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Philippines

Tobacco and Products

Tobacco Regulation Act of 2003

2003

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Report Highlights:

The Philippines enacts Republic Act 9211, also known as the Tobacco Regulation Act of 2003 regulating the use, sale and advertisement of tobacco products.

Includes PSD changes: No
Includes Trade Matrix: No
Unscheduled Report
Manila [RP1], RP

On June 23, 2003, President Gloria Macapagal Arroyo signed into law Republic Act 9211 or the Tobacco Regulation Act of 2003, which regulates and subsequently bans the advertising of cigarettes and other tobacco products. The new anti-smoking law also bans smoking in public places like hospitals, clinics and enclosed public places. Under the law, all tobacco advertising must be phased out starting 2007, with an absolute ban to take effect in 2008.

And starting next year, the law states that cigarette ads and packs must bear a warning on specific health hazards caused by smoking. Warnings should include – on a rotating basis or separately or simultaneously – messages such as "Cigarette Smoking is Dangerous to Your Health," "Cigarettes are Addictive," "Tobacco Smoke Can Harm Your Children," or "Smoking Kills."

The printed warnings must be at the bottom panel of every tobacco product package, and must occupy at least 30 percent of the area beginning July 2006. In addition to health warnings, the law requires that all tobacco packages must contain on one panel either of the message "No sale to Minors" or "Not for sale to Minors".

Cigarette advertising on radio, television and cinema must prominently display the same warning in the last five seconds of airtime. Cigarette or tobacco advertising aired on television must occupy at least 50% of the screen. Warnings on print ads must occupy 15 percent of ad space.

The law also provides minimum age requirements for the sale and purchase of tobacco and limits the sale and advertising of tobacco within 100 meters from perimeter of any educational institutions (i.e., schools, universities and colleges).

Smoking where it is prohibited is punishable by a fine from P500 to P5,000. Retailers and tobacco firms found violating the law may be fined P5,000 to P400,000, while their executives may be jailed 30 days to three years. Other penalties are revocation of licenses and business permits, and administrative sanctions.

With the enactment of the bill, the Philippines became the first country to comply with the World Health Organization framework convention on Tobacco Control.