectivity.*** This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation in the Philippines, whichever comes earlier.

Approved.