

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8638



Introduced by **HON. JOY MYRA S. TAMBUNTING**

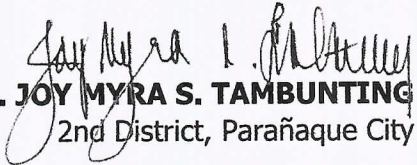
EXPLANATORY NOTE

Article II, Section 15 of the 1987 Constitution provides that, "The State shall protect and promote the right to health of the people and instill health consciousness among them."

It is the responsibility of the State to inform the people about health hazards that may result from the consumption or abuse of certain products. For tobacco products, Republic Act No. 10643 or the Graphic Health Warnings Law was enacted with the end view of effectively warn the public of the devastating effects of tobacco use and exposure to second-hand smoke. Considering the many health problems associated with binge drinking and continued alcohol use in large amounts, the State should take measures to ensure that the public are adequately informed about the health hazards of alcohol use.

Consistent with the constitutional provision of instilling health consciousness among the public, this proposed measure seeks to require the inclusion of health warnings on alcoholic drinks. This shall include all alcoholic beverages that are manufactured, imported, bottled, or labeled for local consumption. This shall also include mixed alcoholic beverages such as cocktails and other similar concoctions offered by establishments.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

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AN ACT
MANDATING THE LABELLING OF ALCOHOLIC BEVERAGES AND FOR OTHER
PURPOSES

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

SECTION 1. Declaration of Policy. – It is hereby declared the policy of the State to ensure, protect and promote the health and general well-being of its citizens. The people should be informed of health hazards that may result from the consumption or abuse of certain products.

Towards this end, the provision of warning or other information with respect to any relationship between the consumption or abuse of alcoholic beverages and health in such products must be pursued.

Sec. 2. Definition of Terms. – As used in this Act:

- a) "Alcoholic beverage" includes any beverage in liquid form which contains not less than one-half of one percent of alcohol by volume and is intended for human consumption. This shall include mixed alcoholic beverages such as cocktails and such other drinks containing a mixture of alcoholic beverages;
- b) "Bottle" means to fill a container with an alcoholic beverage and to seal such;
- c) "Container" means the innermost sealed container irrespective of the material from which made, in which an alcoholic beverage is placed by the bottler and in which such beverage is offered for sale to members of the general public;
- d) "Health" includes, but is not limited to, the prevention of accidents;
- e) "Person" means an individual, partnership, joint stock company, business trust, association, corporation, or any other business or legal entity, including a receiver,

trustee, or liquidating agent, and also includes any State, any State agency, or any officer or employee thereof; and

f) "Sale" and "distribution" include sampling or any other distribution not for sale.

Sec. 3. Labelling of Alcoholic Beverages. – After one (1) year upon the effectivity of this Act, it shall be unlawful for any person to manufacture, import, or bottle for sale or distribution in the Philippines any alcoholic beverage unless the container of such beverage bears the following statement:

"GOVERNMENT WARNING: (1) Women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. (2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery and may cause health problems."

The provisions of this section shall not apply with respect to alcoholic beverages that are manufactured, imported, bottled, or labeled for export from the Philippines, or for delivery to a vessel or aircraft, as supplies, for consumption beyond the jurisdiction of the internal revenue laws of the Philippines.

Sec. 4. Conspicuous and Prominent Location of Statement on Container. – The statement required by the preceding section shall be located in a conspicuous and prominent place on the container of such beverage, as determined by the Secretary of Health, shall be in type of a size determined by the Secretary of Health, and shall appear on a contrasting background. The Secretary of Health shall make such determinations within sixty (60) days upon the effectivity of this Act.

Sec. 5. Labelling of Menu. – After one (1) year upon the effectivity of this Act, business establishments who offer mixed alcoholic beverages in their menu shall be mandated to place below the list of such alcoholic beverages the same government warning as prescribed under the preceding section.

Sec. 6. Penalties. – Any person who violates the provisions of this Act shall be penalized with a fine of One Million Pesos (Php. 1,000,000.00) for the first offense, Two Million Pesos (Php. 2,000,000.00) for the second offense and Three Million Pesos (Php. 3,000,000.00) and a revocation of license on the third offense.

Sec. 7. Implementing Rules and Regulations. – The Secretary of Health shall, in coordination with the Secretary of Trade and Industry, promulgate the necessary rules and regulations for the effective implementation of this Act.

Sec. 8. Separability Clause. – If any provision of this Act shall be deemed unconstitutional or invalid, the other provisions not affected thereby shall remain in force and effect.

Sec. 9. Repealing Clause. – All Acts, Presidential Decrees, Executive Orders and 1 Administrative Orders, Rules and Regulations and other such issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 10. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,