



## SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MONCADA, TARLAC FOR CY 2020 HELD ON THE 4<sup>th</sup> DAY OF NOVEMBER 2020 AT THE SB SESSION HALL, LEGISLATIVE BUILDING

**PRESENT:**

HON. JAIME O. DUQUE	.. VICE MAYOR/PRESIDING OFFICER
HON. CLEOFÉ D. FAVIS	.. MEMBER
HON. RODOLFO C. ESPEJO, JR.	.. MEMBER
HON. ALBERTO C. MARZAN, JR., MD	.. MEMBER
HON. RUBEN V. GAMBOA, JR	.. MEMBER
HON. THELMAFLOR A. ESPEJO	.. MEMBER
HON. GEORGE MICHAEL P. AGUILAR	.. MEMBER
HON. JANIUS M. YASAY	.. MEMBER
HON. CELESTE A. AYSON	.. MEMBER
HON. EZEKIEL C. RIVERA	.. SKF PRESIDENT

**ABSENT:**

HON. GEORGE R. CUCHAPIN, MD	.. LnB PRESIDENT (Sick Leave)
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### RESOLUTION NO. 76 Series of 2020

Sponsored by: COUN. ALBERTO C. MARZAN, JR., MD  
Chairman, Committee on Health, Social Welfare, Sanitation and Environmental Protection

**RESOLUTION ADOPTING EXECUTIVE ORDER NO. 106 SERIES OF 2020 ISSUED BY PRESIDENT RODRIGO R. DUTERTE OR AN ORDER PROHIBITING THE MANUFACTURE, DISTRIBUTION, MARKETING, SALE AND USE OF UNREGISTERED AND/OR ADULTERATED ELECTRONIC NICOTINE/NON-NICOTINE DELIVERY SYSTEMS, HEATED TOBACCO PRODUCTS, AMENDING EXECUTIVE ORDER NO. 26 (S. 2017) AND FOR OTHER PURPOSES**

WHEREAS, the World Health Organization (WHO) in a report issued in August 2016 on Electronic Nicotine and Non-Nicotine Delivery Systems (ENDS/ENNDS), noted that the use of adulterated and even unadulterated ENDS/ENNDS produces aerosol that ordinarily includes toxic substances which trigger a range of pathological changes and that said devices are unlikely to be harmless, such that long-term use is expected to increase the risk of chronic obstructive pulmonary disease, lung cancer, possible cardiovascular disease, as well as some other diseases associated with smoking;

WHEREAS, Republic Act 7394 or the "Consumer Act of the Philippines," declares it a policy of the State to ensure the safe and good quality of food, drugs, cosmetics and devices in the market and regulate their production, sale, distribution and use, to protect the health of consumers;

WHEREAS, the same law prohibits the adulteration of any food, drug, device or cosmetic and the manufacture, importation, exportation, sale, offering for sale, distribution or transfer of any adulterated food, drug, device or cosmetic;



Republic of the Philippines  
**MUNICIPALITY OF MONCADA**  
Province of Tarlac

**SANGGUNIANG BAYAN**

WHEREAS, Executive Order No. 26 (s.2017) issued by President Rodrigo R. Duterte prohibits smoking in certain public places, provides for the establishment of designated smoking areas, restricts access to tobacco products especially by minors, and imposes requirements and limitations on their advertisement and promotion thereof;

WHEREAS, the Sangguniang Bayan of Moncada likewise passed an Ordinance (Municipal Ordinance No. 13, s.2019) prohibiting the use, sale, distribution and advertisement of tobacco products in certain places to denormalize the culture of smoking and tobacco consumption through comprehensive and proven effective tobacco control measures;

WHEREAS, due to the growing number of tobacco and vape users and suppliers alike in the municipality, there is an urgent need to regulate access to and use of these products and devices to address the serious and irreversible threat to public health, prevent the initiation of non-smokers and the youth, and minimize health risks to both users and other parties exposed to emissions of these devices;

NOW, THEREFORE, on motion by Coun. Alberto C. Marzan, Jr., duly seconded;

RESOLVED, that this Sanggunian, acting on the favorable recommendation of the Committee on Health and Social Welfare, hereby adopts Executive Order No. 106 series of 2020 issued by President Rodrigo R. Duterte or an Order prohibiting the manufacture, distribution, marketing, sale and use of unregistered and/or adulterated electronic nicotine/non-nicotine delivery systems, heated tobacco products, amending executive order no. 26 (s. 2017) and for other purposes;

RESOLVED FURTHER, that this Resolution be furnished the Local Chief Executive and all concerned offices and law-enforcement agencies for its widest implementation;

CARRIED.

**CERTIFIED to have been duly  
ADOPTED on the above-mentioned  
date and place:**

**VICTOR SANDINO S. MOLINA**  
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED  
TO BE DULY ADOPTED:**

**JAIME O. DUQUE**  
Vice-Mayor & Presiding Officer