



Republic of the Philippines
Province of Cavite
CITY OF BACOOR
Office of the City Mayor
TRANSMITTAL



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05/30/2024

20 September 2024

Hon. JUANITO VICTOR C. REMULLA
Provincial Governor
Province of Cavite
Cavite Provincial Capitol Building
Trece Martires, Cavite

Dear Gov. Remulla,

Good day!

In compliance with Art. 59 (b) (1) Rule XII of Administrative Order 270, Series of 1992, this is to respectfully submit the attached Executive Order issued by the undersigned, for your review and appropriate action, to wit:

EO NO.	DATE	TITLE
156-2024	September 20, 2024	AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO.374-2024, OTHERWISE KNOWN AS THE ANTI-COUNTERFEIT DRUGS ORDINANCE OF THE CITY OF BACOOR

Thank you.

Very truly yours,


HON. STRIKE B. REVILLA
City Mayor



Address: Bacoor Government Center, Bacoor Blvd.
Brgy. Bayanan, City of Bacoor, Cavite
Trunkline: 434-1111
Website: www.bacoor.gov.ph



Cert. no. 24/181809



Republic of the Philippines
Province of Cavite
CITY OF BACOR
Office of the City Mayor
EXECUTIVE ORDER



CGBCR-MO-05-F04.02
05/30/2024

EXECUTIVE ORDER No. 156- 2024
Series of 2024

**AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 374-2024, OTHERWISE KNOWN AS THE
ANTI-COUNTERFEIT DRUGS ORDINANCE OF THE CITY OF BACOR**

WHEREAS, Section 16 of R.A. No. 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare including the promotion of safety of its constituents and provision of adequate transportation facilities;

WHEREAS, the Sangguniang Panlungsod enacted and passed City Ordinance No. 374-2024, entitled "An Ordinance Penalizing any Individual Engaged in the Sale or Distribution of Fake Medical Products Within the City of Bacoor, Cavite";

WHEREAS, the City Government of Bacoor recognizes the need to issue an Implementing Rules and Regulations pertinent to the above-mentioned Ordinance;

WHEREAS, the Office of the City Mayor of Bacoor, in coordination with the concerned city government offices, issued the above-mentioned Implementing Rules and Regulations that shall govern the Anti-Counterfeit Drugs Ordinance of the City of Bacoor;"

NOW, THEREFORE, I, STRIKE B. REVILLA, City Mayor of Bacoor, Cavite, by virtue of the powers vested in me by law, do hereby order for the adoption and implementation of the Revised Implementing Rules and Regulations of City Ordinance No. 374-2024 herein attached.

Section 1. Implementing Rules and Regulations (IRR).

Attached herein is the Implementing Rules and Regulations of City Ordinance No. 374-2024, which shall form part of this Executive Order. This shall be known as the "Implementing Rules and Regulations of the Anti-Counterfeit Drugs Ordinance of the City of Bacoor."

All affected offices and departments are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly.

Strict compliance and observance of all city government officials and employees to this Implementing Rules and Regulations is hereby ordered.

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EXECUTIVE ORDER



Section 2. Repealing Clause.

All previously issued orders and directives inconsistent with any provision found herein shall be deemed repealed, revoked or amended accordingly.

Section 3. Separability Clause.

In the event that any provision found herein shall be judicially or administratively declared illegal or infirm, the remaining provisions shall remain in full force and effect.

Section 4. Effectivity Clause.

This Executive Order shall take effect immediately upon its signing and remain in full force and effect until repealed, revoked or amended accordingly.

SO ORDERED.

DONE this 20th day of September 2024 in the City of Bacoor, Province of Cavite.


STRIKE B. REVILLA
City Mayor



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**IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 374-2024, OTHERWISE KNOWN AS THE
"ANTI-COUNTERFEIT DRUGS ORDINANCE OF THE CITY OF BACOOR"**

**RULE 1
GENERAL PROVISIONS**

Section 1. Title. This shall be known and cited as the "Implementing Rules and Regulations of the Anti-Counterfeit Drugs Ordinance of the City of Bacoor."

Section 2. Purpose. This IRR and Regulations are promulgated to prescribe the procedures and guidelines for the effective implementation of Bacoor City Ordinance No. 374-2024, prohibiting the sale and distribution of fake drugs and other medical products within the City of Bacoor.

Section 3. Scope And Application. The provisions of this IRR shall cover all persons involved in the distribution and sale of counterfeit drugs/medicine or medical products within the City of Bacoor.

Section 4. Implementing Office. The Office of the City Health Services (CHO), under the direct supervision of the Office of the City Mayor and the Office of the City Administrator, with the assistance of the Philippine National Police (PNP), shall be the lead implementing agency for City Ordinance No. 374-2024. Other departments, units, or offices of the City Government of Bacoor shall assist in the effective implementation of the said Ordinance and this IRR.

Section 5. Rules Of Construction. In construing the provisions of this IRR, the following rules of construction shall be observed unless inconsistent with the manifest intent of the provision, or when applied, they would lead to absurd or highly improbable results.

- 1. General rule.** All words and phrases shall be construed and understood according to the standard and approved usage of the language, but technical words and phrases and such others which may have acquired a peculiar appropriate meaning in this IRR shall be construed and understood according to such technical, peculiar, or appropriate meaning.
- 2. Gender and number.** Every word in this IRR importing the masculine gender shall extend to both females and males. Every word importing the singular number shall extend and apply to several persons or things, and every word importing the plural number shall also extend and apply to one person or thing.





3. **Computation of time.** The time within which an act is to be done as **provided** in this IRR or in any rule or regulation issued pursuant to the provisions thereof when expressed in days shall be computed by excluding the first day and including the last day, except if the last day falls on a Sunday or a holiday in which case the same shall be excluded from the computation, and the next business day shall be considered the last day.
4. **References.** All references to Articles and Sections are to the Articles and Sections in this IRR unless otherwise specified.
5. **Conflicting provisions of the section.** If the provisions of different sections conflict with or contravene each other, the provisions of each section shall prevail as to all specific matters and questions involved therein.

RULE 2 DECLARATION OF POLICY AND DEFINITIONS

Section 6. DECLARATION OF POLICY. It is the policy of the City Government of Bacoor to:

1. Safeguard the health of the people and protect public health and safety by preventing the manufacturing, distribution, and sale of counterfeit drugs within the jurisdiction.
2. Ensure that all pharmaceutical products and medical products available to Bacoor consumers are safe, effective, and meet established quality standards set by the Food and Drug Administration (FDA) or other concerned government agencies.
3. Ensure that only those medicines/drugs or medical products that have been duly certified by the FDA shall be sold and distributed within the City of Bacoor.
4. Protect the residents of Bacoor from person or persons who take advantage of the fear of getting sick, indisposed, or otherwise in a position that requires medication.

Section 7. DEFINITIONS. As used in this IRR, the following terms shall be construed to mean as follows:

1. **Sale** is the purchase of a fake drug or medical product for a fee or for any type of consideration.





2. **Distribution** is the sharing, delivering, or supplying of fake drugs or medical products in any business establishment or residence with or without a fee or consideration.
3. **Fake or Counterfeit Drugs** are substances that have not been previously tested or certified as medicine by any government agency in the Philippines.
4. **Fake or Counterfeit Medical Products** are devices, gadgets, or contraptions without any proven therapeutic or diagnostic value and are not certified as medical products by any government agency in the Philippines.

RULE 3 IMPLEMENTING PROVISION

Section 8. Prohibition. The sale and distribution of fake drugs/medicines and other medical products shall be prohibited anywhere in the City of Bacoor, Cavite. All drugstores, pharmacies, including those within medical clinics and hospitals, as well as supermarkets and other business establishments, and online sellers engaged in the sale of medicines or drugs within the City of Bacoor must ensure that only medical drugs or products that have been duly certified by the Food and Drug Administration and other relevant government agencies are distributed and sold to the public.

Section 9. Information Dissemination and Public Awareness. The City's Information and Community Relations Department, in consultation with the OCHS and other concerned government agencies, is responsible for issuing a public advisory warning against purchasing pharmaceutical products from establishments or online stores operating without the necessary government permits and that consumers should only purchase drugs, medicines, and other health products from government-licensed pharmacies and ensure that they have the appropriate FDA marketing authorizations.

The public information campaign should actively encourage individuals to report suspicious products and educate them on the available reporting channels. It is essential to disseminate clear and accessible information, including warning notices, about the presence of unauthorized drugs, medications, or medical products, particularly those commonly used to treat widespread diseases or illnesses.

Section 10. Inspection. The OCHS, in collaboration with the Business Permit and Licensing Department (BPLD), Bacoor PNP, and local Barangays, may conduct regular joint inspections of business establishments involved in the distribution and sale of drugs, medicines, or medical products within the City of Bacoor to detect and prevent counterfeit activities. The OCHS may also seek the assistance of the Department of Trade and Industry, the Food and Drug Administration, and the Department of Health to enhance the effectiveness of these inspections.





The Bacoor PNP shall be responsible for ensuring public safety, maintaining of peace, and providing security during inspection activities. This includes deploying adequate personnel, coordinating with relevant local authorities, implementing necessary measures to address any potential threats or disruptions, and ensuring a safe and orderly environment during inspection.

Section 11. Monitoring and Reporting.

1. Any individual or business with knowledge of counterfeit drugs, medicines, or medical products being sold in physical or online stores within the City of Bacoor is required to report the matter to the Office of the City Health Services (OCHS) or the Bacoor Police Station. Upon receiving the report, the OCHS shall promptly notify the FDA and the Bacoor PNP for verification and documentation. The OCHS will also submit samples of the suspected counterfeit products for examination to determine their authenticity.
2. Authorized officers shall promptly investigate all reported cases to verify the same.
3. OCHS shall establish a dedicated system, hotline, or online platform established to receive and manage reports of counterfeit products.
4. If distribution or sale activities involving counterfeit drugs/medicine or medical products are confirmed, appropriate legal and administrative actions are taken against the offenders.
5. The OCHS and Bacoor PNP may systematically collect and analyze data on suspected counterfeit products, including their sources, distribution channels, and patterns of occurrence, to identify and disrupt counterfeit networks.
6. Regular reports on the status and outcomes of investigations and enforcement actions related to counterfeit medical drugs or products shall be submitted to the Office of the City Mayor to ensure transparency and accountability.
7. The Bacoor PNP shall submit quarterly reports of case related to violation of the Anti-Counterfeit Drug Ordinances of the City of Bacoor.

Section 12. Training and Capacity Building. The OCHS, in partnership with the FDA, may conduct specialized training programs for its health personnel, as well as for the personnel of the Business Permit and Licensing Department, City Inspection and Compliance Unit-Department of Public Safety, and Bacoor Traffic Management Department and local law enforcement agencies. These capacity-building sessions will focus on enhancing the ability of participants to accurately identify counterfeit drugs and medical products. These trainings aim to strengthen the effectiveness of efforts to detect





and curb the distribution of counterfeit drugs and medical products within the community.

RULE 4 PENALTIES

Section 13. Parties Liable. The following persons shall be liable for violation of the Anti-Counterfeit Ordinance of the City of Bacoor:

1. The manufacturer, exporter, or importer of the counterfeit drugs and their agents: *Provided* that the agents shall be liable only upon proof of actual or constructive knowledge that the drugs are counterfeit;
2. The seller, distributor, trafficker, broker or donor and their agents, upon proof of actual or constructive knowledge that the drugs sold, distributed, offered, or donated are counterfeit drugs;
3. The possessor of counterfeit drugs except when the presentation of sales invoices, official receipts, or other legally acceptable documents evidencing his purchase thereof from a drugstore, distributor, manufacturer, hospital pharmacy or dispensary, or any other person or place duly licensed to sell and/ or dispense drugs or medicines, and indicating therein the batch and lot numbers, as well as the expiry dates of such drugs, or when the quantity of counterfeit drugs in possession is minimal and consistent with personal use;
4. The manager, operator, or lessee of the laboratory or laboratory facilities used in the manufacture of counterfeit drugs;
5. The owner, proprietor, administrator, or manager of the drugstore, hospital pharmacy or dispensary, laboratory, or other outlets or premises where the counterfeit drug is found who induces, causes, or allows the commission of any act herein prohibited;
6. The registered pharmacist of the outlet where the counterfeit drug is sold or found, who sells or dispenses such drug to a third party, and who has actual or constructive knowledge that said drug is counterfeit.

Section 14. Penalties. Any person convicted of violating this Ordinance shall be imprisoned for not less than 30 days but not more than ninety (90) days and shall be required to pay a fine of P5,000.00.



SCAN ME





**RULE 5
FINAL PROVISIONS**

Section 15. Budget Appropriations. – The City Government of Bacoor shall allocate the necessary funds in its annual budget or any subsequent supplemental budget to implement the provisions outlined in the Ordinance.

Section 16. Changes or Modifications of the Implementing Rules and Regulations. – In order to ensure the efficient and effective implementation of the Ordinance, the Office of the City Mayor, in consultation with relevant offices, may propose amendments to said Ordinance and, consequently, to this IRR, as deemed necessary.

Section 18. Separability. – Should any section or provision of this IRR be deemed unconstitutional or invalid, the unaffected sections or provisions shall continue in full force and effect.

Section 19. Repeal. – All local rules or regulations inconsistent with or contrary to the provisions of this IRR are hereby repealed and modified accordingly.

Section 20. Effectivity. – This IRR shall take effect immediately upon its approval.



SCAN ME

