

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 2043

Introduced by HON. IRWIN C. TIENG
and HON. MARIANO MICHAEL M. VELARDE

EXPLANATORY NOTE

Section 12, Article of the 1987 Philippine Constitution provides that: "The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception."

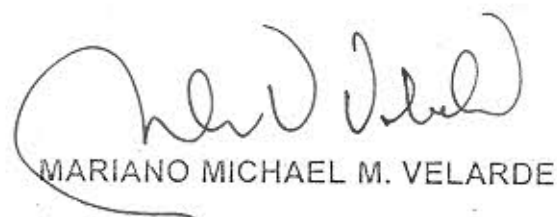
Cytotec or *misoprostol* is a drug originally created to treat ulcers. It reduces stomach acid and replaces protective substances in the stomach that are inhibited by nonsteroidal anti-inflammatory drugs (NSAIDs) and aspirin. However, it was later discovered that it was being used as abortifacient. In fact, in some countries, it is used as an abortion pill. This prompted the Bureau of Food and Drugs (BFAD) to issue in 1994 a memorandum circular limiting the sale and dispensing of the drug to tertiary hospital pharmacies and big drugstore chains. Afterwards, in 1998, the manufacturer of *cytotec* voluntarily withdrew the product from the market, although reports reached the BFAD that the drug was still being sold by sidewalk vendors.

Considering the danger and harm of using *cytotec* drug both to pregnant women and the unborn children, this Bill seeks to prohibit and penalize the sale and dispensing of said drug.

Thus, the passage of this bill is earnestly sought.



IRWIN C. TIENG



MARIANO MICHAEL M. VELARDE

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AN ACT
TO PROHIBIT AND PENALIZE THE SALE AND DISPENSING OF CYTOTEC
OR MISOPROSTOL DRUG, AND FOR OTHER PURPOSES

*BE IT ENACTED by the Senate and the House of Representatives of the
Philippines in Congress assembled.*

SECTION 1. *Declaration of Policy.*- It is the policy of the State to recognize the sanctity of family life and to protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception.

It is also the policy of the State to protect consumers from trade malpractices and from substandard or hazardous products.

SECTION 2. *Unlawful Act/s.* - It shall be unlawful for any person to sell and dispense, for whatever purpose and whatever manner, cytotec or misoprostol drug.

SECTION 3. *Penalties.* -Any person who willfully or knowingly does or who shall aid, permit, or cause to be done any of the acts declared to be unlawful in the preceding section or any order issued thereunder, shall, upon conviction thereof, be punished by imprisonment of not less than six years and a fine of not less than P 50,000.00.

If the offender is a licensed professional, the concerned agency is hereby mandated to sanction appropriate measures on the offender.

If the offender is an alien, he shall be subject to deportation proceedings, after complying with the penalty of imprisonment and fine for such violation.

SECTION 4. - Any laws, decrees, ordinances or rules and regulations which are inconsistent with or contrary to the provision of this Act is hereby amended or repealed.

SECTION 5. - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,