

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 10541



Introduced by **Representative Wilbert T. Lee**

AN ACT
STRENGTHENING AND EXPANDING THE SCIENCE-BASED PHILIPPINE
HERBAL INDUSTRY AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

The 1987 Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them.¹ Further, the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health, and other social services available to all the people at affordable cost.²

Herbs and plants have a wide range of uses. They can be used as supplements or medicines to treat and improve the health of a person. The Department of Health (DOH) promotes the use of herbal medicine because it serves as a cheaper viable healthcare alternative. In a study published by the University of the Philippines National Health Science Journal, the cost of branded drugs is twenty-two (22) times higher than that of generic drugs compared to international reference prices. Despite existing laws like the Cheaper Medicines Act of 2008 and the Generics Act of 1988, lower-income individuals still cannot afford several medicines such as antibiotics or maintenance medications for life-threatening diseases. Many Filipinos expressed willingness and resorted to receiving herbal medicine to treat their illness due to its effectiveness³, and it is more accessible and cheaper than Western medicine.⁴

Despite the benefits these medicinal plants can provide, the herbal medicine industry is currently facing challenges on the following: (1) lack of science-based claims to support

¹ 1987 Constitution, Art. 2, Sec. 15.

² Art. 13, Sec. 11.

³ Philippine News Agency (PNA), 'Filipino patients now appreciating alternative medicine', 09 November 2023, available at <https://www.pna.gov.ph/articles/1213382>.

⁴ Philippine Information Agency (PIA), 'DOH promotes traditional medicine as cheap, viable healthcare alternative, 05 January 2024, available at <https://pia.gov.ph/features/2024/01/05/doh-promotes-traditional-medicine-as-cheap-viable-healthcare-alternative>.

product claims; (2) no standard for natural ingredients; (3) minimal implementation of good agricultural practices among agriculture sector; and (4) no centralized government-funded research and development studies and laboratory. Presently, the research arms for herbal medicine are scattered with different research institutions and there is no primary agency that focuses and specializes in exploring the potential medicinal use of Philippine-endemic plants. Moreover, there is no standard on the raw herbs and plants used for herbal medicine which greatly affects the quality of the same.

The more medicinal plants and herbs are researched and discovered, the more our countrymen can enjoy the benefits of the same at a much cheaper cost which makes healthcare more affordable and accessible to more people. However, only 10 herbs have been promoted by the Department of Health (DOH) as a component of Primary Health Care since 1997. The herbs promoted are the following: Bawang, Sambong, Tsaang-gubat, Ampalaya, Yerba Buena, Ulasimang bato, Bayabas, Akapulko, Lagundi and Niyog-niyogan. The number of promoted herbs is undeniably low for the 1,008 Philippines-endemic plants in the Philippines that can be potentially used for the health benefit of a person.⁵

The bill proposes to institutionalize the National Herbal Medicine Research Institute (NHMRI) which specializes and focuses on discovering the medicinal potential of Philippine-endemic herbs and plants backed up by science and evidence-based research. The aim is for the NHMRI under the DOH to promote and aggressively increase herbs and medicinal plants that can be used by the public for occasions and cases determined by the (NHMRI) with the vision of mainstreaming of herbal medicine. To achieve this, training for proper growing, cultivation, and harvesting of medicinal herbs and plants is formulated to ensure the quality of the raw materials used for herbal medicines to reach their maximum potential.

This representation believes filing this measure is a big step towards the goal of Filipinos having more accessible and affordable healthcare. Developing and expanding the production of more herbal medicines for primary healthcare services will reduce our reliance on pharmaceutical imports and improve the availability of medicines even in remote or geographically isolated areas. We are pushing for the integration of herbal medicines into mainstream clinical practice by conducting research, both non-clinical and clinical towards a science-based herbal medicine industry.



HON. WILBERT T. LEE
Representative
AGRI PARTYLIST

⁵ The Manila Times, 'Experts press for update on traditional medicine law', 06 April 2018, available at <https://www.manilatimes.net/2018/04/06/business/agribusiness/experts-press-for-update-on-traditional-medicine-law/390668>.

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

3
4 **Sec. 1. Short Title.** This Act shall be known as the “*Herbal Medicine Industry*
5 *Development Act*”
6

7 **Sec. 2. Declaration of Policy.** – It is hereby declared to the policy of the State, in
8 accordance with the Constitution, that the promotion of herbal medicine is essential in offering
9 cheaper viable health care alternatives. The State shall protect and promote the people's right
10 to health and instill health consciousness among them.
11

12 The State also recognizes that centralized research and development is important to
13 maximize and discover the potential of Philippines-endemic herbs and plants to be used for the
14 health benefits it could give to the public. The State further recognizes that promotion and
15 centralized research for herbal medicine is an integrated and comprehensive approach to health
16 development, making healthcare services available to all people at affordable cost. It is hereby
17 declared as a policy of the State to conduct centralized research for the discovery of the
18 potential of Philippine endemic medicinal herbs and plants.

Sec. 3. Definition – As used in this Act, the following terms are defined, as follows:

1. *Beneficial herb* – refers to herbs in its unprocessed form that have benefits in the health of a person such as relaxation, comfort, and pain reliever, and can serve as a household remedy for non-complicated cases through traditional application.
2. Herbal medicines" - finished, labelled, medicinal products that contain as active ingredient/s serial or underground part/s of plant or other materials or combination thereof, whether in the crude state or as plant preparations.

Sec. 4. National Herbal Medicine Research Institute (NHMRI) – This act hereby mandates institutionalizing, establishing, operating, and maintaining NHMRI to implement and attain the declared national policy. The Institute, an attached agency of the Department of Health (DOH), undertakes extensive research about herbal medicine and beneficial herbs and promotion of its use.

The NHMRI shall be composed of experts on herbs within the academe and herbal sector about herbal medicine and beneficial herbs, and other matters related to its which are necessary for discovering and venturing the potential of herbs that can be found in the Philippines.

Sec. 5. Duties and Functions – The NHMRI shall have the following duties and functions:

- a. To serve as the office for centralized research and development with its lens focused on herbal medicine and beneficial herbs;
- b. To conduct extensive and science-based research on the potential of herbs and medicinal plants found in the Philippines to be used as herbal medicine and beneficial herbs with the end in view to progressively increase the number of promoted herbs to the public;
- c. To formulate modules and training courses that are necessary for the manufacturers to bring out the best potential of a herbal medicine, and for the farmers to properly grow, develop, and harvest herbs which is vital in the production of an effective herbal medicine;

- d. Promote partnerships among research institutes and organizations to generate more scientific evidence to substantiate and validate claims of natural products and ingredients;
- e. Technology transfer for sustainable organic farming and propagation;
- f. Acquisition and use of appropriate equipment and machinery to boost industry capacities;
- g. Provide assistance to institutions in attaining various certifications accepted and recognized by the international market;
- h. Close coordination of securing investments in the development of natural products and ingredients industries;
- i. Establishment of centralized facilities for R&D studies.

Sec. 6. *Information Campaign* - The NHMRI shall widely disseminate information, findings, and knowledge about herbs in general, to educate the public and promote its medicinal use. it shall include information on how to use an herb as a household remedy for simple and non-complicated cases and a guide for simple traditional and complimentary medicine.

Sec. 7. *Appropriation* - The amount of Five Hundred Million Pesos (P500,000,000) is hereby allotted for this purpose as initial funding. Thereafter, the sum necessary for its implementation shall be in the General Appropriations Act.

Sec. 8. *Non-Impairment Clause*. - Nothing in this Act shall be construed as to diminish, impair, or repeal rights recognized, granted, or made available to disadvantaged, marginalized, or specific sectors under existing laws.

Sec. 9. *Separability Clause*. - If for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

Sec. 10. *Repealing Clause*. - All laws, executive orders, presidential decrees, rules and regulations or parts thereof contrary to or inconsistent with any provisions of this Act are hereby repealed, amended, or modified accordingly.

Sec. 11. *Effectivity*. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.