

Seventeenth Congress
Third Regular Session

HOUSE BILL NO. **8640**



Introduced by Representative Jocelyn Sy Limkaichong

EXPLANATORY NOTE

To counter the proliferation of expired goods in the market as well as to address consumer waste due to confusing and often misinterpreted date labels, this legislative measure mandates the use of uniform date labels on prepackaged consumer products by amending Republic Act No. 7394, otherwise known as the "*Consumer Act of the Philippines*."

The Consumer Act of the Philippines does not prescribe the use of uniform date labels on prepackaged consumer products. Presently, the date labeling practices on consumer products packaging in the Philippines cause confusion with the interchangeable use of phrases such as "sell-by," "best by," "best before," and "use by." There is also no uniform or standard format on how such dates are to be presented on the packaging. Confusion over the accuracy of date labels accounts to a large percentage of wasted consumer products and wasted consumer spending.

It is therefore necessary to clearly and unmistakably inform consumers when the product was manufactured, when it becomes unsafe to consume, and when it is at peak quality, if applicable. Under this bill, it seeks to provide a standard printed display with the use of the following phrases on the consumer products: "manufacturing date," "expiration date", and whenever applicable, the "best before date". Likewise, the bill disallows the use of other phrases such as "use-by," "consume before," and "best if used by."

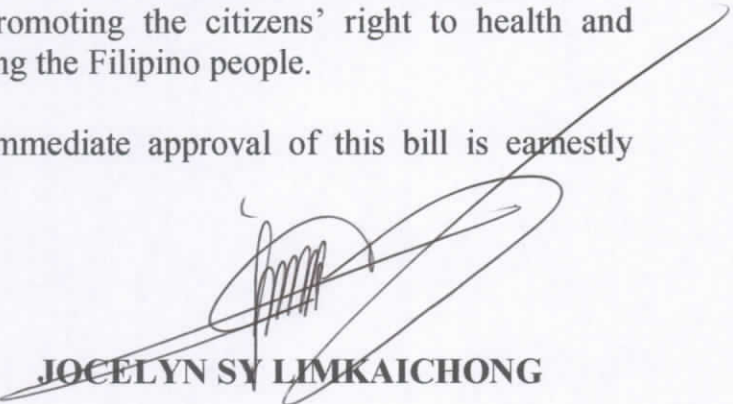
The bill also provides that the text of the date must be printed in single easy-to-read type style using upper and lower-case letters in the standard form. The text of the date must be located in a conspicuous place on the packaging of the product and printed clearly and legibly on the label in the following order: day, month, year. To avoid confusion, the day and the year must be written in figures while the month must be written in words.

The proposed bill makes it unlawful for any person to sell, distribute or manufacture, or to display or distribute, or cause to be displayed or distributed

in the market, any consumer product with date label which does not conform with the requirements. The proposed bill also seeks to punish any person who willfully refuses to dispose of consumer products which do not comply with the date label requirements.

Requiring the standardized date labels on consumer products ensures safe and good quality supply of consumer products, especially food, and protects the health of the people. This is in accordance with the constitutional mandate, Art. XI, Sec. 15, of protecting and promoting the citizens' right to health and instilling health consciousness among the Filipino people.

In view of the foregoing, immediate approval of this bill is earnestly sought.



JOCELYN SY LIMKAICHONG

HOUSE BILL NO. 8640

AN ACT
REQUIRING THE USE OF STANDARDIZED DATE LABELS ON
CONSUMER PRODUCTS, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 7394, OTHERWISE KNOWN AS THE
“*CONSUMER ACT OF THE PHILIPPINES*”

SECTION 1. This Act shall be known as the “Standardization of Date Labels Act”.

SECTION 2. Article 76 of Republic Act No. 7394, otherwise known as the "*Consumer Act of the Philippines*" is hereby amended to read as follows:

“Art. 76. *Prohibited Acts on Labeling and Packaging.* – It shall be unlawful for any person, either as principal or agent, engaged in the **SALE, DISTRIBUTION, MANUFACTURE,** labeling or packaging of any consumer product, to display, **SELL** or distribute or to cause to be displayed, **SOLD** or distributed in commerce any consumer product whose package or label does not conform to the provisions of this chapter.

ALL CONSUMER PRODUCTS WHICH DO NOT COMPLY WITH THE DATE LABEL REQUIREMENTS AS PROVIDED IN THIS ACT SHALL NOT BE SOLD OR DISTRIBUTED IN THE MARKET AFTER JANUARY 1,

1 **2020.**

2 The prohibition in this chapter shall not apply to persons
3 engaged in the business of wholesale or retail distributors of
4 consumer products **OR CONSUMER PRODUCTS**
5 **MANUFACTURED OUTSIDE THE COUNTRY AND**
6 **DIRECTLY SHIPPED FROM THE MANUFACTURER TO**
7 **CONSUMER BY MAIL OR OTHER DELIVERY SERVICE**
8 except to the extent that such persons:

9 1) are engaged in the packaging or labeling of such products;

10 2) prescribe or specify by any means the manner in which
11 such products are packaged or labeled; or

12 3) having knowledge, refuse to disclose the source of the
13 mislabeled or mispackaged products.”

14 SEC. 3. Article 77 of the same Act is hereby amended by adding a new
15 paragraph to be denominated a paragraph (i) to read as follows:

16 “Art. 77. *Minimum Labeling Requirements for Consumer*
17 *Products.* – All consumer products domestically sold whether
18 manufactured locally or imported shall indicate the following in
19 their respective labels of packaging:

20 “a) xxx

21 “xxx

22 “g) Country of manufacture, if imported; **[and]**

23 “h) If a consumer product is manufactured, refilled or

1 repacked under license from a principal, the label shall so state the
2 fact[.]; AND

3 “I) ITS “MANUFACTURING DATE,” “EXPIRATION
4 DATE, AND IF APPLICABLE, THE “BEST BEFORE
5 DATE””

6 THE UNIFORM DATE LABELS REQUIRED UNDER
7 THE PRECEDING PARAGRAPH (I), MUST BE PRINTED
8 CLEARLY AND LEGIBLY ON THE LABEL IN THE
9 FOLLOWING ORDER: DAY, MONTH AND YEAR. THE
10 DAY AND THE YEAR MUST BE WRITTEN IN FIGURES
11 WHILE THE MONTH MUST BE WRITTEN IN WORDS.
12 THE TEXT MUST BE IN SINGLE EASY-TO-READ TYPE
13 STYLE USING UPPER AND LOWER CASE LETTERS IN
14 THE STANDARD FORM. THE USE OF “USE-BY,”
15 “CONSUME BEFORE,” “BEST IF USED BY” AND OTHER
16 SIMILAR PHRASES MUST NOT BE USED AS DATE
17 LABELS ON THE PACKAGING OF CONSUMER
18 PRODUCTS.

19 FOR PURPOSES OF THIS ACT, “MANUFACTURING
20 DATE” REFERS TO THE DATE WHEN THE PRODUCT
21 WAS PRODUCED OR MADE BY THE MANUFACTURER;
22 “BEST BEFORE DATE” REFERS TO THE DATE WHEN
23 THE QUALITY OF THE PRODUCT BEGINS TO

1 **DETERIORATE, BUT STILL ACCEPTABLE FOR**
2 **CONSUMPTION BEFORE THE EXPIRATION DATE; AND**
3 **“EXPIRATION DATE” REFERS TO THE DATE STATED ON**
4 **THE LABEL OF FOOD, DRUG, COSMETIC, OR SIMILAR**
5 **CONSUMER PRODUCT, AFTER THE SAFETY, EFFICACY,**
6 **QUALITY OR POTENCY MUST HAVE RUN ITS COURSE.”**

7 “The following may be required by the concerned department
8 in accordance with the rules and regulations they will promulgate
9 under authority of this Act:

10 “a) xxx

11 “xxx

12 “e) xxx

13 SEC. 4. Article 84 of the same Act is hereby amended to read as follows:

14 “SEC. 84. *Additional Labeling Requirement for Food.* –

15 The following additional labeling requirements shall be imposed by
16 the concerned department for food:

17 “a) **MANUFACTURING DATE, EXPIRATION DATE,**
18 **AND WHENEVER APPLICABLE, THE BEST BEFORE**
19 **DATE;**

20 “xxx

21 “e) xxx.”

22 SEC. 5. Article 87 of the same Act is hereby amended to read as follows:

23 “Art. 87. *Additional Labeling Requirements for Cosmetics.* –

1 The following additional requirements may be required for
2 cosmetics:

3 “a) **MANUFACTURING DATE AND** expiry or expiration
4 date;

5 “b) xxx

6 “d) xxx.”

7 SEC. 6. Article 95 of the same Act is hereby amended to read as follows:

8 “Art. 95. *Penalties.* – a) xxx

9 “xxx

10 “b) xxx

11 “C) **ANY PERSON WHO VIOLATES THE**
12 **PROVISIONS OF ARTICLE 76, PARAGRAPH I OF**
13 **ARTICLE 77, PARAGRAPH A OF ARTICLE 84 AND**
14 **PARAGRAPH A OF ARTICLE 87 OF THIS ACT SHALL BE**
15 **PUNISHED WITH IMPRISONMENT OF NOT LESS THAN**
16 **ONE (1) YEAR BUT NOT MORE THAN FIVE (5) YEARS,**
17 **OR A FINE OF NOT LESS THAN FIVE HUNDRED**
18 **THOUSAND PESOS (P500,000.00) BUT NOT MORE THAN**
19 **ONE MILLION PESOS (P1,000,000.00), OR BOTH, AT THE**
20 **DISCRETION OF THE COURT.**

21 “**IF THE OFFENDER IS AN ALIEN, THE OFFENDER**
22 **SHALL BE DEPORTED AFTER SERVICE OF SENTENCE**
23 **AND PAYMENT OF FINE WITHOUT FURTHER**

1 **DEPORTATION PROCEEDINGS.**

2 **“IF THE VIOLATION IS COMMITTED BY A**
3 **JURIDICAL PERSON, THE BOARD OF DIRECTORS,**
4 **OFFICERS AND ALL PERSONS DIRECTLY RESPONSIBLE**
5 **FOR THE VIOLATION SHALL SUFFER THE PENALTY**
6 **IMPOSED UNDER THIS SECTION.”**

7 SEC. 7. Within ninety (90) days from the effectivity of this Act, the
8 Secretary of Trade and Industry, in coordination with the Secretary of Health and
9 the Administrator of Food and Drug Administration, shall issue the necessary
10 rules and regulations for the effective implementation of the provisions of this
11 Act.

12 SEC. 8. All laws, executive orders, issuances, decrees, rules and
13 regulations inconsistent with or contrary to the provisions of this Act are
14 deemed amended, modified or repealed accordingly.

15 SEC. 9. This Act shall take effect fifteen (15) days after its publication in
16 the *Official Gazette* or in a newspaper of general circulation.

17 Approved,