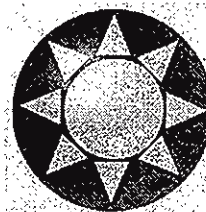




Republic of the Philippines
Department of Health
OFFICE OF THE SECRETARY
2nd Flr., Bldg. 1, San Lazaro Compound, Rizal Avenue, Manila



28 February 2003

ADMINISTRATIVE ORDER

No. 24 s. 2003

**SUBJECT: GUIDELINES ON LABELING AND ADVERTISEMENTS
OF CIGARETTES**

Administrative Order No. 10 s. 1993 dated March 22, 1993 provides for the Rules and Regulations on Labeling and Advertisement of Cigarettes. As stated in Administrative Order No. 56 s. 2001 dated 24 October 2001, the Supreme Court on 20 June 2001 ruled with finality the Court of Appeals' decision dated 10 February 2000 modifying the warning statement and its Filipino equivalent stated in Section 5 of A.O. No. 10 s. 1993. Pertinent provisions on labeling and advertisements are hereby stated, to wit:

Section 5. The package of all cigarettes for sale or distribution within the country shall bear the statement:

"WARNING: CIGARETTE SMOKING IS DANGEROUS TO HEALTH"

- a. The warning statement shall be located on the lower portion of the front and back of the principal display panel of the cigarette pack.
- b. The warning statement shall be of black color in type-size letters of bold Helvetica, not less than 3 mm. On the standard size cigarette packs of about 10 cm. in length, and shall be enclosed by an outlined box of the same black color on a rectangular white background not less than 25% of the area of the front and back principal display panels.
- c. The Filipino equivalent of the warning statement may be used, which shall read:

"BABALA: ANG PANINIGARILYO AY MAPANGANIB SA KALUSUGAN"

- d. The word "package" referred to here shall include the primary cigarette pack, the carton containing the packs (ream), the boxes containing the cartons as well as equivalent containers for cigars.
- e. Prototype labels containing the above warning shall be submitted to the Bureau of Food and Drugs for approval prior to final printing.

Section 6. Any advertisement of cigarette shall contain the warning statement indicated in the label.

- a. In advertisement through television, the warning statement shall appear and be voiced over in the same prominence and volume as the brand name at the end of the advertisement and shall be printed at the upper 25% portion of the advertisement, preferably by character generated running subtitle. The warning statement shall not be accompanied by music or any background sound.
- b. In advertisement through radio of any length, the warning statement shall be voiced over before the end of the commercial.
- c. For advertisement through print, media, billboards, neon signs and promotional items as hereafter defined, the statement shall be featured prominently on the upper half portion of the board, advertisement space or promotional item. The same statement shall be in the same color and background as the brand name, and shall be in type-size letters not smaller than 25% of the brand name, dominant logo or image characters.
- d. As defined in R.A. 7394 or the Consumer Act of 1992, "Advertisement means the prepared and through any form of mass medium, subsequently applied, disseminated or circulated advertising matter, " and "Advertising means the business of conceptualizing, presenting, or making available to the public through any form of mass media, fact, data or information about the attributes, features, quality or availability of consumer products, services or credit."

For this purpose, "any form of mass medium" shall include, but shall not be limited to promotional items like pens, shirts, hats, caps and the like where promotional matters referring to the cigarette or smoking are printed thereon.

- e. All advertisement containing the required warning statement shall be submitted for approval prior to dissemination, to a Multisectoral Screening and Monitoring Committee on Tobacco Advertisements to be created by the Secretary of Health.

Section 7. No cigarette without the warning statement will be allowed in the market beginning July 1, 2003.

Section 8. Advertisements of cigarettes shall contain the warning statement not later than May 1, 2003.

Superimposition of the warning statement on existing advertisement may be allowed.

Section 9. Cigarettes without the warning statement in the market beginning July 1, 2003 will be subject to seizure and confiscation by the Bureau of Food and Drugs Regulation Officers and duly authorized officers of the Department of Health.

Section 10. Advertisement of cigarettes without the warning statement beginning May 1, 2003 will be stopped by a cease and desist order of the Director of Bureau of Food and Drugs.

In case of failure to comply with the Cease and Desist Order, the advertiser or the person whose account the advertising is prepared or disseminated and the advertising agency, shall be made liable administratively or criminally in accordance with Article 95 and Article 164 of R. A. 7394, after due notice and hearing.

Section 12. The following are acts and omissions in violation of the law and these implementing rules and regulations:

1. Producing cigarettes in packages which do not bear the warning statement or when the layout, color or typography does not comply with these rules.
2. Advertising cigarettes without the health warning statement or when the presentation of the warning statement does not comply with the requirements and guidelines provided by this Order.
3. Distributing, selling or offering for sale cigarettes in a package which does not contain the health warning provided for by R.A. 7394.

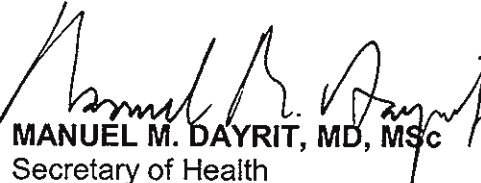
Section 13. After due notice and hearing, the applicable administrative penalties provided for under Article 164 of R.A. 7394 shall be imposed against any person who committed the act or omission in violation of the law and its implementing rules and regulations.

Section 14. Cases of violation of Article 94 of R.A. 7394 or these implementing rules and regulations will be heard by the Bureau of Food and Drugs in accordance with R.A. 7394.

Section 16. This Order shall take effect fifteen (15) days following the date of its publication in a newspaper of general circulation and supersedes all other issuances inconsistent therewith.

All other provisions of A.O. No. 10 s. 1993 are still in effect and full force.

Signed AO
Received in the Records
Section on 3-17-03


MANUEL M. DAYRIT, MD, MSc
Secretary of Health

Sa Sentrong Sigla, Health ang Una