

**[DA Administrative Order No. 01, s. 2015,
January 30, 2015]**

**AMENDMENT TO ADMINISTRATIVE ORDER NO. 07, SERIES OF
2009 RE: CODE OF CONDUCT FOR THE OFFICIALS AND
EMPLOYEES OF THE DEPARTMENT OF AGRICULTURE, TO
INCORPORATE RULES PROTECTING AGAINST TOBACCO
INDUSTRY INTERFERENCE IN THE SETTING AND
IMPLEMENTATION OF TOBACCO CONTROL MEASURES PURSUANT
TO THE JOINT MEMORANDUM CIRCULAR NO. 2010-01 OF THE
CIVIL SERVICE COMMISSION AND THE DEPARTMENT OF HEALTH**

Adopted: 30 January 2015

Date Filed: 10 March 2015

WHEREAS, Civil Service Commission (CSC) - Department of Health (DOH) Joint Memorandum Circular No. JMC) 2010-01, treating of the subject "*Protection of the Bureaucracy Against Tobacco Industry Interference*," provides that heads of agencies shall be responsible for the following: (a) Informing officials and employees of the policy against tobacco industry interference; and (b) Amending their respective Codes of Conduct by incorporating the rules provided for in Annex A^[1] of the said JMC. These rules provide for responsibilities of, or proper practices for, public officials and employees to protect against tobacco industry interference in the setting and implementation of tobacco control measures by government.

WHEREAS, JMC 2010-01 defines "**Tobacco Industry Interference**" as constituting a broad array of tactics and strategies used by the tobacco industry to interfere with the setting and implementing of tobacco control measures (Item 2.0). This definition is consistent with the signification attached to the phrase under the **World Health Organization Framework Convention on Tobacco Control (WHO-FCTC)**, a treaty to which the Philippines is a Party^[2] and the **Guidelines for the Implementation of Article 5.3 of the WHO-FCTC (Article 5.3 Guidelines)**, which was adopted by the Conference of the Parties in November 2008.

WHEREAS, as stated in one of the preambular clauses of the **WHO-FCTC**, the parties thereto recognize the "*need to be alert to any efforts by the tobacco industry to undermine or subvert tobacco control efforts and the need to be informed of activities of the tobacco industry that have a negative impact on tobacco control efforts*".^[3] In this relation, the parties has the obligation under Article 5.3 of the Convention as follows:

"In setting and implementing ...public health policies with respect to tobacco control...to protect these policies from the commercial and other vested interests of the tobacco industry in accordance with national law."

WHEREAS, the **Article 5.3 Guidelines** outline guiding principles and recommendations to assist the WHO-FCTC parties in meeting their legal obligations under Article 5.3 of the Convention. The guidelines draw on the best available scientific evidence and the experience of Parties in addressing tobacco industry interference.^[4]

WHEREAS, through the CSC-DOH JMC No. 2010-01, the Philippines promulgated the policy on Protection of the Bureaucracy against Tobacco Industry Interference in accordance with the WHO-FCTC and the Article 5.3 Guidelines. Among others, it prescribed the amendment by government agencies of their respective Codes of Conduct to incorporate rules to protect against Tobacco Industry Interference as outlined in Annex "A" thereof.

NOW, THEREFORE, in accordance with the WHO-FCTC and the Article 5.3 Guidelines, and as prescribed under CSC-DOH JMC No. 2010-01, Administrative Order No. 07, Series of 2009, RE: CODE OF CONDUCT FOR THE OFFICIALS AND EMPLOYEES OF THE DEPARTMENT OF AGRICULTURE is hereby amended as follows:

- (1) Rule II captioned "Definition of Terms" is amended to incorporate the items provided below. Accordingly, Rule 11 is amended to read as follows (new provisions are in italicized / bold case):

Rule II
Definition of Terms

Terms as used in these guidelines shall have the following definition:

- 1) DA refers to xxx
- 2) xxx
- 3) xxx

xxx xxx xxx

xxx xxx xxx

- 9) xxx

10) Tobacco Industry refers to organizations, entities, associations, and individuals that work for or in behalf of the tobacco industry, such as, but not limited to tobacco manufacturers, wholesale distributors, importers of tobacco products, tobacco retailers, front groups and any other individuals or organizations, including but not limited to lawyers, scientists and lobbyists that work to further the interests of the tobacco industry.

11) Tobacco Industry Interference refers to a broad array of tactics and strategies used by the tobacco