

TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

House Bill No. 9040

Introduced by Hon. Antonio B. Legarda Jr.

AN ACT
GRANTING ENHANCED PROTECTION TO CONSUMERS, FURTHER
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7394 OR THE
"CONSUMER ACT OF THE PHILIPPINES," AS AMENDED

EXPLANATORY NOTE

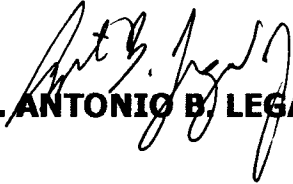
While Republic Act No. 7394, otherwise known as the "Consumer Act of the Philippines," serves as the bedrock of consumer protection in the country, it was enacted in 1992—a period when commerce was confined to traditional, brick-and-mortar markets. Over three decades later, the rapid digital transformation of the global and local economy has fundamentally altered the Filipino consumer experience. The shift toward electronic transactions and borderless trade has exposed the public to sophisticated risks that the current legal framework is ill-equipped to address.

The modern marketplace is increasingly plagued by fraudulent investment schemes, predatory digital business practices, and inadequate product disclosures that bypass conventional regulatory oversight. Furthermore, persistent issues regarding transparency in labeling—specifically the inconsistent declaration of manufacturing and expiration dates—continue to pose significant risks to public health and safety. These gaps in the law highlight an urgent necessity to modernize our consumer protection statutes to reflect contemporary economic realities.

This measure seeks to revitalize the Consumer Act by reinforcing the State's commitment to welfare within the digital landscape. It expands the scope of prohibited acts to include deceptive practices unique to internet-based platforms, ensuring that consumer rights remain enforceable regardless of the medium of transaction. Moreover, the bill mandates more rigorous and uniform standards for product labeling, requiring that vital information, such as nutritional content and shelf-life data, be presented in a manner that is both accessible and unambiguous.

Finally, this bill strengthens the enforcement mechanism of the Department of Trade and Industry (DTI) and other regulatory bodies by updating the schedule of penalties and streamlining inter-agency coordination. By empowering the Filipino consumer with the tools to make safe, informed, and health-conscious choices, we foster a more resilient and trustworthy economy.

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


HON. ANTONIO B. LEGARDA, JR.

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

Section 1. **Short Title.** – This Act shall be known as the "Enhanced Consumer Protection Act".

Section 2. Article 2 of Republic Act No. 7394, as amended, is hereby amended to read as follows:

"Article 2. *Declaration of Policy.* – It is the policy of the State to protect the interests of [the] consumerS, promote [his] **THEIR** general welfare and [to] establish standards of **ETHICAL** conduct for business and industry.

Towards this end, the State shall implement [~~measures to achieve the following objectives:~~] **A STRONG CONSUMER PROTECTION POLICY THAT SHALL:**

~~[a) protection against hazards to health and safety;~~

~~b) protection against deceptive, unfair and unconscionable sales acts and practices;~~

~~c) provision of information and education to facilitate sound choice and the proper exercise of rights by the consumer;~~

~~d) provision of adequate rights and means of redress; and~~

~~e) involvement of consumer representatives in the formulation of social and economic policies.]~~

1 **A) PROTECT CONSUMERS AGAINST HAZARDS TO HEALTH AND**
2 **SAFETY, AND AGAINST DECEPTIVE, UNFAIR, UNCONSCIONABLE,**
3 **AND ABUSIVE BUSINESS ACTS OR PRACTICES, INCLUDING THOSE**
4 **ARISING FROM ELECTRONIC AND INTERNET-BASED**
5 **TRANSACTIONS;**

6 **B) ENSURE CONSUMER ACCESS TO ACCURATE INFORMATION**
7 **AND EDUCATION TO ENABLE INFORMED CHOICE AND PROPER**
8 **EXERCISE OF CONSUMER RIGHTS;**

9 **C) PROVIDE ADEQUATE, EFFECTIVE, AND ACCESSIBLE**
10 **MECHANISMS FOR CONSUMER REDRESS AND DISPUTE**
11 **RESOLUTION;**

12 **D) UPHOLD STANDARDS OF ETHICAL CONDUCT IN THE**
13 **PRODUCTION, DISTRIBUTION, SALE, AND MARKETING OF GOODS**
14 **AND SERVICES;**

15 **E) PROMOTE FAIR, COMPETITIVE, AND TRANSPARENT MARKET**
16 **CONDITIONS, FREE FROM HOARDING AND PRICE MANIPULATION;**
17 **AND**

18 **F) ENCOURAGE THE PARTICIPATION OF INDEPENDENT**
19 **CONSUMER GROUPS IN POLICY FORMULATION AND**
20 **ENFORCEMENT."**

21
22 Section 3. A new Article 4 is hereby inserted to read as follows:

23 **"ARTICLE 4. *CONSUMER RIGHTS*. – IN MAINTAINING AND**
24 **STRENGTHENING THE PROMOTION OF CONSUMER INTEREST AND**
25 **WELFARE IN RELATION TO BUSINESS AND INDUSTRY PRACTICES,**
26 **AS WELL AS THE PRODUCTION AND DISTRIBUTION OF CONSUMER**
27 **PRODUCTS, THE STATE SHALL ADOPT MEASURES AND FORMULATE**
28 **POLICIES TAKING INTO ACCOUNT THE FOLLOWING BASIC**
29 **CONSUMER RIGHTS:**

30 **A) *RIGHT TO BASIC NEEDS* - EVERY CONSUMER SHALL HAVE**
31 **ACCESS TO BASIC AND ESSENTIAL GOODS AND SERVICES,**
32 **INCLUDING ADEQUATE FOOD, CLOTHING, SHELTER, HEALTHCARE,**
33 **EDUCATION, PUBLIC UTILITIES, WATER AND SANITATION;**

34 **B) *RIGHT TO CHOOSE* – EVERY CONSUMER SHALL HAVE THE**
35 **RIGHT TO SELECT FROM A VARIETY OF GOODS AND SERVICES**
36 **OFFERED AT COMPETITIVE PRICES, WHETHER SOLD IN PHYSICAL**
37 **OR DIGITAL MARKETS, WITH AN ASSURANCE OF SATISFACTORY**
38 **QUALITY;**

39 **C) *RIGHT TO BE HEARD* – EVERY CONSUMER SHALL HAVE THE**
40 **RIGHT TO EXPRESS INTERESTS AND BE INVOLVED, HEARD, AND**
41 **CONSIDERED IN THE FORMULATION AND IMPLEMENTATION OF**
42 **GOVERNMENT POLICIES AFFECTING CONSUMERS;**

1 **D) *RIGHT TO REDRESS* – EVERY CONSUMER SHALL HAVE THE**
2 **RIGHT TO ACCESS APPROPRIATE REMEDIES FOR**
3 **MISREPRESENTATION, SUBSTANDARD OR DEFECTIVE PRODUCTS,**
4 **OR UNSATISFACTORY SERVICES;**

5 **E) *RIGHT TO CONSUMER EDUCATION* - EVERY CONSUMER**
6 **SHALL HAVE THE RIGHT TO ACQUIRE KNOWLEDGE AND SKILLS**
7 **NEEDED TO MAKE INFORMED CHOICES AND TO UNDERSTAND THE**
8 **ENVIRONMENTAL, SOCIAL, AND ECONOMIC CONSEQUENCES OF**
9 **CONSUMPTION DECISIONS;**

10 **F) *RIGHT TO SAFETY* - EVERY CONSUMER SHALL BE**
11 **PROTECTED AGAINST HAZARDOUS PRODUCTS, PRODUCTION**
12 **PROCESSES, AND SERVICES;**

13 **G) *RIGHT TO A HEALTHY ENVIRONMENT* - EVERY CONSUMER**
14 **SHALL HAVE THE RIGHT TO LIVE AND WORK IN AN ENVIRONMENT**
15 **THAT IS NOT THREATENING TO HEALTH OR WELL-BEING; AND**

16 **H) *RIGHT TO INFORMATION* - EVERY CONSUMER SHALL BE**
17 **PROVIDED WITH ACCURATE AND SUFFICIENT INFORMATION TO**
18 **MAKE AN INFORMED CHOICES, AND TO BE PROTECTED AGAINST**
19 **DISHONEST OR MISLEADING ADVERTISING AND LABELING."**

20
21 Section 4. A new Article 5 is hereby inserted to read as follows:

22 **"ARTICLE 5. *CONSUMER RESPONSIBILITIES*. - IN RELATION**
23 **TO THE RIGHTS GRANTED UNDER THIS ACT, CONSUMERS SHALL BE**
24 **ENCOURAGED TO EXERCISE THE FOLLOWING RESPONSIBILITIES:**

25 **A) *CRITICAL AWARENESS* – TO BE VIGILANT AND INFORMED**
26 **ABOUT THE QUALITY, PRICE, USE, AND SOURCE OF GOODS AND**
27 **SERVICES;**

28 **B) *ACTION* – TO ASSERT AND ACT UPON THEIR RIGHTS AS**
29 **CONSUMERS;**

30 **C) *SOCIAL CONCERN* – TO BE AWARE OF THE IMPACT OF**
31 **CONSUMPTION ON OTHER MEMBERS OF SOCIETY, PARTICULARLY**
32 **MARGINALIZED SECTORS;**

33 **D) *ENVIRONMENTAL AWARENESS* – TO RECOGNIZE THE**
34 **IMPACT OF CONSUMPTION ON THE ENVIRONMENT AND THE NEED**
35 **FOR SUSTAINABLE AND RESPONSIBLE USE OF RESOURCES; AND**

36 **E) *SOLIDARITY* – TO ORGANIZE OR PARTICIPATE IN**
37 **CONSUMER GROUPS OR ASSOCIATIONS TO STRENGTHEN**
38 **CONSUMER REPRESENTATION.**

39 **THE AFOREMENTIONED CONSUMER RESONSBILITIES SHALL**
40 **NOT BE CONSTRUED TO DIMINISH OR WAIVE ANY RIGHT OR**
41 **REMEDY AVAILABLE TO CONSUMERS UNDER THIS ACT OR OTHER**
42 **APPLICABLE LAWS."**

1 Section 5. Article 4(k) of Republic Act No. 7394, as amended is hereby amended to
2 read as follows:

3 "Article [4-] **6. Definition of Terms.** – For purposes of this Act, the term:

4 x x x

5 k) "~~Chain distribution plans~~" or [~~"pyramid sales schemes"~~ means sales devices
6 whereby a person, upon condition that he makes an investment, is granted by
7 the manufacturer of his representative a right to recruit for profit one or more
8 additional persons who will also be granted such right to recruit upon condition
9 of making similar investments: Provided, That the profits of the person
10 employing such a plan are derived primarily from the recruitment of other
11 persons into the plan rather than from the sale of consumer products, services
12 and credit: Provided, further, That the limitation on the number of participants
13 does not change the nature of the plan.] **OR "PSEUDO-INVESTMENTS"**
14 **REFER TO ANY BUSINESS STRUCTURE, SALES, MARKETING PLAN OR**
15 **SCHEME, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:**

16 **1) "PYRAMID SALES SCHEME" WHERE A PERSON IS REQUIRED**
17 **TO MAKE AN INVESTMENT, WHETHER THROUGH THE PURCHASE OF**
18 **GOODS OR PAYMENT OF FEES, IN ORDER TO GAIN THE RIGHT TO**
19 **RECRUIT OTHERS FOR PROFIT;**

20 **2) "PONZI SCHEME" WHERE FUNDS FROM NEW INVESTMENTS**
21 **ARE USED TO PAY EARLIER INVESTORS WITHOUT ANY GENUINE**
22 **PRODUCT OR SERVICE BEING OFFERED;**

23 **3) "TELEMARKETING FRAUD" INCLUDING HIGH PRESSURE**
24 **SALES TACTICS CONDUCTED THROUGH TELEPHONE**
25 **COMMUNICATIONS WITH THE INTENT TO MAKE THE INVESTOR BUY**
26 **INTO A FRAUDULENT OR NON-EXISTENT INVESTMENT OFFERING;**
27 **AND**

28 **4) "TECHNOLOGY FRAUD" INVOLVING THE USE OF INTERNET**
29 **OR DIGITAL PLATFORMS TO DECEIVE CONSUMERS INTO INVESTING**
30 **IN OR PURCHASING NON-EXISTENT OR FRAUDULENT PRODUCTS OR**
31 **SERVICES.**

32 x x x

33
34 Section 6. Article 52 of Republic Act No. 7394, as amended, is hereby amended to
35 read as follows:

36 "Article [52] **54. Unfair or Unconscionable Sales Act or Practice.** –

37 x x x

38 d) that when the consumer was entered into, the seller or supplier was aware
39 that there was no reasonable probability or payment of the obligation in full by
40 the consumer; [and]

41 e) that the transaction that the seller or supplier induced the consumer to enter
42 into was excessively one-sided in favor of the seller or supplier[-]; **AND**

1 F) THAT THE SELLER OR SUPPLIER EMPLOYS AGGRESSIVE
2 MARKETING PRACTICES INCLUDING AUTOMATIC OR PRE-SELECTED
3 ADD-ONS TO ONLINE TRANSACTIONS THAT SIGNIFICANTLY
4 CONSTRAIN OR IMPAIR THE CONSUMER'S FREEDOM OF CHOICE
5 WITH REGARD TO THE PURCHASE OF A PRODUCT OR SERVICE, AND
6 CAUSE THE CONSUMER TO MAKE UNINTENDED EXPENSES OR ENTER
7 INTO A TRANSACTION DIFFERENT FROM THE ONE THAT THE
8 CONSUMER INTENDED, OR A TRANSACTION THE CONSUMER WOULD
9 NOT HAVE AVAILED OF IF CHOICES WERE CLEARLY PRESENTED."

10
11 Section 7. A new Article 55 is hereby inserted after the renumbered Article 54 of
12 Republic Act No. 7394, as amended, and the subsequent articles shall be renumbered
13 accordingly:

14 "ARTICLE 55. **BILLING STATEMENTS AND OTHER**
15 **TRANSACTION DOCUMENTS.** – BILLING STATEMENTS AND OTHER
16 TRANSACTION DOCUMENTS MAY BE SENT IN PRINTED OR
17 ELECTRONIC FORM AT THE OPTION OF THE CONSUMER AND
18 WITHOUT ADDITIONAL COST. THE CONSUMERS' RIGHT TO SELECT
19 THE MODE IN WHICH THEY RECEIVE THEIR BILLING STATEMENTS
20 AND OTHER TRANSACTION DOCUMENTS SHALL NOT BE
21 CONDITIONED ON THE VALUE OF THE TRANSACTION."

22
23 Section 8. Article 53 of Republic Act No. 7394, as amended, is hereby amended to
24 read as follows:

25 "Article [53] **56. Chain Distribution Plans or [Pyramid Sales Schemes]**
26 **PSEUDO-INVESTMENTS.** – Chain distribution plans or [pyramid sales
27 schemes] **PSEUDO-INVESTMENTS** shall not be employed in the sale of
28 consumer products **OR SERVICES.**"

29
30 Section 9. Article 60 of Republic Act No. 7394, as amended, is hereby amended to
31 read as follows:

32 "Article [60] **63. Penalties.** –

33 a) Any person who shall violate the provisions of Title III, Chapter I, shall upon
34 conviction, be subject to a fine of not less than [Five Hundred] **TWENTY**
35 **THOUSAND** Pesos [(P500.00)] **(P20,000.00)** but not more than [Ten] **ONE**
36 **HUNDRED** Thousand Pesos [(P10,000.00)] **(P100,000.00)** or imprisonment
37 of not less than five (5) months but not more than one (1) year or both, upon
38 the discretion of the court.

39 x x x."

40
41 Section 10. Article 64 of Republic Act No. 7394, as amended, is hereby amended to
42 read as follows:

1 "Article [64] **67. *Fraudulent Practices Relative to Weights and Measures.*** – The
2 following acts relating to weights and measures are prohibited:

3 x x x

4 **L) FOR ANY PERSON TO CONCEAL OR DESTROY ANY FALSE OR**
5 **COUNTERFEIT SEAL, STICKER, STAMP, CERTIFICATE, LICENSE, OR**
6 **ANY ALTERED OR TAMPERED WEIGHING OR MEASURING**
7 **INSTRUMENT TO PREVENT DISCOVERY OR SEIZURE; AND**

8 [f] **M) for any person to procure, OR COOPERATE IN, OR PROFIT FROM**
9 **the commission of any such offense [abovementioned by another.]**

10 x x x"

11
12 Section 11. Article 76 of Republic Act No. 7394, as amended, is hereby amended to
13 read as follows:

14 "Article [76] **79. *Prohibited Acts on Labeling and Packaging.*** – It shall be
15 unlawful for any person, ~~[either as principal or agent,]~~ engaged in the ~~[labeling~~
16 ~~or packaging]~~ **SALE, DISTRIBUTION, OR MANUFACTURE** of ~~[any]~~
17 consumer products, to ~~[display]~~ **SELL**, or distribute ~~[or to cause to be~~
18 ~~displayed, SOLD, or distributed in commerce]~~ any consumer product whose
19 package or label does not conform to the ~~[provisions]~~ **REQUIREMENTS** of this
20 ~~[Chapter.]~~ **ACT.**

21 **CONSUMER PRODUCTS THAT DO NOT COMPLY WITH THE DATE**
22 **LABELLING REQUIREMENTS SHALL NOT BE SOLD OR DISTRIBUTED**
23 **IN THE MARKET ONE (1) YEAR AFTER THE EFFECTIVITY OF THIS ACT.**

24 The prohibition in this Chapter shall not apply to persons engaged in the
25 business of wholesale or retail distributors of consumer products **OR**
26 **CONSUMER PRODUCTS MANUFACTURED OUTSIDE THE COUNTRY**
27 **AND DIRECTED SHIPPED FROM THE MANUFACTURER TO CONSUMER**
28 **BY MAIL OR OTHER DELIVERY SERVICES** except to the extent that such
29 persons:

- 30 a) are engaged in the packaging or labeling of such products;
31 b) prescribe or specify by any means the manner in which such products
32 are packaged or labeled; or
33 c) having knowledge, refuse to disclose the source of the mislabeled or
34 mispackaged products."

35
36 Section 12. Article 77 of Republic Act No. 7394, as amended, is hereby amended by
37 adding the following requirement:

38 "Article [77] **80. *Minimum Labeling Requirements for Consumer Products.*** – All
39 consumer products domestically sold whether manufactured locally or imported
40 shall indicate the following in their respective labels of packaging:

41 x x x

g) country of manufacture, if imported; ~~and~~

h) if a consumer product is manufactured, refilled or repacked under license from a principal, the label shall so state the fact; **AND**

i) THE MANUFACTURING DATE, EXPIRATION DATE, AND WHEN APPLICABLE, THE BEST-BEFORE DATE, WHICH SHALL BE PRINTED CLEARLY AND LEGIBLY IN UNIFORM FORMAT, AS MAY BE PRESCRIBED BY THE IMPLEMENTING RULES AND REGULATIONS.

x x x

Section 13. Article 84 of Republic Act No. 7394, as amended, is hereby amended to require the indication of manufacturing date, expiration date, and best-before date, whenever applicable:

"Article ~~[84]~~ **87. Additional Labeling Requirements for Food.** – The following additional labeling requirements shall be imposed by the concerned department for food:

a) ~~[expiry or]~~ **MANUFACTURING DATE**, expiration date, ~~[where]~~ **AND WHENEVER** applicable, **THE BEST BEFORE DATE;**

x x x

c) **HEALTH STAR RATING LABEL THAT IS CALCULATED BASED ON THE** nutritive value, [if any,] **WHICH INCLUDES THE FOLLOWING:**

(1) TOTAL ENERGY OR KILOJOULES;

(2) SATURATED FAT;

(3) SODIUM OR SALT;

(4) SUGAR CONTENT; AND

(5) FIBER

x x x

FOR PURPOSES OF THIS ARTICLE, HEALTH STAR RATING REFERS TO A FRONT-OF-PACK LABELLING SYSTEM THAT MEASURES THE OVERALL NUTRITIONAL PROFILE OF PACKAGED FOOD FROM ONE-HALF (1/2) STAR TO FIVE (5) STARS AND PROVIDES A QUICK, EASY AND STANDARD GUIDE TO COMPARE SIMILARLY PACKAGED FOODS. THE MANUFACTURERS OF PACKAGED FOOD SHALL CALCULATE THE HEALTH STAR RATING OF THEIR PRODUCTS AND SUBMIT THE RATING TO THE FOOD AND DRUG ADMINISTRATION FOR APPROVAL."

Section 14. Article 86 of Republic Act No. 7394, as amended, is hereby amended to read as follows:

1 “Article [86] **89. *Labeling of Drugs.*** – The Generics Act, **AND OTHER**
2 **LAWS AMENDATORY THERETO**, shall apply in the labeling of drugs. **THE**
3 **FOOD AND DRUG ADMINISTRATION SHALL ENSURE THAT ALL**
4 **DRUGS MANUFACTURED AND DISTRIBUTED LOCALLY SHALL HAVE**
5 **“MANUFACTURING DATE” AND “EXPIRATION DATE” ON THEIR**
6 **LABELS. THE UNIFORM DATE LABELS REQUIRED MUST BE PRINTED**
7 **CLEARLY AND LEGIBLY ON THE LABEL IN THE FOLLOWING ORDER:**
8 **MONTH, DAY, AND YEAR. THE DAY AND THE YEAR MUST BE WRITTEN**
9 **IN FIGURES WHILE THE MONTH MUST BE WRITTEN IN WORDS. THE**
10 **TEXT MUST BE IN A SINGLE EASY-TO-READ TYPE STYLE USING**
11 **UPPER- AND LOWER-CASE LETTERS IN THE STANDARD FORM.**

12 **FOR PRODUCTS RECONSTITUTED PRIOR TO USE, AND THOSE**
13 **WHICH CAN BE ADMINISTERED MULTIPLE TIMES, THE LABEL SHALL**
14 **INCLUDE THE PERIOD OF GUARANTEED SAFETY, EFFICACY, AND**
15 **QUALITY OF THE RECONSTITUTED PREPARATION AFTER FIRST**
16 **OPENING AT GIVEN STORAGE CONDITIONS.”**

17
18 Section 15. Article 87 of Republic Act No. 7394, as amended, is hereby amended to
19 read as follows:

20 “Article [87] **90. *Additional Labeling Requirements for Cosmetics.*** – The
21 following additional requirements may be required for cosmetics:

22 a) **MANUFACTURING DATE AND** expiry or expiration date;

23 x x x.”

24
25 Section 16. A new Article 97 is hereby inserted after the renumbered Article 96 of
26 Republic Act No. 7394, as amended, and the subsequent articles shall be renumbered
27 accordingly:

28 **“ARTICLE 97. *TRANSLATION OF PRODUCT LABELS.* -**
29 **CONSUMER PRODUCTS BEARING LABELS WRITTEN IN FOREIGN**
30 **LANGUAGES OR CHARACTERS SHALL BE ALLOWED ENTRY INTO**
31 **COMMERCE ONLY IF ACCOMPANIED BY A CORRESPONDING ENGLISH**
32 **OR FILIPINO TRANSLATION, TO ENABLE CONSUMERS AND**
33 **REGULATORY AUTHORITIES TO UNDERSTAND THE CONTENTS,**
34 **ORIGIN, AND PROPER USE OF THE PRODUCT.”**

35
36 Section 17. A new Article 98 is hereby inserted after the new Article 97 of Republic
37 Act No. 7394, as amended, and the subsequent articles shall be renumbered
38 accordingly:

39 **“ARTICLE 98. *OFFICIAL SOURCES OF INFORMATION FOR***
40 ***IMPORTED CONSUMER PRODUCTS.* - IMPORT DATA FROM THE**
41 **BUREAU OF CUSTOMS AND BUREAU OF IMPORT SERVICES OF THE**
42 **DEPARTMENT OF TRADE AND INDUSTRY SHALL BE RECOGNIZED AS**
43 **OFFICIAL SOURCES OF INFORMATION FOR THE VALIDATION OF**

1 **IMPORTED CONSUMER PRODUCTS, INCLUDING BUT NOT LIMITED**
2 **TO:**

3 **A) COUNTRY OF MANUFACTURE;**

4 **B) NAME AND ADDRESS OF MANUFACTURER OR EXPORTER;**

5 **C) NAME AND ADDRESS OF IMPORTER OR CONSIGNEE;**

6 **D) VALUE AND VOLUME OF SHIPMENT;**

7 **E) DATE OF ARRIVAL; AND**

8 **F) OTHER INFORMATION RELEVANT TO THE SHIPMENT."**
9

10 Section 18. Article 116 of Republic Act No. 7394, as amended, is hereby amended to
11 read as follows:

12 "Article ~~[116]~~ **120. Permit to Conduct Promotion.** – No person shall
13 conduct any sales ~~[campaigns, including beauty contest, national in character,~~
14 ~~sponsored and promoted by manufacturing enterprises]~~ **PROMOTION OF**
15 **PRODUCTS OR SERVICES, THROUGH ANY FORM OF MEDIA,**
16 **INFORMATION AND COMMUNICATIONS TECHNOLOGIES,**
17 **INCLUDING DIGITAL AND ONLINE PLATFORMS,** without first securing a
18 permit from the concerned department at least ~~[thirty (30) calendar]~~ **FIFTEEN**
19 **(15) days** prior to the commencement thereof. ~~[Unless an objection or denial~~
20 ~~is received within fifteen (15) days from filing of the application, the same shall~~
21 ~~be deemed approved and the promotion campaign or activity may be~~
22 ~~conducted]:~~ *Provided,* ~~[That any sales promotion campaign using medical~~
23 ~~prescriptions or any part thereof or attachment thereto for raffles or a promise~~
24 ~~of reward] shall not be allowed, nor a permit be issued thereof."~~ **THAT**
25 **FAILURE OF THE CONCERNED DEPARTMENT TO ACT WITHIN THE**
26 **SAID PERIOD SHALL BE DEEMED APPROVAL OF THE APPLICATION:**
27 ***PROVIDED FURTHER,* THAT SALES PROMOTION CAMPAIGNS USING**
28 **MEDICAL PRESCRIPTIONS OR ANY PART THEREOF SHALL NOT BE**
29 **ALLOWED."**
30

31 Section 19. The Food and Drug Administration, in consultation with the National
32 Nutrition Council and other technical and nutrition experts, shall develop the health
33 star rating system that will be used by the food manufacturers pursuant to this Act.
34

35 Section 20. ***Implementing Rules and Regulations.*** – Within ninety (90) days after
36 the effectivity of this Act, the DTI, in coordination with the implementing agencies
37 under this Act, other relevant government agencies and stakeholders, shall
38 promulgate the rules and regulations to effectively implement the provisions of this
39 Act.
40

1 Section 21. ***Separability Clause.*** – If any part or provision of this Act is held invalid
2 or unconstitutional, the other provisions not affected shall remain in full force and
3 effect.

4

5 Section 22. ***Repealing Clause.*** – All laws, executive orders, issuances, decrees, rules
6 and regulations or any part thereof which are inconsistent with or contrary to the
7 provisions of this Act are deemed amended, modified, or repealed accordingly.

8

9 Section 23. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its
10 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,