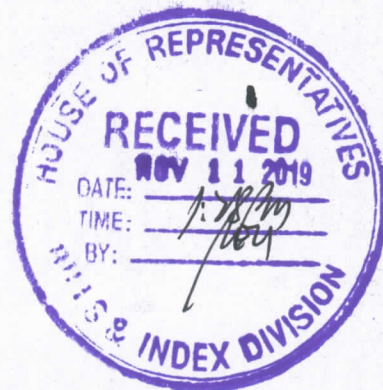


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5409



Introduced by: **HON. ROZZANO RUFINO B. BIAZON**

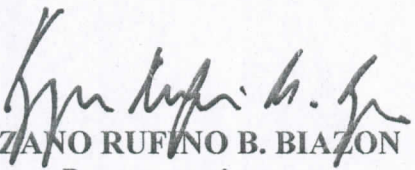
EXPLANATORY NOTE

This bill seeks to prescribe the display, selling, promotion and advertising of alcoholic beverages and beverages that contain alcohol in all convenience stores, supermarkets, hypermarkets, groceries and other food retailing stores.

The health of the people being a primordial concern of the State is the *raison d'être* of this proposed measure. Products that are sold to the public, especially those that pose risks to the health of the people such as alcohol and cigarettes, must be disposed to the public in a manner that is regulated by the State.

At present, there is no law which prescribes how alcoholic beverages and beverages that contain alcohol are to be displayed, sold, promoted and advertised in convenience stores, supermarkets, hypermarkets, groceries and other food retailing stores. As alcoholic beverages and beverages that contain alcohol pose risk to the health of our people, it is submitted that legislation in this respect is needed.

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


ROZZANO RUFINO B. BIAZON
Representative
Lone District, Muntinlupa City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5409

Introduced by: **HON. ROZZANO RUFINO B. BIAZON**

AN ACT
PRESCRIBING THE DISPLAY, SELLING, PROMOTION AND ADVERTISING OF
ALCOHOLIC BEVERAGES AND BEVERAGES THAT CONTAIN ALCOHOL AND
PROVIDING PENALTIES FOR THE VIOLATION THEREOF

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

SECTION 1. Declaration of Policy. – It is hereby declared the policy of the State to protect the right to health of the people and instill health consciousness among them. Towards this end, it shall come up with measures that would regulate how products that pose risks to the health of people are disposed to the public, including their sale and manner thereof.

Sec. 2. Display of Alcoholic Beverages. – All alcoholic beverages, regardless of type of packaging, shall only be displayed in designated conspicuous area in all convenience stores, supermarkets, hypermarkets, groceries and other food retailing stores with prominent signage "ALCOHOLIC BEVERAGES." Other beverages with alcohol regardless of level of alcohol content such as but not limited to flavoured beverage with alcohol content, shall likewise be displayed in this same designated area. These beverages shall not be displayed together with other products like juice drinks and must not be accessible to children.

Owners or operators of sari-sari stores which may not have enough space to designate an area for alcoholic beverages and other beverages with alcohol content shall be responsible to ensure that subject beverages as mentioned in the preceding paragraph are not sold to minors.

Sec. 3. Promotional and Advertising Materials. – Promotional and advertising materials on alcoholic beverages and beverages with alcohol content, regardless of amount, shall clearly state or inform consumers that such beverages contain alcohol, and therefore not to be promoted and advertised to be sold to and consumed by minors. Packaging and labelling materials shall not be appealing to children.

Sec. 4. Penalties. – Any person who shall violate any provision of this Act shall suffer the penalties provided hereunder:

- (a) For the first conviction, a fine of not less than Fifty thousand pesos (P50,000.00) but not more than One hundred thousand pesos (P100,000.00) and suspension of appropriate authorization for one (1) month shall be imposed;
- (b) For the second conviction, a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Two hundred thousand pesos (P200,000.00) and suspension of appropriate authorization for three (3) months shall be imposed; and
- (c) For the third conviction, a fine of not less than Two hundred thousand pesos (P200,000.00) but not more than Three hundred thousand pesos (P300,000.00) and suspension of appropriate authorization for six (6) months shall be imposed.

Sec. 4. *Implementing Rules and Regulations.* – The Secretary, in consultation with the Civil Service Commission, concerned agencies and other stakeholders, shall prepare and issue the Implementing Rules and Regulations (IRR) necessary for the effective implementation of this Act within ninety (90) days upon its effectivity.

Sec. 5. *Appropriations.* – The amounts necessary for the initial implementation of the provisions of this Act shall be charged against the current year's appropriations of the BoC and the BI. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act. The Department shall include in its proposed budget the necessary amounts to enable it to achieve its mandate.

Sec. 6. *Separability Clause.* – If, for any reason, any portion or provision of this Act shall be held unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

Sec. 7. *Repealing Clause.* – All other laws, executive orders, proclamations, rules, regulations, and other issuances or parts thereof, which are inconsistent with the provisions of this Act, are hereby repealed or amended accordingly.

Sec. 8. *Effectivity* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,