

[EXECUTIVE ORDER NO. 49, January 21, 1993]

DIRECTING THE MANDATORY USE OF THE PHILIPPINE NATIONAL DRUG FORMULARY (PNDF) VOLUME I AS THE BASIS FOR PROCUREMENT OF DRUG PRODUCTS BY THE GOVERNMENT

WHEREAS, the 1987 Constitution of the Philippines provides as State Policies that:

a. "The State shall protect and promote the right to health of the people and instill health consciousness among them" (Section 15, Article II, 1987 Constitution).

b. "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost" (Section 11, Article XIII, 1987 Constitution).

c. "The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health manpower development and research, responsive to the country's health needs and problems." (Section 12, Article XIII of the 1987 Constitution).

WHEREAS, paragraphs 3 and 4, Section 2, of the Generics Act of 1988 declare as the policy of the State, among others, that:

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

bb. "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."

WHEREAS, Section 4 of the Generics Act of 1988 provides that:

aaa. "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 drug 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.

bbb. "The exclusive use of generic terminology in the manufacture, marketing and sales of drug and medicines, particularly those in the essential drug list, shall be promoted through such 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 180 days after approval of this Act."