

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

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **2740**



Introduced by Representative Leah S. Paquiz of ANG NARS Party - List

EXPLANATORY NOTE

Article II, Section 15 of the 1987 Philippine Constitution mandates that the State "shall protect and promote the right to health of the people and instill health consciousness among them." This imposes upon the State a solemn obligation to protect and promote the right to health, a right which is intimately linked with the preservation of life itself. Hence, the approval of this Bill requiring the placement of highly visible full-color "Picture-Based Health Warnings" on tobacco product labels and packages, as well as any other container used in displaying cigarette or tobacco products, is urgently sought.

It is scientifically proven that tobacco products harm and kill its users. In the Philippines, at least 87,600 Filipinos die every year from tobacco-related diseases, equivalent to 240 deaths every day or 10 deaths every hour.¹ In 2009, the Philippines was revealed to have one of the highest smoking populations in the world, ranking 9th for males and 16th for females.² These figures underscore the critical need to adopt and implement more effective measures to curb tobacco consumption. The placement of picture-based health warnings on tobacco product labels and packages is one such effective measure.

Promotion of health through information dissemination and education by way of picture-based health warnings can effectively communicate the health risks associated with tobacco use, improve consumer knowledge, and discourage smoking.³ Pack-a-day smokers encounter cigarette packs at least 20 times a day or 7,300 a year.⁴ Requiring picture-based health warnings on tobacco product packages and labels will therefore be a cost-effective way to educate people about the lethal effects of smoking, and thereby encourage smokers to quit and prevent non-smokers from starting to smoke. Picture-based health warnings are, in fact, associated with more attempts to quit. **A groundbreaking 2012 study, which compared the effectiveness of health warnings across nineteen (19) countries, confirmed that a greater number of people quit smoking and thought about quitting**

¹See Quimbo SLA, Casorla AA, Miguel-Baquilod M, Medalla FM, Xu X, Chaloupka FJ. (2012), *The Economics of Tobacco and Tobacco Taxation in the Philippines*, Paris: International Union Against Tuberculosis and Lung Disease.

²American Cancer Society (2009); *The Tobacco Atlas*, 3rd ed., 23-25.

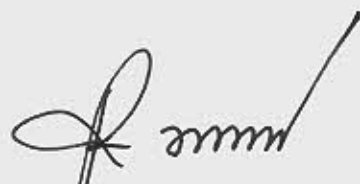
³Shanahan, P. and Elliott, D. (2009), *Evaluation of the Effectiveness of the Graphic Health Warnings on Tobacco Product Packaging 2008*, Australian Government Department of Health and Ageing, Canberra.

⁴National Cancer Institute (2013), "Pack year" in *NCI Dictionary of Cancer Terms*. Available at <http://www.cancer.gov/dictionary/CdrID=306510>. Last accessed on 19 August 2013.

smoking in countries where picture-based health warnings are required to be printed on tobacco packs.⁵

The use of hard-hitting, full-color picture warnings, instead of text-only warnings, has demonstrated greater effectiveness among the youth, the poor, and those with low levels of literacy.⁶ Consequently, national legislation requiring picture-based health warnings will help reach these vulnerable groups in a more effective way, ultimately saving more lives.

Under Article 11 of the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC), the Philippines committed to adopt effective packaging and labeling measures for tobacco products, with health warnings that are large, clear, visible and legible, and rotating, within three (3) years from its entry into force. That period lapsed in 2008. Today, the Philippines has yet to follow through with its commitment. Hence, the passage of this Bill is urgently needed.



Honorable Leah S. Paquiz
ANG NARS Representative

⁵ITC Project (March 2012), *Health Warnings on Tobacco Packages: ITC Cross-Country Comparison Report*, University of Waterloo, Waterloo, Ontario, Canada. Available at http://itc.media-doc.com/files/ITC_Cross-Country_Report_-_Warning_Labels-Final.pdf. Last accessed on 19 August 2013.

⁶Cantrell J, Vallone DM, Thrasher JF, Nagler RH, Feirman SP, et al. (2013), *Impact of Tobacco-Related Health Warning Labels across Socioeconomic, Race and Ethnic Groups: Results from a Randomized Web-Based Experiment*. Available at <http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0052206>. Last accessed on 19 August 2013.

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**"AN ACT TO EFFECTIVELY INSTILL HEALTH CONSCIOUSNESS THROUGH
PICTURE-BASED HEALTH WARNINGS ON TOBACCO PRODUCTS"**

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

1 **Section 1. Short Title.** – This Act shall be known as "The Picture-Based Health Warning Law."

2
3 **Section 2. Declaration of Principles.** – Pursuant to the policy of the State, it is hereby declared
4 that:

- 5
6 a. The State shall protect and promote the right to health of the people and instill health
7 consciousness among them.
8 b. The State shall protect consumers from trade malpractices and from substandard and
9 hazardous products.
10 c. The State accepts that, as a State Party to the World Health Organization (WHO)
11 Framework Convention on Tobacco Control (FCTC), a treaty that reaffirms the right of all
12 people to the highest standards of health, the Philippines is obliged to inform every person
13 of the health consequences of tobacco consumption and exposure to tobacco smoke; and to
14 protect public health policy from the commercial and vested interests of the tobacco
15 industry.
16 d. The State is cognizant of the Philippines' duty under Article 11 of the FCTC, which is to
17 adopt and implement by September 2008 effective health warnings on tobacco products that
18 should describe the harmful effects of tobacco use.
19 e. The State recognizes that based on empirical data, text warnings have been shown to be
20 insufficient in conveying the dangers of tobacco products, while graphic or picture-based
21 health warnings have been shown to be more effective in conveying the truth about the
22 dangers of consumption of tobacco and of exposure to tobacco smoke.
23

24 **Section 3. Purpose.** – The purpose of this Act is:

- 25
26 a. To have health warnings that effectively warn of the devastating effects of tobacco use and
27 exposure to second-hand smoke;
28 b. To remove signs or terms or any other direct or indirect means on or in tobacco product
29 packages that create or are likely to create a false impression about the health effects of
30 tobacco products, including but not limited to misleading or deceptive descriptors like "low
31 tar," "light," "ultra light," or "mild;"
32 c. To further promote the right to health and information of the people; and

- d. To strengthen the role of the Department of Health in promoting the right to health and instilling health consciousness among Filipinos.

Section 4. Definition of Terms. –

- a. **“DOH”** refers to the Department of Health.
- b. **“Insert”** means any communication inside an individual package and/or carton purchased at either wholesale or retail by consumers, such as a leaflet or brochure.
- c. **“Onsert”** means any communication affixed to the outside of an individual package and/or carton purchased at either wholesale or retail by consumers, such as a brochure beneath the outer cellophane wrapping or glued to the outside of the cigarette package.
- d. **“Picture-Based Health Warning”** means warning labels that are composed of a photographic picture warning on health dangers or other problems related to tobacco use or exposure to tobacco smoke and an accompanying textual warning that is related to the picture, as issued by the DOH in accordance with Section 17 of this Act.
- e. **“Principal Display Area”** means:
1. In the case of a package and carton that has at least two equal sized sides or surfaces, other than the top and bottom, that may be displayed or visible under normal or customary conditions of sale or use, the areas of each of the two largest surfaces;
 2. The largest surface of any spherical, cylindrical or conical container of tobacco products and in the case of a package and carton that does not have a particular side or surface that is predominantly displayed or visible under normal or customary conditions of sale or use, the total surface area of the package;
 3. All surfaces or panels, exterior or interior, of any tobacco product packaging or carton not specified above.
- f. **“Tobacco Product Package”** means the packet and package of tobacco products and any outside packaging and labeling of tobacco products for sale, distribution, exportation, importation, trade, exchange, or exhibition, such as, but not limited to, packs, tins, boxes, pouches, flip-tops, slide and shell packages, cartons, transparent wrappers, clear packaging, packages containing one product unit, master cases, or other containers of tobacco products.
- g. **“Tobacco Products”** means products entirely or partly made of leaf tobacco as raw material, which are manufactured to be used for smoking, sucking, chewing or snuffing, or by any other means of consumption. The term also refers to any product, device or delivery system which contains tobacco or any substance derived from tobacco, and is intended for smoking or oral or nasal use. It includes any product, device or delivery system that is designed, intended or otherwise used as a substitute for any tobacco product or any product, device or delivery system that resembles the outward appearance of any tobacco product, whether or not it delivers nicotine or any other substance derived from tobacco to the user, such as electronic cigarettes, shisha, waterpipe, and similar products, devices or delivery systems.

Section 5. Coverage. –This Act shall cover all manufacturers, importers, distributors, retailers and sellers of tobacco products, including persons or legal entities acting for and in their behalf; *Provided, That* in the case of a business entity or establishment, the chairperson of the Board of Directors, the owner, president, manager and the corporate officials thereof shall likewise be directly responsible for compliance with the requirements under this Act.

Section 6. Picture-Based Health Warning. –Ninety (90) days after the effectivity of this Act, cigarette packages and other tobacco product packages found in the market including package insert and onserts, and any outside packaging and labeling, shall bear highly visible full-color “Picture-

1 Based Health Warnings," as prescribed, as to all particulars, that shall have two components: a
2 photographic picture warning and an accompanying textual warning that is related to the picture.

- 3
- 4 a. The Picture-Based Health Warnings shall be printed on at least eighty percent (80%) of the
5 principal display areas of any tobacco product package; it shall occupy no less than eighty
6 percent (80%) of the front and eighty percent (80%) of the back panel of the packaging;
7
- 8 b. It shall be located on the top or upper portions of the said panels or Principal Display Areas;
9
- 10 c. Nothing shall be printed or applied on a location where it is likely to obscure or cover, in
11 part or in whole, the Picture-Based Health Warnings;
12
- 13 d. No part of the warning may be obliterated, obscured, folded, severed or become unreadable
14 when the tobacco package is opened or closed or when a wrapper on the package is removed
15 or by any other legally required markings or by commercial inserts or onsets;
16
- 17 e. The Picture-Based Health Warning shall be printed in accordance with guidelines
18 prescribed by the DOH, or in the absence thereof, in full color, with the minimum resolution
19 of 600 dpi using at least four (4)-color printing;
20
- 21 f. A minimum of eight (8) variations of Picture-Based Health Warnings shall be printed
22 simultaneously and these shall be rotated periodically, not just for each brand family but also
23 for each brand within the family, for each package size and type, so that at any time within
24 the twenty-four (24) month period, when a set of Picture-Based Health Warnings is
25 scheduled to be rotated, the variations of the warnings shall appear in the market with
26 proportionate frequency and equal display of health warnings and messages on retail
27 packages; *Provided*, That the Picture-Based Health Warnings shall be replaced with a new
28 set consisting of a minimum of eight (8) variations every twenty-four (24) months, in
29 accordance with Section 17 of this Act;
30
- 31 g. In no case shall the Picture-Based Health Warning measure less than 2475 square
32 millimeters in size regardless of the type of tobacco package. Furthermore, the shortest side
33 of the health warning shall measure no less than 55 millimeters;
34
- 35 h. Picture-Based Health Warning specifications:
 - 36 1. The text warning accompanying the picture shall be worded in such
37 manner that an ordinary layman will understand what the picture is about
38 and what are the ill-effects of smoking on the health of the smoker and of
39 the people around him;
 - 40 2. The text warning shall be placed on areas of the photograph where it will
41 not obscure the picture itself but will be prominently displayed;
 - 42 3. The text shall use up to no more than 30% of the entire area of the
43 Picture-Based Health Warning and shall appear in clearly legible type and
44 in contrast by typograph, layout and color, without the use of any border,
45 frame or any design that will effectively lessen the size of the textual
46 warning; and
 - 47 4. The accompanying text shall be printed in English on the front panel and
48 Filipino on the back panel and alternately, Filipino on the front panel and
49 English on the back panel. In the case of other containers where there is
50 only one (1) external surface area, the accompanying text will likewise
51 alternately be in English or Filipino.
52

53 **Section 7. Side Panel.** – In addition to the Picture-Based Health Warning, cigarette packages, as
54 well as other tobacco product packages found in the market, shall bear, on one side panel, additional
55 information designed to promote healthy behavior or to reduce tobacco use, as issued by the DOH
56 according to Section 17 of this Act, such as, but not limited to, additional health warnings, hotlines
57 or websites for tobacco-related concerns, or tips on how to stop smoking. This information shall be

1 prominently displayed and the text thereto shall appear in clearly legible type and in contrast by
2 typograph, layout and color, without the use of any border or frame or any other design that will
3 effectively lessen the size of the additional health warnings.

4
5 **Section 8. Descriptors.** – Ninety (90) days after the effectivity of this Act, no cigarette packs or
6 other tobacco product packages shall contain any term, descriptor, trademark, figurative or any
7 other sign including colors, images, or numbers, or any other package or product design or feature,
8 that directly or indirectly create or are likely to create the false impression that a particular tobacco
9 product is less harmful than any other tobacco product or brand, or that promote a tobacco product
10 by any means that are false, misleading, deceptive, or likely to create and erroneous impression
11 about its characteristics, health effects, hazards or emissions, such as, but not limited to, “low tar,”
12 “light,” “ultra-light,” or “mild,” “extra,” “ultra,” and similar terms in any language that might mislead
13 consumers, or corresponding symbols or colors signifying the same.

14
15 No cigarette packs or other tobacco product packages shall contain information that may imply that
16 one variant or brand is safer than the other, such as, but not limited to, statements indicating that
17 the tobacco product contains “reduced levels” of contents, substances, and emissions. Figures for
18 emission yields, such as for tar, nicotine and carbon monoxide, shall be prohibited, including when
19 used as part of a brand name or trademark.

20
21 **Section 9. Minimum Principal Display Area/ Prohibition on Smaller Packages.** – To ensure
22 the visibility, prominence, and impact of Picture-Based Health Warnings, no person or legal entity
23 shall make, fabricate, import, sell or distribute cigar, cigarette or other tobacco products with
24 packages that have for its Principal Display Area, a total area of less than 4950 square millimeters
25 for each of the two largest sides in the case of tobacco packages described in Section 4(e)(1). For
26 other tobacco packages that fall under Section 4(e)(2) and 4(e)(3), the minimum size for the principal
27 display area shall also be 4950 square millimeters.

28
29 **Section 10. Costs.** – All printing costs pertaining to packaging and labeling shall be shouldered by
30 tobacco manufacturers and/or importers.

31
32 **Section 11. Prohibition on Sales.** – No person or legal entity shall sell or commercially distribute
33 or display any cigarette or tobacco product without ensuring that the labels and packages, as well as
34 any other container used in displaying the cigarette or tobacco products, meet the requirements
35 under this Act. Manufacturers and distributors of tobacco products shall ensure the removal from all
36 displays of non-compliant tobacco products manufactured and distributed by them within one
37 hundred twenty (120) days from the effectivity of this Act.

38
39 **Section 12. Prohibition on Obstruction of Display.** – No person or legal entity shall obscure or
40 cover in part or in whole the Picture-Based Health Warning in the selling areas. The Picture-Based
41 Health Warnings shall be prominently displayed whenever the said packages are commercially
42 displayed.

43
44 Design features that tend to obscure or cover, in part or in whole, the Picture-Based Health
45 Warning, such as, but not limited to, any features of the tobacco product package that are designed
46 to change after retail sale, are likewise prohibited:

- 47
48 a. Heat activated inks;
49 b. Inks or embellishments designed to appear gradually over time, including on the product
50 itself;
51 c. Inks that appear fluorescent in certain light, including on the product itself;

- d. Panels designed to be scratched or rubbed to reveal an image or text;
- e. Removable or hidden tabs or panels;
- f. Fold-out tables or panels; and
- g. Any other misleading or promotional features or design of the packaging, labeling, or product.

Section 13. Certificate of Compliance Necessary. –No person or legal entity shall engage in the business of manufacturing, importing, distributing, and selling cigarettes and tobacco products without complying with the provisions of this Act; *Provided*, That all existing manufacturers, importers, distributors, retailers, and sellers have a period of six (6) months from the approval of this Act to secure the said certificate of compliance.

Section 14. Liability of Manufacturers, Importers, and Distributors. – Manufacturers, importers, and distributors of tobacco products shall be directly liable for any violations of the provisions of this Act. In the case of a business entity or establishment, the chairperson of the Board of Directors, the owner, president, manager, and the corporate officials thereof shall be directly responsible there for and shall be made accountable and jointly and severally liable with the offending entity or establishment. Agents or representatives of the aforecited manufacturers, importers, and distributors who commit any violation of the provisions of this Act and its implementing rules shall be jointly and severally liable with the manufacturers, importers, and distributors.

Section 15. Liability of Retailers and Sellers. – Retailers and sellers of tobacco products shall be directly liable for violations of Section 11 and 12 of this Act. In the case of a business entity or establishment, the chair of the Board of Directors, the owner, president, manager and the corporate officials thereof shall be directly responsible and shall be made accountable and jointly and severally liable with the offending entity or establishment.

Section 16. Penalties for Non Compliance. –

- a. The following penalties shall apply to manufacturers, importers, and distributors of tobacco products as well as their agents/representatives for any violation of this Act:
 1. On the first offense, a fine of not less than One Million Pesos (PhP 1,000,000.00) shall be imposed;
 2. On the second offense, a fine of not less than Five Million Pesos (PhP 5,000,000.00) shall be imposed;
 3. On the third offense, in addition to a fine of not less than Twenty Million Pesos (PhP 20,000,000.00) or imprisonment of not less than one (1) year but not more than five (5) years, or both at the discretion of the court, the business permits and licenses, in the case of a business entity or establishment shall be revoked or cancelled.

Each batch of non-compliant tobacco packages, regardless of size, that are withdrawn from the manufacturing facility, imported into the Philippines for sale to the market, transferred to other facilities or delivered to the retail establishments after the compliance date shall constitute one offense. An additional penalty of One Hundred Thousand Pesos (PhP 100,000.00) per day shall be made for each day the violation continues after having received the order from the DOH or other appropriate body, notifying the company of the infraction.

- b. The following penalties shall individually apply to retailers/sellers of tobacco products as well as their agents/representatives for any violation of this Act:

1. On the first offense, a fine of not less than Five Thousand Pesos (PhP 5,000.00) but not more than Ten Thousand Pesos (PhP 10,000.00) shall be imposed;
2. On the second offense, a fine of not less than Ten Thousand Pesos (PhP 10,000.00) but not more than Twenty Thousand Pesos (PhP 20,000.00) shall be imposed;
3. On the third offense, in addition to a fine of not less than Twenty Thousand Pesos (PhP 20,000.00) or imprisonment of not less than two (2) months, or both at the discretion of the court, the business permits and licenses, in the case of a business entity or establishment shall be revoked or cancelled.

Each day that non-compliant tobacco packages are found in the retail establishments of the retailers after the compliance date shall constitute one offense. An additional penalty of Five Thousand Pesos (PhP 5,000.00) per day shall be made for each day the violation continues after having received the order from the DOH or other appropriate body, notifying the retailers of the infraction.

c. In both instances, if the guilty officer is a foreign national, he shall be deported after service of sentence and/or payment of applicable fines without need of further deportation proceedings and shall be forever barred from entering the Philippines. Filing of the appropriate case may be commenced by the DOH; the Philippine National Police (PNP); a Prosecutor by himself *motu proprio*; or any private citizen.

Section 17. Picture-Based Health Warning Guidelines. – Thirty (30) days after the effectivity of this Act, and every twenty-four (24) months thereafter, the DOH shall issue a template of Picture-Based Health Warnings to be rotated, as well as guidelines respecting the printing instructions, specific pictures, design, or content of the information relating to the Picture-Based Health Warnings, and other information that must appear in the tobacco product packages. The DOH shall consider the recommendations of leading experts and civil society organizations that have established and proven records of dealing with tobacco-related diseases and deaths; *Provided, however,* That the absence of recommendations shall not delay the issuance of the template and guidelines.

All Picture-Based Health Warnings issued shall comply with the specifications provided in this Act and must always present the devastating effects of tobacco use and exposure to tobacco smoke.

In light of technological developments in printing quality and package design, the DOH shall have the authority to provide additional printing guidelines beyond those specified in Section 4(e) and Section 6, to ensure that picture warnings remain effective and with impact.

Picture-Based Health Warning regulations issued by the Secretary of Health upon recommendation of leading experts and civil society organizations shall be presumed compliant with the specifications provided in this Act for purposes of implementation by the tobacco companies. Picture-Based Health Warnings duly approved by the WHO from other countries, for as long as they meet the specifications provided for under this Act, may likewise be used.

Tobacco manufacturers and importers shall have no more than two (2) months to comply with any new templates issued.

Section 18. Administrative Power. – Within one (1) year from the effectivity of this Act, the DOH shall issue Guidelines and Administrative Sanctions to facilitate the implementation of this Act, but this should, in no case, delay the implementation of this Act and the deadlines/time frames set herein.

1 The DOH, in coordination with the Food and Drug Administration, is hereby charged with
2 implementing and enforcing the provisions of this Act and shall:

- 3
- 4 a. Promulgate rules governing the hearings on alleged violations of this Act. The hearings shall
5 be summary in nature and shall be conducted by means of position papers and affidavits. Any
6 decision must be rendered by the DOH no longer than thirty (30) days from the date of filing;
7
- 8 b. Issue other administrative rules and regulations it deems necessary to effectively implement the
9 provisions of this law, such as but not limited to, seizure, forfeiture, and destruction of non-
10 compliant packages as described under this law.
11

12 The DOH shall have the power to call upon law enforcement agencies, and the managing
13 authorities in the economic zones for assistance in the implementation and enforcement of its
14 decisions, orders, rules and regulations. In addition, the DOH may also deputize, whenever
15 necessary, local government executives and representatives of the national government
16 agencies, tobacco control organizations and concerned sectors to help monitor compliance with
17 and report any violation of this Act.
18

- 19 c. Impose, after notice and hearing and in accordance with the degree of the offense and the
20 nature of the business of the offender, administrative fines of up to Twenty Million Pesos (PhP
21 20,000,00.00), the proceeds of which will be used for health promotion activities, campaigns,
22 projects, and research on tobacco control of the DOH. *Provided*, That manufacturers, importers,
23 and distributors of tobacco products as mentioned in Section 14 of this Act, shall have a higher
24 penalty compared to retailers and sellers, as provided in Section 15 of this Act.
25

26 The filing of an administrative case for the act constituting a violation of the administrative
27 regulations to be issued by the DOH shall not preclude the simultaneous or subsequent filing of
28 criminal charges for the same act constituting a violation under this Act, through criminal
29 proceedings authorized under Section 16 of this Act. In the same manner, neither shall the filing of
30 criminal charges preclude the filing of administrative cases.
31

32 The non-issuance of the Regulations and Administrative Sanctions by the DOH shall not prevent
33 the coming into force of this Act.
34

35 ***Section 19. Strict Compliance and Inspections.*** – Absolutely no extensions of time to comply
36 with the provisions of this Act shall be granted to tobacco manufacturers and importers or any other
37 affected party.
38

39 For purposes of enforcing the law and ensuring compliance therewith, the DOH, through FDA or
40 other deputized law enforcement agency, or its authorized representative, upon presenting
41 appropriate credentials to the owner, manager, or agent in charge, is authorized to:
42

- 43 a. Enter, at reasonable hours, any factory, warehouse or establishment in which tobacco products
44 are manufactured, processed, packed or held, for introduction into domestic commerce or are
45 held after such introduction; or
46
- 47 b. Enter any vehicle being used to transport or hold the tobacco products in question; and
48
- 49 c. Inspect, in a reasonable manner, such factory, warehouse, or establishment or vehicle and all
50 pertinent equipment, finished and unfinished materials, containers, and labeling therein.
51

52 If the officer, employee, or person designated to make any such inspection of a factory, warehouse or
53 other establishment has obtained any sample in the course of the inspection, upon completion of the

1 inspection and prior to leaving the premises, he shall give the owner, manager, or agent-in-charge a
2 receipt describing the samples obtained.

3
4 The DOH shall have the power to punish the refusal of the owner, manager, agent-in-charge or
5 employee of the factory, warehouse, establishment, or vehicle who, despite the presentation of
6 appropriate credentials by the officer or employee designated to conduct the inspection, refuses the
7 entry of such officer or employee.

8
9 **Section 20. Citizen Suits.** – For purposes of enforcing the provisions of this Act or its
10 implementing rules and regulations, any citizen may file an appropriate civil, criminal or
11 administrative action in the proper courts or administrative body against:

- 12
13 a. Any person or entity who violates or fails to comply with the provisions of this Act, its
14 implementing rules and regulations, including the template, guidelines, or other regulations;
15
16 b. The DOH and other implementing agencies with respect to rules and regulations issued
17 inconsistent with this Act; and/or
18
19 c. Any public officer who willfully or grossly neglects the performance of an act specifically
20 enjoined as a duty by this Act, its implementing rules and regulations, including the template,
21 guidelines, or other regulations; or abuses his authority in the performance of his duty; or, in
22 any manner, improperly performs his duties under this Act or its implementing rules and
23 regulations including the template, guidelines, or other regulations.

24
25 The administrative, civil and criminal actions allowed under this section shall be alternative and
26 cumulative and shall not bar any analogous relief sought by any other person.

27
28 **Section 21. Other Obligations of the Tobacco Industry.** – Compliance with the Act shall not
29 remove or diminish any other obligations of tobacco manufacturers, importers, distributors,
30 retailers, and sellers, including, but not limited to, obligations to warn and inform consumers about
31 the health hazards of tobacco use and exposure to tobacco smoke.

32
33 **Section 22. Separability Clause.** –Should any provisions of this Act be subsequently declared
34 unconstitutional, the other provisions not so declared shall remain in full force and effect.

35
36 **Section 23. Repealing Clause.** – All other laws, decrees, executive order and other administrative
37 issuances and parts hereof which are inconsistent with the provisions of this Act are hereby
38 modified, superseded or repealed accordingly.

39
40 **Section 24. Effectivity.** – This Act shall take effect fifteen (15) days following its publication in the
41 Official Gazette or in any major daily newspaper of national circulation in the Philippines.

42
43 Approved,

