H. NO. 10900 S. NO. 453 / 84 OG No. 38, 5588 (Sept. 19, 1988)

[REPUBLIC ACT NO. 6675, September 13, 1988]

AN ACT TO PROMOTE, REQUIRE AND ENSURE THE PRODUCTION OF AN ADEQUATE SUPPLY, DISTRIBUTION, USE AND ACCEPTANCE OF DRUGS AND MEDICINES IDENTIFIED BY THEIR GENERIC NAMES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Title*. —This Act shall be known as the Generics Act of 1988.

SEC. 2. *Statement of Policy*.— It is hereby declared the policy of the State:

To promote, encourage and require the use of generic terminology in the importation, manufacture, distribution, marketing, advertising and promotion, prescription and dispensing of drugs;

To ensure the adequate supply of drugs with generic names he lowest possible cost and endeavor to make them available for to indigent patients:

To encourage the extensive use of drugs with generic names through a rational system of procurement and distribution;

To emphasize the scientific basis for the use of drugs, in order that health professionals may become more aware and cognizant of their therapeutic effectiveness; and

To promote drug safety by minimizing duplication in medications and/or use of drugs with potentially adverse drug interactions.

Sec. 3. *Definition of Terms*.—The following terms are herein defined for purposes of this Act:

1. "Generic Name or Generic Terminology" is the identification of drugs and medicines by their scientifically and internationally recognized active ingredients or by their official generic name as determined by the Bureau of Food and Drugs of the Department of Health.
2. "Active Ingredient" is the chemical component responsible for the claimed, therapeutic effect of the pharmaceutical product.
3. "Chemical Name" is the description of the chemical structure of the drug or medicine and serves as the complete identification of a compound.
4. "Drug Product" is the finished product form that contains the active ingredients, generally but not necessarily in association with inactive ingredients.

5. "Drug Establishment" is any organization or company involved in the manufacture, importation, repacking and/or distribution of drugs or medicines.
6. "Drug Outlets" means drugstores, pharmacies, and any other business establishments which sell drugs or medicines.
7. "Essential Drugs List" or "National Drug Formulary" is a list of drugs prepared and periodically updated by the Department of Health on the basis of health conditions obtaining in the Philippines as well as on internationally accepted criteria. It shall consist of a core list and a complementary list
8. "Core List" is a list of drugs that meets the health care needs of the majority of the population.
9. "Complementary List" is a list of alternative drugs used when there is no response to the core essential drug or when there is a hypersensitivity reaction to the core essential drug or when, for one reason or another, the core essential drug cannot be given.
10. "Brand Name" is the proprietary name given by the manufacturer to distinguish its product from those of competitors.
11. "Generic Drugs" are drugs not covered by patent protection and which are labeled solely by their international non-proprietary or generic name.

Sec. 4. *The Use of Generic Terminology for Essential Drugs and Promotional Incentives,* —(a) In the promotion of the generic names for pharmaceutical products, special consideration shall be given to drugs and medicines which are included in the Essential Drugs List to be prepared within one hundred eighty (180) days from approval of this Act and updated quarterly by the Department of Health on the basis of health conditions obtaining in the Philippines as well as on internationally accepted criteria.
(b) The exclusive use of generic terminology in the manufacture, marketing and sales of drugs and medicines, particularly those in the Essential Drugs List, shall be promoted through such a system of incentives as the Board of Investments jointly with the Department of Health and other government agencies as may be authorized by law, shall promulgate in accordance with existing laws, within-one hundred eighty (180) days after approval of this Act.

Sec.5. Posting and Publication.—The Department of Health shall publish annually in at least two (2) newspapers of general circulation in the Philippines the generic names, and the corresponding brand names under which they are marketed, of all drugs and medicines available in the Philippines.

Sec. 6. *Who Shall Use Generic Terminology.* — (a) All government health agencies and their personnel as well as other government agencies shall use generic terminology or generic names in all transactions related to purchasing, prescribing, dispensing and administering of drugs and medicines.
All medical, dental and veterinary practitioners, including private practitioners, shall write prescriptions using the generic name. The brand name may be included if so desired.

(b) Any organization or company involved in the manufacture, importation, repacking, marketing and/or distribution of drugs and medicines shall indicate prominently the generic name of the product, in the case of brand name products, the generic name shall appear prominently and immediately above the brand name in all product labels as well as in advertising and other promotional materials.