



Republic of the Philippines
Department of Health
OFFICE OF THE SECRETARY

DEC 03 2012

JOINT DOH-DOJ-DTI-DSWD ADMINISTRATIVE ORDER
No. 2012- 0027

SUBJECT : The Inter-Agency Committee (IAC) Guidelines in the Exercise of their Powers and Functions as Stated in Executive Order (E.O.) No. 51, s. of 1986, otherwise known as, "The National Code of Marketing of Breastmilk Substitute, Breastmilk Supplements and Other Related Products", and its Revised Implementing Rules and Regulations (RIRR)

WHEREAS, it is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, in order to ensure that safe and adequate nutrition for infants is provided, there is a need to protect and promote breastfeeding and to inform the public about the proper use of breastmilk substitutes and supplements and related products through adequate, consistent and objective information and appropriate regulation of the marketing and distribution of the said substitutes, supplements and related products; (NOTE: culled from the whereas clause of EO 51);

WHEREAS, an inter-agency committee composed of the Department of Health as chairman, the Department of Trade and Industry (DTI), Department of Justice, and Department of Social Welfare and Development as members, was created pursuant to EO No. 51, s. 1986;

WHEREAS, Section 12(a)(3) and Section 6(a) of EO No. 51, in relation to Section 12, Rule V of Administrative Order (AO) No. 2006-0012, s. of 2006, RIRR of EO No. 51 s. 1986, provides that the IAC shall prescribe the internal and operational procedure for the exercise of its powers and functions as well as the performance of its duties and responsibilities;

Now, therefore, pursuant to the authority given by the President to the members of the IAC on EO No. 51 s. 1986, the following guideline is hereby ordered promulgated, thus:

Section 1. Short Title. This rules shall be known and cited as, "The Inter-Agency Committee on EO No. 51 Guidelines".

Section 2. Definition of Terms.

1. Code. – refers to the Milk Code Executive Order No. 51.

2. IAC – shall refer to the Inter-Agency Committee created under EO No. 51, s. 1986, which is the body tasked with reviewing, evaluating and/or approving advertisement, promotion, sponsorship and/or other marketing activities, including, but not limited to, research of products and donation of equipment, funds, products, etc. by companies and/or manufacturers of products covered in E.O. No. 51.

3. Nuisance Application – refers to an application that may be denied outright by the IAC Secretariat for reasonable grounds, such as but not limited to, applications that were already screened and denied by the IAC, or are substantially the same as those denied by the IAC, such as but not limited to, applied materials with corrected typographical error, etc.

4. Technical Resource persons – refers to individuals invited by the IAC, who has formal education, technical knowledge, training in their respective fields of expertise, including but not limited to, doctors, nurses, nutritionists, dieticians, lactation and media consultants, persons coming from the government sector, private sector, international organizations or civil society members.

Section 3. Composition. The IAC shall be composed of the Secretaries of Health, Trade and Industry, Justice and Social Welfare and Development, with the Secretary of Health as Chairman.

Each member shall designate his duly authorized representative and an alternate to every meeting of the IAC, who shall decide and vote on behalf of the Secretary being represented whenever the latter is absent; provided, such authority is given through an official issuance (format of which is attached as Annex “A”) signed by the Secretary represented. The duly authorized representative or the alternate shall be responsible in reporting, giving feedback report, and/or communicating to the represented Secretary all matters that transpired during IAC meetings. The IAC members and their duly authorized representatives shall under oath accomplish the form on declaration of conflict of interest (Annex “B”).

Section 4. Duties and Functions of the IAC. The following shall be the duties and responsibilities of the IAC:

1. Review all advertising, marketing, including sponsorships, promotional and other materials, for products within the scope of the code. It shall include all written, audio, visual, cinema, theater, audio-visual, electronics (i.e., email, text messages, telephone calls and website advertising).

Any material that is to be distributed to the public for information and/or communication for products within the scope of the code shall also be reviewed by the IAC.

2. Approve or disapprove, delete objectionable portions from and prohibit the printing, publication, distribution, exhibition and broadcast of, all advertising, promotional or other marketing materials, whether written, audio or visual, on products within the scope of the Code;

3. Develop/update substantive and procedural guidelines for reviewing advertising, promotional and marketing materials, which shall include prescribing the internal and operational procedure for the exercise of its powers and functions as well as the performance of its duties and responsibilities;

4. Determine whether donations given by milk companies and companies with other products within the scope of the Code, and their agents/representatives, whether in kind or in cash, will be accepted or otherwise; and

5. Promulgate such rules and regulations as are necessary or proper for the implementation of Section 6(a) of the Code.

Section 5. IAC Secretariat. The Food and Drugs Administration (FDA) is duly designated as the Secretariat of the IAC.

The IAC Secretariat are designated to accept the applications for products within the scope of the code, as well as to conduct the pre-evaluation/review and examination of advertising materials in accordance to the requirements set by the IAC.

Pursuant to Section 39 of the Revised Implementing Rules and Regulations (RIRR) of E.O. No. 51, they also have the power to investigate and verify reports of violations, and when appropriate, apply administrative sanctions against violators.

Pursuant to Section 44 of the RIRR, the IAC Secretariat, may issue a Cease and desist order signed by the IAC chairman for any release, printing, broadcast or dissemination of violative advertising, marketing or promotional material.

Other functions of the Secretariat:

- a. Prepare the agenda and notify the members and resource persons of the upcoming IAC meetings.
- b. Provide administrative and technical assistance during the IAC deliberation/screening.
- c. Inform the applicant on the result of the IAC deliberation.
- d. Receive and act on reports, complaints, and/or determine if any advertising, promotional, or advertising material of products within the scope of the code violates the Code and its RIRR.
- e. Issue Cease and Desist Orders signed by the IAC chairman
- g. Post final resolution/decision of decided cases on the web

Section 6. Disqualification of Resource Persons. A resource person will be automatically disqualified if there is a finding of any possibility, whether direct or indirect, of conflict of interest pertaining to their affiliation or association, directly or indirectly, to milk companies/industry and other covered products. For this purpose,

they shall accomplish, under oath, the form on declaration of conflict of interest (Annex "C").

Section 7. Honorarium and Other Incidental Expenses. The IAC Members, the IAC Secretariat, and the technical resource persons shall be entitled to collect from E.O. No. 51 funds, their honorarium, per diems, actual cost of transportation and other incidental expenses subject to existing accounting and auditing rules and regulations.

Section 8. Procedure. Hereunder are the prescribed procedure in filing applications for approval of advertising materials:

1. The applicant for permit to conduct sales promotion and/or advertise products within the scope of the Code must secure an application form (ANNEX "D") from the Food and Drug Administration – Inter Agency IAC Secretariat. (FDA-IAC Secretariat) or from the FDA website, to wit, www.bfad.gov.ph;

2. The accomplished form should be submitted to the IAC Secretariat together with the required documents and proof of payment of the filing fee as prescribed by the Food and Drug Administration, such fees shall be subject for review every three (3) years by the DOH for possible amendments. Provided, application fees shall be non-refundable and non-transferable. Provided further, each type of advertising material, whether it is a part of an entire advertisement wave or not, must be applied for separately.

3. Incomplete documents will not be accepted.

4. Application and accompanying documents must be filed on or before the first Friday of each month in order to be included in the screening by the IAC for said month, otherwise it will be considered in the next scheduled screening.

5. Only the submitted material with the duly accomplished application form and has paid the corresponding fees shall be prescreened by the IAC secretariat and reviewed by the IAC members, respectively.

6. Any modification on the submitted material prior to IAC deliberation shall be deemed withdrawal of the application.

7. Any amendment on a submitted material previously screened by the IAC shall be considered a new application, and the corresponding application procedure shall apply including payment of fees.

8. Materials with request for extension shall be treated as new material and therefore will follow same procedures for new application.

9. The IAC secretariat shall determine the number of applications that shall be accepted and pre-screened per month prior to deliberation.

Section 9. Contents of the application. An application for the review or examination of advertising material shall be in the form prescribed by the IAC and shall be filed in seven hard copies (colored) a soft copy. It shall contain, among others, the following information:

- c.2.1 Name of applicant
- c.2.2 Name of marketing firm/advertising agency, if any
- c.2.3 Name of brand or product, specify age bracket, if applicable
- c.2.4 Name of sponsor/manufacturer of the product
- c.2.5 Title of the advertising material, if any
- c.2.6 Nature/type of advertising/material
- c.2.7 Specific channels by which the advertising material will be disseminated.
- c.2.8 The specific time and date of airing/dissemination
- c.2.9 Intended/target audience of the material
- c.2.10 Coverage/venue for dissemination
- c.2.11 Period or duration of dissemination
- c.2.12 Approximate Time Duration of the Material (in case of film, videotape, CDs or sound tape recording)
- c.2.13 Proposed comprehensive design or story board
- c.2.14 Declaration that no milk advertisement shall be aired/printed before/within/after any government TV/radio programs, or any other health related programs.

Section 10. Specific Attachments of the Application. Depending on the type of application, it shall be accompanied with the following:

- A. VISUAL (PRINT) - text and visual layout (colored copies)
 - 1. Merchandising materials (posters, banners, streamers, billboards, tarpaulins, train ads, vehicle ads, etc.)
 - 2. Print Ads (magazines, newspapers, inserts, flyers, leaflets, pamphlets, advertorials (using part of the news as advertising products within the scope of the code), etc.
- B. AUDIO (RADIO/TELEPHONE/ANNOUCEMENTS)
 - 1. Text and script and spiels
 - 2. Hotlines
 - 3. Recordings (vehicles with accompanying streamers and sound)
- C. AUDIO-VISUAL
 - a. TV, cinema, theater (including cinema and TV pluggings, interviews, indirect advertisements where product is used and incorporated in scripts of movies, teleseryes, telenovelas, variety shows, game shows, and other TV shows)
 - b. Story boards (colored) and scripts and spiels
 - c. Final audio-visual
 - d. Second material (either radio or commercial showing through TV, theaters, cinemas)

- D. New Technologies/ New Ways of disseminating information
 - a. Pod casts
 - b. Webcasts
 - c. Websites – full frame, streaming, including company websites, etc.
 - d. Light effects
 - e. Interactive interfaces
 - f. Electronic ads
 - g. SMS or cellphone text messages
 - h. Social networking sites
 - i. Others

Section 11. Additional Requirements. In addition to the above stated requirements, the following shall also be attached to the application:

1. A copy of valid certificate of Product Registration (CPR) issued by the Food and Drug Administration and approved product label, provided that the CPR must be valid and existing at least ninety (90) days prior to the filing of the application;

3. Copies of such supporting documents, presentation materials and references which the advertiser/marketing firm may have submitted to the Philippine Board of Advertising or clearance prior to release, if any;

4. For audio-visual material, an electronic copy must be submitted;

5. Material shall be submitted in seven (7) original copies.

Section 12. Grounds for automatic denial. The IAC Secretariat, may deny motu proprio, any application for advertising/ promotional campaign based on the following grounds:

- a. insufficient documents
- b. nuisance application
- c. materials with health and nutrition claims for 0-36 months.
- d. feeding bottles and teats

Section 13. Sponsorships. No assistance, support, logistics or training from milk companies to health workers shall be permitted for any activity aimed to update the health workers' knowledge and skills on breastfeeding, promotion, protection of breastfeeding, and appropriate infant and young child feeding. However, sponsorships may be allowed, subject to the following conditions: (1) the recipient of the sponsorship must not be a health worker; (2) no sponsorship shall be extended to health facilities and/ or health care systems; (3) sponsorships to events, programs, trade fairs, festivals, fiestas, or any other activity that may reach or involve individual/s who are not health workers must be applied to the IAC for approval; (4) the applicant for approval of a sponsorship is the recipient of the sponsorship.

The application for sponsorship shall be accompanied with the following:

- 1. letter request addressed to the IAC Chairperson; and
- 2. duly accomplished Request Form (Annex "E").

Section 14. Donations. - Donations of products, materials, defined and covered within the scope of this Code and these rules, shall not be permitted, except those instances/cases that are allowable under the RA 7600.

Donations of products, equipments, and the like, not otherwise falling within the scope of this Code or these Rules, given by milk companies and their agents, representatives, whether in kind or in cash, must first be approved by the IAC and must be subject to the following conditions: (1) No name/no logo, no public relations, no announcement, or the likes, of the donating company nor brand names of covered product on the donated items; (2) No name/no logo of the donating company nor brand names of covered product on the donated items

The application for approval of donations shall be accompanied with the following:

- e.3. 1 Letter of request addressed to the IAC Chairperson;
- e.3. 2 Duly accomplished official Request Form.

Section 15. IAC Deliberations. Resource persons from the government and other partners, upon invitation of the IAC, may provide guidance, inputs to clarify matters related to the Code but they shall have no voting powers.

In cases where the deliberations involve reports of violations from the monitoring, person responsible or point person from the monitoring team should also be invited to clarify the issue with the IAC during investigation. Cost of travel and accommodation of invited guest from the monitoring team should be chargeable to the E.O. No. 51 funds subject to existing accounting and auditing rules and regulations.

The IAC shall screen advertisements pursuant to the provisions of Section 5 (a) and (b), and Section 6(a) of The Code and its Revised Implementing Rules and Regulations. Deliberations shall cover both the general concept and details of the text as well as the particular medium used. Bottom line of the deliberation shall be the over all impact or the total effect of the advertisement on the public to which it is addressed or to those who would generally have access to the publication.

The approved product label of breastmilk substitutes, breastmilk supplements, milk formula, milk supplement, complementary foods, milk products for pregnant and lactating mothers or their equivalent, and other products within the scope of the Code shall not be construed as an authority or approval for advertising, promotion, or marketing materials, and activities.

Section 16. Results of the IAC Deliberation. The IAC Secretariat shall issue the result of deliberation ten (10) working days after the screening categorized as follows:

- g.1.1 Approved – Submitted application or material is considered compliant by the IAC.
- g.1.2 Disapproved – Does not conform to rules and regulations.

Section 17. Issuance of Certificate of Approval. Upon the approval of the advertising material, the applicant shall submit the final copy of the advertising materials to the IAC Secretariat for final evaluation. If the final copy conforms to

the advertising materials as approved by the IAC, a Certificate of Approval shall be issued within five (5) days to the applicant. After issuance of the Certificate of Approval, no material variations or changes in the approved advertising materials shall be allowed in connection therewith. In case there is doubt as to the conformity of the material with that approved by the IAC, the same shall be returned to the IAC Secretariat for recommendation to the IAC.

The Certificate of Approval shall authorize the applicant to publish, air, disseminate and/or release to the public the approved advertisement; provided, however, the published/released material conforms exactly to the approved copy on file with the IAC Secretariat.

No advertisement of products falling within the purview of the code shall be aired, published, disseminated or released to the public without a Certificate of Approval issued by the Inter-Agency Committee on Milk Advertisement (IAC). Violations of the provision shall subject the manufacturer, the advertiser, the radio/TV stations, including the magazine, newspaper or any other quad media carrying the violative advertisement to the appropriate sanctions provided by law. The partners in the Code implementation shall be notified of pertinent information concerning issued Certificates of Approval.

In cases where the IAC or the Secretariat finds any discrepancy with the approved material as compared to the published or aired material, the IAC Secretariat shall issue a recall order of the Certificate of Approval at any given time.

Section 18. Validity. The Certificate issued by the IAC Secretariat shall be valid for a period of three months which may be renewed at most three (3) times, provided that the total period shall not exceed one (1) year. Provided, further, that the applicant shall pay the required fees for each application for renewal. Provided, furthermore, that, the applicant shall execute an undertaking under oath that there are no changes in the original approved material.

Section 19. Contents that may undermine breastfeeding. The following may undermine breastfeeding, hence shall not be included in advertising materials -

1.1. Texts, pictures, illustrations or information which directly or indirectly discourage or tend to undermine the benefits or superiority of breastfeeding or which idealize the use of breastmilk substitutes and milk supplements. In this connection, no pictures of a baby, babies, child/children, mother/s, father/s, siblings, grandparent/s, other relatives or caregivers (or yayas), [or any combination thereof], or similar import shall be used in any advertisements for products within the scope of the Code;

1. 2. The term “humanized” “maternalized”, “close to mother’s milk” or similar words/phrases/statements in describing infant formula, breastmilk substitutes, milk supplements, or other milk products;

1. 3 Pictures, texts, audio materials that idealize the use of infant formula and milk supplements.

1. 4 All health and nutrition claims for products within the scope of the code are absolutely prohibited. For this purpose, any phrase, word or statement that on note to increase emotional, psychological, intellectual, physical abilities and/or enhancement of potential/actual talents of the infant and young child and other similar phrases shall be prohibited.

1. 5 False or misleading information or claims of products within the scope of the code are prohibited.

1. 6 Promotion of products covered by the scope of the Code must be objective and should not equate or make the product appear to be as good as, equal to or better than breastmilk or breastfeeding . It must not in any case undermine breastmilk or breastfeeding . The “total effect” should not directly or indirectly suggest that buying or using the product would produce better individuals, or resulting in greater love, intelligence, ability, harmony or in any manner bring better health to the baby or other such exaggerated and unsubstantiated claim/s.

Section 20. Prohibited Acts. The following are not allowed:

1.7.1. Corporate displays which include products under E.O. 51 announcements of program sponsorship, e.g. “This program/special is brought to you by...” containing names of products within the scope of the Code.”

1.7. 2. Special displays;

1.7. 3. Shelf talker/vision, floor vision;

1.7. 4. Mobiles;

1.7.5. Endorsement (direct or indirect) of product by parent/s, celebrities, health workers (whether private or government), medical doctors, nutritionist-dietitians, midwives, nurses, private and government health professionals, scientists, government officials and employees, medical and other allied health associations/ organizations, and members of their family;

1.7.6. Health books, CDs educational materials and other promotional materials;

1.7.7. Infomercials, e.g., articles written by doctors or others that highlight the quality of a covered product;

1.7.8. Use of taglines that may be associated to products under the Code;

1.7.9. Using approved application number for the disapproved/not yet approved advertisement;

1.7.10. The following pictures and/or drawings are not permitted as they tend to directly or indirectly undermine breastfeeding, as determined by the IAC:

a. An infant holding a feeding bottle/training cup or any container;

b. An infant and a woman with a feeding bottle/training cup or any container;

- c. A woman with a feeding bottle/training cup or any container;
- d. A feeding bottle/training cup or any similar container containing a white substance;
- e. A baby/infant/young child and the product shot in one frame;
- g. A feeding bottle on a principal display panel;
- h. Appearance of infant and mother with the brand product;
- i. Any container that resembles nipple such as but not limited to feeding bottle and training cup;
- j. Children/ baby with product name;
- k. Infant or young child;
- l. Print Ad on infant feeding bottles or any graduated container made of glass, plastic or similar materials that may be used as feeding bottles;
- m. Feeding bottle; and
- n. Picture of any animal (or characters) that may represent parent and offspring, siblings, family.

1.7.11. Print Ad/Product Shots are not allowed as false cover, detachable insert (i.e. bookmarks and souvenir program) and inside front and back and outside back cover.

1.7.12. Anything outside the approved label that is attached on the products within the scope of the Code such as but not limited to necktags, bundling, freebies, printed flyers, leaflets and similar materials.

1.7.13. Anything outside the approved label that is not attached on the products within the scope of the Code such as but not limited to necktags, bundling, freebies, printed flyers, leaflets and similar materials.

1.7.14. Hanging of streamers, banners, posters, bantings/banderitas, billboards displayed in stores/trade outlets, government/ private facilities, medical and other allied health conventions and functions, and along highways.

1.7.15. Advertisements posted/printed on any vehicle, residential, commercial and industrial buildings, schools, glass walls and panel, trees, posts and other public places.

1.7. 16. Other forms of advertising materials:

1.7.16.1. Price cards containing only the name of the product and/or the company and the price and should be confined in store or supermarket shelves for the intent and purpose of selling the products on display.

1.7.16.2. Online advertisements, such as but not limited to E-mail advertisements, spams and webpages, TV/Online Streaming (upstreaming, downstreaming & sidestreaming), full frame, crawling text, pop-ups, and the like.

1.7.16.3. Plug-in scripts/activities within movies and on TV/Radio/Web Talk shows, variety shows, and series (telenovela, comedy shows, gag shows etc.).

1.7.16.4. Activities within a media program that promote/relate to such products.

1.7.16.5. Insertions/Surveys/Mailers/Mommy and Infant books and similar items.

1.7.16.6. Trade promotions/entrepreneurial/personal enhancement/ health activities and any other similar activities.

1.7.16.7. Booths, Gondola, and the likes at the points of sale.

Section 20. Total Effect. In assessing the “total effect” of an applied material, the following shall be considered:

a. All health and nutrition claims (for products within the scope of the Code) are potentially misleading; hence, should not be allowed.

b. Promotion of products covered by the scope of the Code must be objective and should not idealize the product over breastmilk or breastfeeding in the advertising concept. It must not in any case undermine breastmilk or breastfeeding. The “total effect” should not directly or indirectly suggest that:

- b.1 Buying and/or using the product means giving love and affection by parents or relatives, or
- b.2 Patronizing the product will bring better health to the baby and young child.

Section 21. Mandatory Standard Messages. These are messages that are required by the IAC to be written in all advertising/ promotional material;

A. For products falling within the scope of the Code:

a. ENGLISH

Primary Messages for advertisements of INFANT FORMULA:

“BREASTMILK IS THE ONLY SAFE AND READILY AVAILABLE FOOD FOR INFANT”; and

“WARNING: INFANT FORMULA IS NOT A STERILE PRODUCT AND MAY CONTAIN HARMFUL BACTERIA AND MUST BE PREPARED AND USED APPROPRIATELY”

b. FILIPINO

“ANG GATAS NG INA ANG BUKOD TANGING LIGTAS AT LAGING HANDA PARA SA SANGGOL”

“BABALA: ANG PRODUKTONG ITO AY MAARING MAY MIKROBYO NA NAGDUDULOT NG SAKIT”

B. Primary Messages for advertisements of MILK SUPPLEMENTS:

a. ENGLISH

“The use of milk supplements must only be upon the advice of health professional”

“The unnecessary and improper use of this product may be dangerous to your child’s health”

b. FILIPINO

“Ang paggamit ng gatas na ito ay dapat sang-ayon sa payo ng Doctor o health professional”

“Ang maling paggamit ng gatas na ito ay maaring makasama sa kalusugan ng bata”

C. For Advertisements of Complementary Food

Any or all of the following messages shall be incorporated in all advertisements and labels of all complementary foods:

a. ENGLISH

“THIS PRODUCT IS NOT INTENDED FOR BABIES 6 MONTHS OF AGE AND BELOW;”AND

b. FILIPINO

“ANG PRODUKTONG ITO AY HINDI ANGKOP PARA SA BATANG ANIM NA BUWAN PABABA;”AT

D. For PRINT advertisements, the mandatory standard messages shall be written in Bold Arial font with at least 1/3 of the size of the biggest letter in the material. The messages shall be enclosed in a box with a white background and black print and shall be contained in all advertisements and should be prominently displayed and emphasized. The actual picture of a Filipino breastfeeding mother, which must be provided by the DOH, is included in the standard message; both mother and baby should be depicted as beautiful, happy and healthy.

The total message should be readable to the intended/target audience of the material and should comprise of at least 1/5 of the height of the material printed in Bold Arial. There shall be no adjustments/modifications in font features like thickness, spacing and others so as to make the message unreadable/unnoticeable to the intended/target audience of the material. The standard messages shall be enclosed in a box with a white background and black print and shall be contained in all advertisements and should be prominently displayed and emphasized. Alongside standard messages, the breastfeeding logo should be included. The breastfeeding logo

is an actual picture of a Filipino breastfeeding mother, which is provided by the DOH, both mother and baby should be depicted as beautiful, pleasing, happy and healthy.

The messages shall be enclosed in a box with a white background and black print and shall be contained in all advertisements and should be prominently displayed and emphasized. The BF logo should be an actual picture of a Filipino breastfeeding mother is included in the standard message; both mother and baby should be depicted as beautiful, pleasing, happy and healthy.

E. For purely AUDIO advertisements (radio ads) the primary message should be clearly mentioned at least before the catch line or the last line of the promotional material.

F. For purely AUDIO-VISUAL advertisements (TV ads), the standard message with an actual breastfeeding logo shall be flashed second to the last frame for at least (4) seconds. Voice-over for the primary standard message shall be a requirement. Voice-over for the primary standard message should be clearly mentioned in the advertisement.

G. TV and radio advertisement should not be aired in primetime, weekends, in children shows, family shows, or during holidays.

Section 22. Issuance of Cease and Desist Order (CDO). In the event an advertisement is aired, published, released or disseminated: i) without the corresponding Certificate of Approval or Certificate of Clearance, or ii) without conforming exactly with the approved copy on file with the IAC or iii) without the Certificate of Approval Number as required, the IAC Secretariat shall immediately issue a CDO signed by the Chairman of the IAC against the manufacturer, establishment, the advertising company including the magazine, newspaper or any other quad media and the radio/TV stations concerned ordering the withdrawal of the promotional materials.

The IAC Secretariat shall have the authority to determine if any advertising, marketing, or promotional material violates these Rules and Regulations.

In the event the Cease and Desist Order is not complied within the time prescribed above, the rules stated in Section 13 of E.O. 51 on sanctions shall apply.

At least two violations of the E.O. 51 or its RIRR shall be considered as repeated violation.

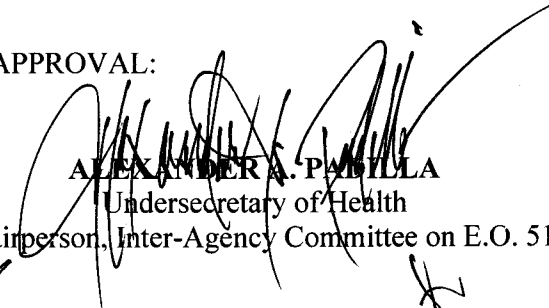
Section 23. Separability clause. If any provision of this memorandum is declared invalid or unconstitutional, the provisions not affected thereby shall continue in force and effect.


Section 24. Repealing clause. Provisions of other executive issuances and department/administrative orders, circulars, instructions, directives and memoranda inconsistent herewith are hereby repealed or modified accordingly.


Section 25. Effectivity. This memorandum shall take effect fifteen (15) days after the completion of its publication in at least two newspapers of general circulation.

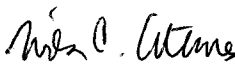
Section 26. Additional publication. Copies of this Memorandum shall be filed at the UP Law Center, UP Complex, Diliman, Quezon City.

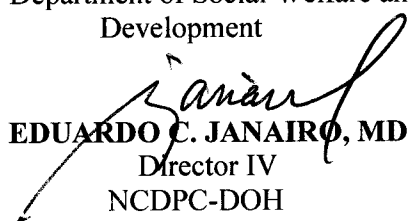
RECOMMENDING APPROVAL:


ALEXANDER A. PADILLA
Undersecretary of Health
Chairperson, Inter-Agency Committee on E.O. 51



ATTY. MA. CHRISTINA V. ABALOS
State Counsel II
Department of Justice

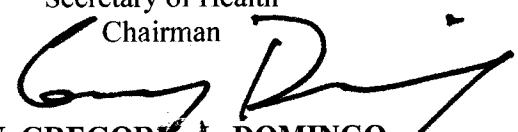

DR. JOSE MARI C. CASTRO, MD, MPH.
Medical Specialist II
Department of Social Welfare and
Development

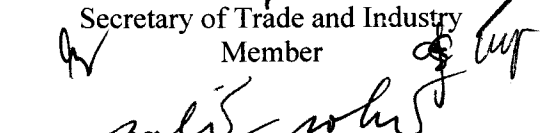

NIDA C. ALTARES
Sr. Trade Ind. Dept. Specialist
Department of Trade and Industry

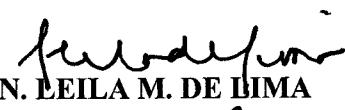

DR. EDUARDO C. JANAIRÓ, MD, MPH.
Director IV
NCDPC-DOH

NOW THEREFORE, the parties have herein below affixed their signatures to the
Joint DOH-DOJ-DTI-DSWD Administrative Order this 6th day of July 2010.


HON. ENRIQUE T. ONA, M.D., FPCS, FACS.
Secretary of Health
Chairman


HON. GREGORY L. DOMINGO
Secretary of Trade and Industry
Member


HON. CORAZON J. SOLIMAN
Secretary of Social Welfare & Development
Member


HON. LEILA M. DE BIMA
Secretary of Justice
Member

Department of Justice
CN : 0201210282



