

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE RESOLUTION NO. 229**



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Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

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**RESOLUTION**

**DIRECTING THE COMMITTEE ON HEALTH TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE REPORTED PROLIFERATION OF "FALSIFIED" MEDICINES IN THE COUNTRY BASED ON THE 2019 REPORT BY THE UNITED NATIONS OFFICE ON DRUGS AND CRIME (UNODC) ENTITLED "TRANSNATIONAL ORGANIZED CRIME IN SOUTHEAST ASIA: EVOLUTION, GROWTH AND IMPACT", WHICH IDENTIFIED THE PHILIPPINES AS HAVING THE HIGHEST INCIDENCE OF FALSIFIED MEDICINES AMONG SOUTHEAST ASIAN COUNTRIES WITH THE END IN VIEW OF PROTECTING AND PROMOTING THE RIGHT TO HEALTH OF THE FILIPINO PEOPLE**

WHEREAS, the "Transnational Organized Crime in Southeast Asia: Evolution, Growth and Impact", a study by the United Nations Office on Drugs and Crime (UNODC), reported on July 18, 2019 that of the total 673 pharmaceutical crime incidents reported, 460 took place within Southeast Asia, the majority of which occurred in the Philippines, with 193 incidents followed by Thailand (110), Indonesia (93) and Viet Nam (49);

WHEREAS, it was reported that counterfeit drugs were mostly genito-urinary therapeutic products, erectile dysfunction products, central nervous system (CNS) drugs and anti-infectives while cardiovascular drugs, CNS drugs, and alimentary such as nutrition supplements and metabolism drugs were the most frequently affected by illicit diversion;

WHEREAS, the UNODC report found that "...Pakistan, followed by India and China were the most frequently identified source countries of counterfeit or diverted medicines detected in the Philippines from 2013 through 2017, while thirteen other countries were also identified as sources. According to government reports, illicit medicines smuggled to the Philippines from Pakistan have included 660 kg of counterfeit products detected in air cargo from a Thai Airways flight departing from Karachi, Pakistan via Bangkok in December 2014";

WHEREAS, the report says that "In 2015, the Philippines FDA seized slimming products, erectile dysfunction medicines, and other illicit medicines worth US\$ 125,000, the majority of which originated from Pakistan, China and India";

WHEREAS, on August 2017, three Pakistanis were arrested for allegedly selling counterfeit brands of naproxen sodium, paracetamol and a mix of dextromethorphan, phenylephrine and paracetamol;<sup>1</sup>

WHEREAS, on January 2018, it was reported that the Bureau of Customs has intercepted P128.9 million worth of various illicit drugs in separate shipments where several Pakistani nationals have been implicated;<sup>2</sup>

WHEREAS, on March 2018, the Food and Drug Administration (FDA) has warned consumers in an advisory against the purchase and consumption of counterfeit Biogesic paracetamol 500-milligram tablets;<sup>3</sup>

WHEREAS, the UNODC report found that locally manufactured counterfeit over-the-counter medicines as well as anti-tuberculosis medicines such as Bacciter have been a concern in the Philippines;

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<sup>1</sup> 3 Pakistanis nabbed for fake drugs, Philippine Star, August 11, 2017 (<https://www.philstar.com/metro/2017/08/11/1728055/3-pakistanis-nabbed-fake-drugs>) accessed on 13 August 2019

<sup>2</sup> PH intercepts P128-M drugs from Pakistan, ABS-CBN News, January 15, 2018 (<https://news.abs-cbn.com/news/01/15/18/ph-intercepts-p128-m-drugs-from-pakistan>) accessed on 13 August 2019

<sup>3</sup> FDA Advisory No. 2018-081 dated 16 March 2018

WHEREAS, the UNODC study defines "falsified" medicines or "fraudulent" medicines as those which are marketed with the intention of deceiving buyers as to the content of what they are buying. "These include misbranded (spurious/fake/falsely labelled) products and those that do not contain what they purport to – i.e. medicines in which the active ingredients are inert, are less than, more than or different from what is indicated, or have expired. They are available in both formal and informal settings, including hospitals, pharmacies, street vendors and online marketplaces. Falsified medical products are often produced in poor or unhygienic conditions by unqualified personnel, and some are found to contain lethal levels of the wrong active ingredient or other toxic substances";

WHEREAS, it found out that the "circulation of falsified medicines presents serious public health and safety risks and threatens the achievement of Sustainable Development Goal 3, to ensure the right to access a reliable standard of healthcare and medicine quality for all";

WHEREAS, Republic Act No. 11223, otherwise known as the "Universal Health Care (UHC) Act" specifically provides that within two (2) years from its effectivity, the Philippine Health Insurance Corporation or PhilHealth shall implement a comprehensive outpatient benefit, including outpatient drug benefit<sup>4</sup> and mandates the Department of Health-owned health care providers to procure drugs and devices<sup>5</sup>;

WHEREAS, Republic Act No. 8203, otherwise known as the "Special Law on Counterfeit Drugs" was enacted on September 1996 to provide the Filipino people protection against counterfeit drugs;

WHEREAS, the study concludes that some laws to combat the proliferation of falsified medicines are outdated and need to be revised if they are to remain applicable to the increasingly complex nature of pharmaceutical markets and pharmaceutical crimes;

WHEREAS, in view of ensuring the right to access a reliable standard of healthcare and medicine quality for all as provided under the SDG 3 and the relevant provisions of the UHC Act, there is an imperative need to look into the UNODC 2019 report that identified the Philippines as having the highest incidence of falsified medicines among Southeast Asian countries;

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved by the House of Representatives to direct the Committee on Health to conduct an investigation, in aid of legislation, into the reported proliferation of "falsified" medicines in the country based on the 2019 Report by the United Nations Office on Drugs and Crime (UNODC) entitled "Transnational Organized Crime in Southeast Asia: Evolution, Growth and Impact", which identified the Philippines as having the highest incidence of falsified medicines among Southeast Asian countries with the end in view of protecting and promoting the right to health of the Filipino people.

*Adopted,*



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<sup>4</sup> Section 6 (b), R.A. No. 11223

<sup>5</sup> Section 28, R.A. No. 11223