

**[QUEZON CITY ORDINANCE NO. SP-2341, S-2014,
October 22, 2014]**

36th Regular Session

**AN ORDINANCE PROHIBITING THE SALE OF E-CIGARETTES TO
MINORS AND PROVIDING STRICTER PENALTIES THEREBY
AMENDING ORDINANCE NO. SP-681, S-1998, ENTITLED "AN
ORDINANCE PROHIBITING THE SALE OF CIGARETTES, CIGAR,
TOBACCO AND SIMILAR PRODUCTS TO ALL MINORS BY ALL
PERSONS, NATURAL OR JURIDICAL, AND ALL ESTABLISHMENTS
LOCATED IN QUEZON CITY".**

Introduced by Councilor JULIENNE ALYSON RAE V. MEDALLA.

Co-Introduced by Councilors Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Dorothy A. Delarmente, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolilo Casteto, Voltaire Godofredo L. Liban III Roderick M. Paulate, Ranulfo Z. Ludovica, Ramon P. Medalla, Estrella C. Valmocina, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Franz S. Pumaren, Eufemio C. Lagumbay, Jose Mario Don S. De Leon, Jaime F. Borres, Jesus Manuel C. Suntay, Marvin C. Rillo, Raquel S. Malañgen, Jessica Castelo Daza, Bayani V. Hipol, Jose A. Visaya, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Karl Edgar Castelo, Candy A. Medina, Diorella Maria G. Sotto, Marivic Co-Pilar, Rogelio "Roger" P. Juan, Melencio "Bobby" T. Castelo. Jr., Donate C. Matias and Ricardo B. Corpuz.

WHEREAS, electronic cigarettes or e-cigarettes, are battery-operated products often resembling cigarettes, cigars or pipes, designed to convert liquid nicotine, flavors, and other chemicals into vapor inhaled by the user;

WHEREAS, the popularity of e-cigarettes has increased since they were first introduced. While the effects of e-cigarettes remain largely unknown, early studies indicate that they pose potential dangers for users, as well as for non-users who passively inhale these chemical vapors;

WHEREAS, the U.S. Food and Drug Administration (FDA) and many leading, health organizations generally agree on the need for further scientific study in order to assess unproven safety claims about e-cigarettes, and to determine the overall public health impact of e-cigarette use. Potentially harmful constituents have been documented in some e-cigarette cartridges, including diethylene glycol, genotoxins, and animal carcinogen;

WHEREAS, considering the best interest and welfare of the City's children, this Ordinance seeks to amend Ordinance No. SP-681, S-1998 in prohibiting the sale of e-cigarettes to minors and providing stricter penalties.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. Section 1 of Ordinance No. SP-681, S-1998 is hereby amended to read as follows:

"SECTION 1. Prohibited Acts. It is hereby prohibited to sell cigarettes, cigars, tobacco, similar tobacco products, electronic cigarettes and similar devices to minors by all persons, natural or juridical and all establishments located in Quezon City."

SECTION 2. A new Section 2 and a new headnote "Definition of Terms" are hereby added to Ordinance No. SP-681, S-1998, which shall read as follows:

"SECTION 2. Definition of Terms. For the purpose of this ordinance, the following terms are hereby understood to mean as follows:

ELECTRONIC CIGARETTES or E-CIGARETTES - shall mean any electronic device composed of a mouthpiece, heating element, battery and electronic circuits that provide a vapor of liquid nicotine and/or other substances mixed with propylene glycol to the user as he or she simulates smoking. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes, or under any other product name.

MINOR - are those natural persons who are below eighteen (18) years of age. The age of majority being defined by Republic Act No. 6809.

PERSON - refers to an individual, partnership, corporation or any other business or legal entity.

TOBACCO PRODUCTS - products entirely or partly made of the leaf tobacco as raw material which are manufactured to be used for smoking, sucking, chewing or snuffing such as but not limited to cigars, cigarettes, and cigarillos."

SECTION 3. Section 2 of Ordinance No. SP-681, S-1998 shall be renumbered, as Section 3, and the subsequent sections shall also be renumbered accordingly.

SECTION 4. Section 2 of Ordinance No. SP-681, S-1998 is hereby amended to read as follows:

"SECTION 3. Penalties. Any violation of this Ordinance shall be penalized as follows:

Any person or any business entity or establishment selling to, distributing