



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
First Regular Session

HOUSE BILL NO. 2377



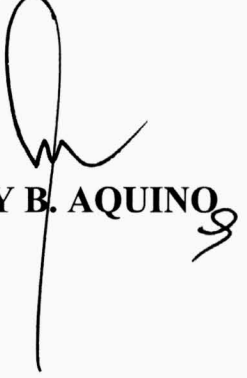
Introduced by Honorable Rey B. Aquino

EXPLANATORY NOTE

This bill seeks to lift from the classification of counterfeit drugs the unregistered imported drug product.

Most patients are now complaining of high cost of medicines. No less than the Department of Health acknowledged the high prices of medicines in the Philippines when compared with prices of medicine in Thailand and India. Although importing medicines from other countries may bring down the prices of medicines, the same could not be done, as importation is practically prohibited by Republic Act No. 8203 known as the Special Law on Counterfeit Drugs. It classifies imported medicine that are not registered with the Bureau of Foods and Drugs as counterfeit drugs and consequently bans their entry into the country. Since even the more affordable, genuinely manufactured imported medicines cannot be brought into the country, the multinational drug companies have the monopoly of the pharmaceutical industry and the unbridled license to dictate the prices of medicines. Thus RA 8203 effectively bans the cheaper imported medicines and instead allows the sale only of the high-priced locally manufactured medicines. This has the effect of depriving the people of their constitutional right to health.

Consistent with the constitutional mandate that "The State shall protect and promote the right to health of the people and instill health consciousness among them," approval of the bill is earnestly recommended.



DR. REY B. AQUINO



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AN ACT
LIFTING UNREGISTERED IMPORTED DRUG PRODUCT FROM
THE CLASSIFICATION OF COUNTERFEIT DRUGS, AMENDING
FOR THE PURPOSE THE SPECIAL LAW ON COUNTERFEIT
DRUGS.

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

SECTION 1. Section 3 (b) of Republic Act No. 8203 is hereby
amended to read as follows:

"Sec. 3. *Definition of Terms.*— For purposes of this Act,
the terms:

"a) X X X.

"b) Counterfeit drug/medicine refers to medicinal
products with the correct ingredients but not in the amounts as

provided hereunder, wrong ingredients, without active ingredients, with insufficient quantity of active ingredients, which results in the reduction of the drug's safety, efficacy, quality, strength or purity. It is a drug, which is deliberately and fraudulently mislabeled with respect to identity and/or source or with fake packaging, and can apply to both branded and generic products. It shall also refer to:

- 1) X X X;
- 2) X X X; AND

[3) an unregistered imported drug product, except drugs brought in the country for personal use as confirmed and justified by accompanying medical records; and]

- [4)] 3) X X X.
- X X X."

SEC. 2. This Act shall take effect upon its approval.

Approved,