

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 4351



Introduced by: Hon. Keith Micah "Atty. Mike" D.L. Tan

AN ACT
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 11900,
OTHERWISE KNOWN AS THE "VAPORIZED NICOTINE AND NONNICOTINE
PRODUCTS REGULATION ACT"

EXPLANATORY NOTE

Republic Act No. 11900, otherwise known as the "Vaporized Nicotine and Non-Nicotine Products Regulation Act," was enacted in 2022 to regulate the importation, manufacture, sale, packaging, distribution, use, and communication of vaporized nicotine and non-nicotine products (VNNPs), including novel tobacco products. While the law was intended to provide a comprehensive framework to govern a fast-evolving industry, it has since drawn widespread concern from medical professionals, civil society organizations, and public health advocates. Chief among these concerns is the transfer of regulatory authority from the Department of Health (DOH) and its attached agency, the Food and Drug Administration (FDA), to the Department of Trade and Industry (DTI)—a shift that has placed health-related decisions under an agency whose primary mandate is to promote commerce.¹

Recent evidence underscores the urgent need to recalibrate RA 11900 to better reflect public health priorities. Data from the 2019 Global Youth Tobacco Survey indicate that 14.1% of Filipino students aged 13 to 15 currently use electronic cigarettes, and alarmingly, nearly half of these users had never smoked a traditional cigarette before.² These findings reflect the increasing popularity of VNNPs among adolescents, driven largely by the appeal of flavored products and aggressive digital marketing.³ RA 11900's current provisions do not explicitly ban youth-attractive flavors, allowing manufacturers to market fruit, dessert, and candy-flavored products so long as the descriptors are not directly targeted to

¹ World Health Organization. (2022). *Philippines: New vape law sparks controversy over youth health risks*.

² Global Youth Tobacco Survey (GYTS) – Philippines, 2019. World Health Organization

³ Philippine Pediatric Society & Philippine College of Physicians. (2022). *Position Paper on RA 11900*

minors. This loophole undermines the intent of protecting vulnerable populations from addiction.

While the DTI has implemented standards and compliance mechanisms, including the establishment of the Office for the Special Mandate on Vaporized Nicotine and Non-Nicotine Products (OSMV), enforcement efforts remain limited in scope. In 2024 alone, DTI reported the seizure of ₱24.6 million worth of non-compliant vape products, yet flavored products and uncertified devices continue to flood the local market.⁴ Meanwhile, the industry continues to grow, with projections estimating the Philippine vape market to reach USD 345.6 million by 2030, reflecting an annual growth rate of 18.7%.⁵

To address these regulatory and public health gaps, this bill proposes key amendments to RA 11900 such as placing the regulation of VNNPs under the FDA's jurisdiction, restrictions on flavored e-liquids and increasing the minimum age for the purchase from 18 to 21 years old and use of VNNPs. The bill ensures a science-based, health-focused approach to policymaking.

At a time when the long-term health effects of VNNPs remain under global scrutiny, the State must exercise precaution and uphold its constitutional duty to protect the health and well-being of all Filipinos, especially the youth.

This measure, therefore, seeks to correct structural deficiencies in RA 11900 by restoring the leadership role of the DOH and FDA in the regulation of nicotine and non-nicotine vapor products. It affirms the government's commitment to public health over commercial interest and ensures that national policy keeps pace with emerging scientific evidence and international best practices.

In the interest of public health and safety, immediate approval of this bill is earnestly sought.



Keith Micah "Atty. Mike" D.L. Tan
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⁴ Philippine Information Agency. (2024, March 14). *DTI seizes P24.6M worth of illegal vapes.*

⁵ <https://global.lockton.com/ph/en/news-insights/the-philippines-vaping-epidemic>

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

SECTION 1. Section 3 of Republic Act No. 11900, is hereby amended to read as follows:

"Section 3. Definition of Terms. — x x x

(E) DIGITAL PLATFORMS REFER TO INFORMATION AND COMMUNICATION TECHNOLOGY-ENABLED MECHANISMS THAT CONNECT AND INTEGRATE PRODUCERS AND USERS IN ONLINE ENVIRONMENTS WHERE GOODS AND SERVICES ARE REQUESTED, DEVELOPED, AND SOLD, AND DATA IS GENERATED AND EXCHANGED SUCH AS, BUT NOT LIMITED TO, E-MARKETPLACE, MOBILE APPLICATION PLATFORMS, ONLINE DELIVERY PLATFORMS, SOCIAL MEDIA PLATFORMS, AND TRAVEL PLATFORMS;

[(e)] (F) XXX

XXX"

SEC. 2. Section 4 of R.A. 11900 is hereby amended to read as follows:

"Section 4. Packaging and Health Warnings. — All Vapor Product Refills, HTP Consumables, **HTP DEVICES**, and Novel Tobacco Products shall comply with the following packaging requirements:

XXX"

SEC. 3. Section 6 of R.A. No. 11900 is hereby amended to read as follows:

"Section 6. *Minimum Age Sales and Purchase.* — The minimum allowable age for the purchase, sale and use of Vaporized Nicotine and Non-Nicotine Products, their devices, or Novel Tobacco Products shall be [eighteen (18)] **TWENTY-ONE (21)** years old.

It shall not be a defense for the person selling or distributing that he or she did not know or was not aware of the real age of the purchaser. Neither shall it be a defense that he or she did not know nor had any reason to believe that the product was for the consumption of a person below [eighteen (18)] **TWENTY-ONE (21)** years of age.

SEC. 4. Section 7 of R.A. No. 11900 is hereby amended to read as follows:

"Section 7. *Proof-of-Age Verification.* — Retailers shall ensure that no individual below [eighteen (18)] **TWENTY-ONE (21)** years of age is allowed to purchase Vaporized Nicotine and Non-Nicotine Products, their devices, or Novel Tobacco Products. It shall be the responsibility of retailers to verify the age of buyers. For this purpose, the presentation of any valid government-issued identification card exhibiting the buyer's photograph and age or date of birth shall be required. Retailers shall ensure direct delivery only to individuals who must be [eighteen (18)] **TWENTY-ONE (21)** years old and above.

OWNERS AND/OR OPERATORS OF DIGITAL PLATFORMS, AS DEFINED IN SECTION 4(D) OF REPUBLIC ACT NO. 11967, OTHERWISE KNOWN AS THE "INTERNET TRANSACTIONS ACT OF 2023," WHERE VAPORIZED NICOTINE AND NON-NICOTINE PRODUCTS, THEIR DEVICES, OR NOVEL TOBACCO PRODUCTS ARE DISTRIBUTED OR SOLD, INCLUDING BUT NOT LIMITED TO E-MARKETPLACES, MOBILE APPLICATION PLATFORMS, ONLINE DELIVERY PLATFORMS, AND

SOCIAL MEDIA PLATFORMS, SHALL ENSURE COMPLIANCE WITH THE PROVISIONS OF THIS ACT."

SEC. 5. Section 8 of R.A. No. 11900 is hereby amended to read as follows:

"Section 8. *Online Trade.* — The sale or distribution of Vaporized Nicotine and Non-Nicotine Products, their devices, and Novel Tobacco Products through [internet websites or via e-commerce and/or other similar-media platforms] **DIGITAL PLATFORMS** shall be allowed: Provided, That the **OWNER AND/OR OPERATOR OF THE DIGITAL PLATFORM**, retailer, or distributor shall adopt measures to ensure that persons below [eighteen (18)] **TWENTY-ONE (21)** years of age are denied access thereto and that the [internet website] **DIGITAL PLATFORM** shall bear the signages required under this Act.

In compliance with the aforementioned age restriction, and when seeking access to such [media] **DIGITAL** platforms, the person's legal age shall be self-declared in the opening first page of the [website] **DIGITAL PLATFORM**.

Provided, further, That the sale or distribution of Vaporized Nicotine and Non-Nicotine Products, their devices, and Novel Tobacco Products through [internet websites-or via e-commerce and/or other similar media platforms] **DIGITAL PLATFORMS** shall only be made by online sellers or distributors registered with the Department of Trade and Industry (DTI) or the Securities and Exchange Commission (SEC) and the products being sold and advertised online shall be compliant with the health warning requirements indicated herein, as well as other BIR requirements including tax stamp, minimum or floor price or other fiscal marks: Provided, furthermore. That the delivery of Vaporized Nicotine and Non-Nicotine Products, their devices, and Novel Tobacco Products purchased online shall also comply with Section 7 of this Act.

OWNERS AND/OR OPERATORS OF DIGITAL PLATFORMS WHERE VAPORIZED NICOTINE AND NON-NICOTINE PRODUCTS, THEIR DEVICES, OR NOVEL TOBACCO PRODUCTS ARE REQUESTED AND SOLD, SHALL: (A) PROVIDE REGULATORY AUTHORITIES WITH ACCESS TO THE DIGITAL PLATFORM, INCLUDING ACCESS TO INFORMATION ABOUT ONLINE MERCHANTS LISTED ON THE PLATFORM, TRANSACTION RECORDS, AGE VERIFICATION PROCESSES, AND OTHER

RELEVANT DATA, FOR PURPOSES OF SURVEILLANCE AND MONITORING TO ENSURE COMPLIANCE WITH THE PROVISIONS OF THIS ACT; AND (B) COOPERATE WITH REGULATORY AUTHORITIES IN INSPECTIONS, INVESTIGATIONS, AND OTHER RELEVANT PROCEEDINGS TO ENSURE COMPLIANCE WITH THE PROVISIONS OF THIS ACT."

SEC. 6. Section 9 of R.A. No. 11900 is hereby amended to read as follows:

"Section 9. Sales and Promotion within School Perimeters. — The sale, promotion, advertising, and product demonstration of Vaporized Nicotine and Non-Nicotine Products or Novel Tobacco Products within one hundred (100) meters from any point of the perimeter of a school, playground or other facility frequented particularly by minors shall be prohibited.

ALL SCHOOLS FROM ELEMENTARY TO TERTIARY LEVEL AND VOCATIONAL SCHOOLS OR INSTITUTIONS ARE HEREBY DIRECTED TO ADOPT POLICIES TO PROHIBIT THE USE OF VAPORIZED NICOTINE AND NON-NICOTINE PRODUCTS, THEIR DEVICES, OR NOVEL TOBACCO PRODUCTS WITHIN THE SCHOOL COMMUNITY: PROVIDED, THAT THE POLICY SHALL APPLY TO ALL MEMBERS OF THE SCHOOL COMMUNITY: PROVIDED, FURTHER, THAT THE POLICY SHALL INCLUDE TRAINING AND EDUCATION FOR ALL SCHOOL COMMUNITY MEMBERS ABOUT THE HEALTH RISKS ASSOCIATED WITH THE USE OF NON-NICOTINE PRODUCTS AND NON-NICOTINE PRODUCTS, THEIR DEVICES, AND NOVEL TOBACCO PRODUCTS: PROVIDED, FINALLY, THAT MONITORING MECHANISMS SHALL BE ENFORCED TO ENSURE RETAILERS OF THE AFOREMENTIONED PRODUCTS COMPLY WITH SECTION 9 OF THIS ACT."

SEC. 7. Section 10 of R.A. No. 11900 is hereby amended to read as follows:

"Section 10. Point-of-Sale Signage. — Point-of-sale establishments offering, selling, or distributing Vaporized Nicotine and Non-Nicotine Products shall post the following statement in a clear and conspicuous manner:

*"The sale or distribution of Vaporized Nicotine and Non-Nicotine Products to or by persons below [eighteen (18)] **TWENTY-ONE (21)** years*

of age is illegal. These products are harmful and contain nicotine which is a highly addictive substance. It is not recommended for use by nonsmokers.' or 'Ang pagbenta at pagbili ng Vaporized Nicotine and Non-Nicotine Products sa at ng mga taong wala pang [labingwalong (18) taong gulang] **DALAWAM'PUT ISANG (21) TAONG GULANG** ay ipinagbabawai. Ang mga produktong ito ay nakakasama sa kalusugan at mayroong nicotine, isang nakakalulong na kemikal. Hindi ito inirerekomenda na gamitin ng mga hindi naninigarilyo.'"

SEC. 8. A new section denominated as Section 12 of the same Act is added, to read as follows:

"SECTION 12. RESTRICTIONS ON E-LIQUIDS. — THE FDA SHALL SET THE APPROPRIATE STANDARDS AND RESTRICTIONS ON FLAVORS AND ADDITIVES USED IN THE MANUFACTURE OF E-LIQUIDS AND REFILLS. THE FDA SHALL IMPOSE A BAN ON FLAVORS AND ADDITIVES THAT ARE PROVEN OR SUSPECTED TO BE TOXIC, HARMFUL, ADDICTIVE, SENSITIZING, OR APPEALING TO YOUNG PERSONS.

SEC. 9. Section 12 of R.A. No. 11900 is hereby renumbered as Section 13, and amended to read as follows:

"Section 13. *Product Communication Restrictions.* — x x x

(a) These shall not be targeted to or particularly appeal to persons under [eighteen (18)] **TWENTY-ONE (21)** years of age. Markings or characters that are likely to appeal to the youth such as the use cartoons, anime, manga, animated characters, youth influencers, personalities and the like are prohibited;"

XXX

(N) ADVERTISEMENTS OF VAPORIZED NICOTINE AND NON- NICOTINE PRODUCTS AND NOVEL TOBACCO PRODUCTS SHALL NOT BE ALLOWED TO BE SHOWN BETWEEN 7:00 A.M. TO 7:00 P.M. FOR ALL PROGRAMS, COMMERCIALS, AND FILMS SHOWN IN TELEVISION WITH A RATING OTHER THAN R-18 BY THE MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD (MTRCB), OR AIRED BETWEEN 7:00 A.M.

TO 7:00 P.M. FOR ALL PROGRAMS AND COMMERCIALS BROADCAST ON RADIO.

SEC. 10. Section 13 of R.A. No. 11900 is hereby renumbered as Section 14, and amended to read as follows:

"Section 14. Restrictions on Vaporized Nicotine and Non-Nicotine Product or Novel Tobacco Product — x x x

(a) Promotional events and activities, such as, but not limited to, product sampling or product offers, shall only be conducted by trained product experts and must be directed only to person at least [eighteen (18)] **TWENTY-ONE (21)** years of age. No person below [eighteen (18)] **TWENTY-ONE (21)** years of age shall participate in such promotions. The participants in such promotions shall be required to provide proof of their age: Provided, That the invitation to these promotional events and activities shall contain the appropriate health warnings;"

XXX

SEC. 11. Section 14 of R.A. No. 11900 is hereby renumbered as Section 15, and amended to read as follows:

"Section 15. Restrictions on Sponsorships. — x x x

(b) No person below [eighteen (18)] **TWENTY-ONE (21)** years of age may participate in sponsored events. The participants in the sponsored event shall be required to provide proof of age. Invitations to these events shall contain the appropriate health warnings;

XXX"

SEC. 12. Section 15 of R.A. No. 11900 is hereby renumbered as Section 16, and amended to read as follows:

Section 16. Use in Public Place. — The use of Vaporized Nicotine and Non-Nicotine Products shall be prohibited in all indoor public places except in DVAs, or in point-of-sale establishments for purposes of conducting product demonstrations.

The use of Vaporized Nicotine and Non-Nicotine Products shall be absolutely prohibited in the following public places:

(a) Centers of youth activity such as play schools, preparatory schools, elementary schools, high schools, colleges and universities, youth hostels, and recreational facilities for persons under [eighteen (18)] **TWENTY-ONE (21)** years old;

X X x"

SEC. 13. Section 16 of R.A. No. 11900 is hereby renumbered as Section 17.

SEC. 14. Section 17 of R.A. No. of the same Act is hereby renumbered as Section 18, and amended to read as follows:

"Section 18. *Standards for Designated Vaping Areas.* — Designated Vaping Areas (DVAs) shall comply with the following standards:

(a) Persons below [eighteen (18)] **TWENTY-ONE (21)** years of age shall not be allowed within the DVA;

(b) Every DVA shall have the following signages highly visible and prominently displayed:

(i) "Vaping Area" signage; and

(ii) Prohibition on entry of persons below [eighteen (18)] **TWENTY-ONE (21)** years of age and pregnant women;

X X X"

SEC. 15. Section 18 of R.A. No. 11900 is hereby renumbered as Section 19, and amended to read as follows:

"Section 19. **Product Standard Requirements.** — The [DTI, in consultation with the FDA shall set] **JURISDICTION OVER SETTING** technical standards for safety, consistency, and quality of the products requiring registration in the immediately succeeding section based on international standards **IS HEREBY TRANSFERRED FROM THE DTI TO THE FDA: *Provided,*** That no vapor product with a nicotine content above sixty-five milligrams per milliliter (65mg/ml) shall be allowed to be sold in

the market. The compliance with these product standards shall be mandatory.

(A) ALL PRODUCT STANDARDS FOR AFFECTED PRODUCTS ISSUED BY DTI PRIOR TO THE TRANSFER OF JURISDICTION SHALL REMAIN IN EFFECT UNTIL SUPERSEDED OR UPDATED BY THE FDA PURSUANT TO THIS ACT;

(B) ALL PENDING APPLICATIONS FOR PRODUCT REGISTRATION WITH DTI RELATED TO AFFECTED PRODUCTS SHALL BE TRANSFERRED TO THE FDA FOR CONTINUED PROCESSING AND EVALUATION UNDER THE NEW REGULATORY FRAMEWORK WITHIN SIXTY (60) DAYS FROM THE DATE OF TRANSFER OF JURISDICTION;

(C) WITHIN ONE HUNDRED EIGHTY DAYS (180) DAYS FROM THE DATE OF TRANSFER OF JURISDICTION CONTAINED IN THIS SECTION, THE FDA SHALL REVIEW AND UPDATE THE EXISTING PRODUCT STANDARDS FOR AFFECTED PRODUCTS IN ACCORDANCE WITH INTERNATIONAL STANDARDS AND BEST PRACTICES, AND UPON CONSULTATION WITH RELEVANT STAKEHOLDERS, INCLUDING BUT NOT LIMITED TO, CIVIL SOCIETY ORGANIZATIONS AND PROFESSIONAL SOCIETIES, AND EXPERTS IN PUBLIC HEALTH, CONSUMER ADVOCACY, AND PRODUCT SAFETY;

(D) DURING THE TRANSITION PERIOD AND UNTIL THE UPDATED STANDARDS ARE EFFECTIVE, THE FDA SHALL CONTINUE TO ENFORCE THE EXISTING STANDARDS ISSUED BY DTI TO ENSURE CONTINUITY IN THE REGULATION OF AFFECTED PRODUCTS; AND

(E) THE FDA SHALL PROMPTLY NOTIFY ALL AFFECTED PARTIES, INCLUDING MANUFACTURERS, IMPORTERS, DISTRIBUTORS, AND THE GENERAL PUBLIC, OF ANY UPDATES TO THE PRODUCT STANDARDS FOR VAPORIZED NICOTINE AND NON-NICOTINE PRODUCTS, THEIR DEVICES, AND NOVEL TOBACCO PRODUCTS. COMPLIANCE WITH THE UPDATED STANDARDS SHALL BE MANDATORY UPON THEIR EFFECTIVE DATE OF IMPLEMENTATION.

SEC. 16. Section 19 of R.A. No. 11900 is hereby renumbered as Section 20, and amended to read as follows:

"Section 20. *Product Registration.* — x x x

For online sales, the Secretary of the DTI, upon due process, shall have the power to issue an order directing that a noncompliant [website, webpage, online application, social media account, or other similar platform] **DIGITAL PLATFORM** be taken down and preventing online sellers, which are noncompliant with the registration requirements provided under this Act, from selling online. The Secretary of the DTI shall order the immediate recall, ban or seizure from public sale or distribution of noncompliant Vaporized Nicotine and Non-Nicotine Products or their devices, and Novel Tobacco Products as provided under this section. The DTI and the BIR shall also maintain a list on their website, to be updated monthly, of brands of Vaporized Nicotine and Non-Nicotine Products and Novel Tobacco Products registered with the DTI and the BIR that are eligible to be sold online.

[Internet websites - and/or-e-commerce—and/or other similar media selling platform providers] **DIGITAL PLATFORMS** shall only allow duly registered online sellers or retailers with the DTI and the BIR.

EXISTING PRODUCT REGISTRATIONS PURSUANT TO THE PRODUCT STANDARDS ISSUED BY THE DTI, SHALL EXPIRE WITHIN ONE HUNDRED EIGHTY (180) DAYS FROM THE DATE OF EFFECTIVITY OF THE UPDATED STANDARDS ISSUED BY THE FDA. ALL MANUFACTURERS AND IMPORTERS OF AFFECTED PRODUCTS MUST APPLY A NEW FOR REGISTRATION WITH THE FDA BASED ON THE UPDATED STANDARDS WITHIN ONE HUNDRED EIGHTY (180) DAYS FROM THE EFFECTIVE DATE OF THE UPDATED STANDARDS."

SEC. 17. Section 20 of R.A. No. 11900 is hereby renumbered as Section 21 of the same Act.

SEC. 18. Section 21 of R.A. No. 11900 is hereby renumbered as Section 22, and amended to read as follows:

"Section 22. *Jurisdiction.* — The [DTI] **DOH** shall have exclusive jurisdiction over any and all issues, requirements, and subject matters related to Vaporized Nicotine and Non-Nicotine Products, and their devices,

as well as Novel Tobacco Products, which are provided for in this Act[.]:
PROVIDED, THAT THE DOH SHALL OVERSEE AND ENSURE THE IMPLEMENTATION OF THE PROVISIONS OF THIS ACT IN COORDINATION WITH THE FOLLOWING AGENCIES:

(A) THE FDA-CENTER FOR FOOD REGULATION AND RESEARCH (CFRR), EARLY CHILDHOOD CARE AND DEVELOPMENT (ECCD) COUNCIL, DEPARTMENT OF EDUCATION (DEPED), COMMISSION ON HIGHER EDUCATION (CHED), COUNCIL FOR THE WELFARE OF CHILDREN (CWC), DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT (DILG) AND LOCAL GOVERNMENT UNITS (LGUS), TO ENFORCE THE PROVISIONS OF SECTION 6 AND 9 OF THIS ACT;

(B) THE FDA-CFRR, TO ENFORCE THE PROHIBITIONS RELATING TO GRAPHIC HEALTH WARNINGS UNDER SECTION 4 (A) OF THIS ACT AND TAMPER-RESISTANT AND CHILD-RESISTANT DESIGNS UNDER SECTION 5 OF THIS ACT;

(C) THE FDA-CFRR, BUREAU OF INTERNAL REVENUE (BIR) TO ENFORCE THE REQUIREMENTS OF FISCAL MARKINGS IN SECTIONS 4 (D) AND 4 (F) OF THIS ACT;

(D) THE DTI E-COMMERCE BUREAU, FDA-CFRR, NATIONAL TELECOMMUNICATIONS COMMISSION (NTC), NATIONAL BUREAU OF INVESTIGATION (NBI), PHILIPPINE NATIONAL POLICE (PNP), AND DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (DICT) TO ENFORCE THE RESTRICTIONS ON ONLINE TRADE UNDER SECTION 8 OF THIS ACT;

(E) FDA-CFRR, NATIONAL COUNCIL FOR CHILDREN'S TELEVISION (NCCT), DILG, AND LGUS TO ENFORCE THE RESTRICTIONS ON POINT-OF-SALE SIGNAGES UNDER SECTION 10 OF THIS ACT, DISPLAY OF PRODUCTS UNDER SECTION 11 OF THIS ACT, PRODUCT COMMUNICATIONS UNDER SECTION 12 OF THIS ACT, PROMOTIONAL ACTIVITIES UNDER SECTION 13 OF THIS ACT, AND SPONSORSHIP UNDER SECTION 14 OF THIS ACT, PROVIDED, THAT THE AGENCIES SHALL COORDINATE WITH THE ECCD COUNCIL, DEPED, CHED, CWC, AND OTHER RELEVANT AGENCIES, FOR THE ENFORCEMENT OF THE RESTRICTIONS UNDER SECTIONS 10, 11, 12, 13, AND 14 OF THIS ACT

WITHIN 100 METERS FROM ANY POINT OF THE PERIMETER OF A SCHOOL, PLAYGROUND, OR OTHER FACILITY FREQUENTED PARTICULARLY BY INDIVIDUALS BELOW TWENTY-ONE (21) YEARS OF AGE; AND

(F) FDA-CFRR, DILG, LGUS, DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE), PNP, AND BUREAU OF FIRE PROTECTION (BFP), TO ENFORCE THE REQUIREMENTS FOR DESIGNATED VAPING AREAS UNDER SECTION 17 OF THIS ACT."

SEC. 19. Section 22 of R.A. No. 11900 is hereby renumbered as Section 23 of this Act.

SEC. 20. Section 23 of R.A. No. 11900 is hereby renumbered as Section 24, and amended to read as follows:

"Section 24. Penalties for Noncompliance. — x x x

XXX

(E) FOR ANY VIOLATION OF SECTION 7 AND 8, IF THE OFFENDER IS AN OWNER OR OPERATOR OF A DIGITAL PLATFORM WHERE VAPORIZED NICOTINE AND NONNICOTINE PRODUCTS, THEIR DEVICES, OR NOVEL TOBACCO PRODUCTS ARE REQUESTED AND SOLD, THE FOLLOWING SHALL BE IMPOSED:

(1) ON THE FIRST OFFENSE, A FINE RANGING FROM TWENTY THOUSAND PESOS (P20,000.00) TO ONE HUNDRED THOUSAND PESOS (P100,000.00);

(2) ON THE SECOND OFFENSE, A FINE RANGING FROM ONE HUNDRED THOUSAND PESOS (P100,000.00) TO FIVE HUNDRED THOUSAND PESOS (P500,000.00); AND

(3) FOR THE THIRD AND SUBSEQUENT OFFENSES, A FINE RANGING FROM FIVE HUNDRED THOUSAND PESOS (P500,000.00) TO ONE MILLION PESOS (P1,000,000.00).

SEC. 21. Sections 24 to 30 of the same Act are hereby renumbered to Sections 25 to 31, respectively.

SEC. 22. *Implementing Rules and Regulations.* - Within ninety (90) days from the effectivity of this Act, the DOH, FDA-CFRR, and other concerned agencies, upon consultation with relevant stakeholders, shall issue the implementing rules and regulations (IRR) for the effective implementation of this Act.

SEC. 23. *Separability Clause.* — If any portion or provision of this Act is declared unconstitutional, the remainder hereof or any provisions not affected thereby shall remain in force and effect.

SEC. 24. *Repealing Clause.* — Any law, presidential decree or issuance, executive order, letter of instruction, rule, or regulation inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

SEC. 25. *Effectivity.* — This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,