

[Act No. 2342, February 27, 1914]

AN ACT REGULATING THE LABELING, SALE, AND ADVERTISING OF PATENT AND PROPRIETARY MEDICINES, FRAUDULENT THERAPEUTIC APPLIANCES AND DEVICES, AND FOR THE PROTECTION OF THE PEOPLE OF THE PHILIPPINE ISLANDS AGAINST THE EXPLOITATION OF SUCH ARTICLES.

By authority of the United States, be it enacted by the Philippine Legislature, that:

SECTION 1. Every preparation, whether of a simple substance or of compounded substances, for the prevention, alleviation, or cure of human ailments, whether issued in or for retail sale, shall be accompanied by the formula of preparation plainly and legibly expressed upon the bottle, label, or package immediately containing the preparation, in such wise that it shall reach the purchaser at each and every purchase. The formula shall be accurately stated, qualitatively and quantitatively in the language, descriptions, and abbreviations used in the United States Pharmacopoeia or other accepted pharmacopoeias or formularies. If any nonofficial drug or substance be used in the preparation, it shall be plainly described under its ordinary name or customary chemical term, and not by any fancy or proprietary name.

The provisions of this section shall not apply to prescriptions representing the private formulas of legally qualified physicians practicing in the Philippine Islands.

SEC. 2. No preparation, whether of a simple substance or of compounded substances, or any fraudulent therapeutic appliance or device for the prevention, alleviation, or cure of human ailments shall be accompanied by any advertisement, announcement, persuasion, recommendation, testimonial, reference, certificate of merit, declaration of merit or efficacy, mark of distinction, or picture, symbol, or emblem signifying or suggesting any of these, either upon or in the article itself, or upon the bottle, box, container, cork, capsule, label, or attachment, or upon the invoice, bill, advice, notification, or otherwise by any device or method which is false, fraudulent, exaggerated or misleading in any way.

SEC. 3. No advertisement or announcement of any proprietary, patent or secret cure or any fraudulent therapeutic appliance or device shall be published or circulated in any newspaper, journal, serial, book, pamphlet, handbill, poster, wall plate, or by painting, impressing, embossing, or otherwise, within the jurisdiction of the Government of the Philippine Islands which is false, fraudulent, misleading, or exaggerated in any way, and every such advertisement or announcement shall be accompanied with the formula as provided in section one of this Act.

SEC. 4. The Director of Health, with the approval of the Secretary of the Interior, shall make uniform rules and regulations for carrying out the provisions of this Act.

SEC. 5. It shall be the duty of the Attorney-General or Prosecutions, any fiscal to whom the Director of Health shall report any violation of this Act to cause appropriate proceedings to be commenced and prosecuted in the proper courts of the Philippine Islands, without delay, for the enforcement of the penalties as in such case herein provided.