

Item No.: 34
Date: 21 2026 APR



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

PROVINCE OF LEYTE
By: [Signature]
Date: 4.15.26 Time: 2:24
Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: APR 15 2026

2nd INDORSEMENT
March 18, 2026

Respectfully returned to the Sangguniang Panlalawigan of ~~Leyte~~, through the SP Secretary, the attached Ordinance No. 2025-01 of the Sangguniang Bayan of Hindang, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 2025-01 entitled: **“Pharmaceutical Products regulation Ordinance of the Municipality of Hindang, Leyte.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)¹ and (a)(1)(iii)² of the Local Government Code of 1991 (R.A 7160) in relation to RA 10918³. Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹ (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code.

² (iii) Approve ordinances imposing a fine not exceeding Two thousand five hundred pesos (P2,500.00) or an imprisonment for a period not exceeding six (6) months, or both in the discretion of the court, for the violation of a municipal ordinance;

³ The Philippine Pharmacy Act

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-000-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
05 March 2026

PROVINCE OF LEYTE
LEGAL OFFICE

RECEIVED

By: *[Signature]*
Date: 3.6.26 Time: 9:20

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2025-01** of the **Municipality of Hindang, Leyte**, entitled: **An Ordinance regulating the dispensing, selling and reselling of pharmaceutical products in sari-sari stores and other similar retail outlets in the Municipality of Hindang, Leyte, and providing penalties for violations thereof.**


FLORINDA JIL S. DYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

27 January 2026

HON. LEONARDO M. JAVIER, JR.
Vice Governor/Presiding Officer
Sangguniang Panlalawigan
Province of Leyte

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: MAR 05 2026
By: [Signature]

THRU: FLORINDA JILL S. UYVICO
Secretary to the Sangguniang Panlalawigan
Province of Leyte

Sir:


I am submitting herewith to your office Fifteen (15) sets of each Municipal Ordinance of the Sangguniang Bayan, Hindang, Leyte, as herein below specified, for review and approval, as follows:

- 2026-01, RE: *"An Ordinance regulating the dispensing, selling and reselling of pharmaceutical products in sari-sari stores and other similar retail outlets in the municipality of Hindang, Leyte, and providing penalties for violations thereof";*
- 2026-02 RE: *"An Ordinance institutionalizing a system of recognition and incentives for hindang-based achievers in academic, cultural, sports, and professional competitions otherwise known as the "hindang excellence incentive ordinance of 2026".*

Hoping for consideration on this matter.

Thank you.

Very truly yours,


ANNABEL A. MABALE
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG
-oOo-

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: MAR 05 2026
By: [Signature]

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE SANGGUNIANG BAYAN OF
HINDANG, LEYTE, IN ITS REGULAR SESSION HELD ON JANUARY 05, 2026 AT
THE SB SESSION HALL

ORDINANCE NO. 2026-01

AN ORDINANCE REGULATING THE DISPENSING, SELLING AND RESELLING OF
PHARMACEUTICAL PRODUCTS IN SARI-SARI STORES AND OTHER SIMILAR RETAIL
OUTLETS IN THE MUNICIPALITY OF HINDANG, LEYTE, AND PROVIDING PENALTIES
FOR VIOLATIONS THEREOF

Authored by:

Hon. CLOTILDE P. ABENOJA-GUINOCOR

SECTION 1. TITLE. This measure shall be known as the "Pharmaceutical Products
Regulation Ordinance of the Municipality of Hindang, Leyte."

SECTION 2. DECLARATION OF POLICY AND LEGAL BASIS. Pursuant to
Section 15, Article II of the 1987 Constitution, which declares that "the State shall protect
and promote the right to health of the people and instill health consciousness among
them," and in consonance with Section 16 of Republic Act No. 7160, otherwise known as
the Local Government Code of 1991, which grants local government units the authority
to promote the general welfare, the Municipality of Hindang hereby adopts this
Ordinance to safeguard public health and ensure the lawful dispensing, selling, and
distribution of pharmaceutical products within its jurisdiction.

Further, consistent with Section 30 of Republic Act No. 10918, known as the
Philippine Pharmacy Act, it is unlawful for any establishment not duly licensed by the
Food and Drug Administration (FDA) to sell, dispense, or compound pharmaceutical
products.

In addition, Republic Act No. 8203, otherwise known as the Special Law on
Counterfeit Drugs, penalizes the manufacture, sale, and distribution of counterfeit
medicines that may endanger life and health.

Likewise, FDA Advisory No. 2020-1348, entitled "Public Health Warning Against
the Purchase and Use of following Counterfeit Drug Products," explicitly warns the
public against the circulation of counterfeit over-the-counter (OTC) medicines such as
Neozep®, Bioflu®, Solmux®, and Tuseran Forte®, among others, which were found
being sold in sari-sari stores, groceries, and other non-FDA-licensed outlets.

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(ORDINANCE NO. 2026-01 of the Sangguniang Bayan of Hindang, Leyte, entitled: "Pharmaceutical Products Regulation Ordinance of the Municipality of Hindang, Leyte.....continued)

The said advisory reiterates that only FDA-licensed pharmacies and drugstores are authorized to sell legitimate and properly registered pharmaceutical products to the public.

The proliferation of counterfeit pharmaceutical products and the sale of medicines by sari-sari stores without proper authorization from the FDA are potential causes of serious harm to the health and safety of the general public.

Hence, the Municipality of Hindang deems it necessary to regulate such activities to protect its constituents.

SECTION 3. OBJECTIVES. This Ordinance aims to:

1. Regulate the dispensing, selling, and reselling of pharmaceutical products in sari-sari stores and other similar retail outlets within the Municipality of Hindang, Leyte, as such practices pose health risks to the public;
2. Safeguard the health and welfare of the people by ensuring that only duly authorized and FDA-licensed establishments dispense or sell pharmaceutical products;
3. Protect consumers from counterfeit drugs and unregistered pharmaceutical products that may endanger life and public health;
4. Avoid potentially fatal side effects resulting from the irresponsible use of counterfeit, substandard, or unregistered medicines and other similar products not licensed by the Food and Drug Administration (FDA);
5. Ensure compliance with national laws and regulations such as Republic Act No. 10918 (Philippine Pharmacy Act), Republic Act No. 8203 (Special Law on Counterfeit Drugs), and FDA issuances, including Advisory No. 2020-1348;
6. Promote lawful and safe dispensing practices through the supervision of licensed pharmacists and accredited drug outlets;
7. Increase public awareness on the proper and safe purchase and use of medicines and the dangers of buying from unauthorized sellers; and
8. Strengthen local enforcement and coordination among the Municipal Health Office, Business Permits and Licensing Office, and barangay officials in monitoring and addressing violations of this Ordinance

SECTION 4. DEFINITION OF TERMS. For purposes of this Ordinance, the following terms shall mean:

- a. **Pharmaceutical Products** - refer to drugs, medicines, or any chemical substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans.
- b. **Sari-Sari Store** - a small neighborhood retail outlet that sells a variety of goods, usually including household necessities.
- c. **Reselling** - refers to the act of purchasing pharmaceutical products for the purpose of selling them again to consumers.
- d. **Licensed Pharmacy/Drugstore** - refers to a retail establishment duly authorized by the Food and Drug Administration (FDA) and the Professional Regulation Commission (PRC) to sell, dispense, and compound pharmaceutical products, under the supervision of a duly licensed pharmacist.
- e. **Authorized Person** - refers to a duly licensed pharmacist or any person authorized by law to dispense medicines.



- f. **Botika ng Barangay (BnB)** - refers to a community-based pharmacy established under the supervision of the Department of Health (DOH) and operated in coordination with local government units (LGUs), which sells selected over-the-counter (OTC) medicines and household remedies at affordable prices, in accordance with DOH and FDA guidelines.
- g. **Counterfeit Pharmaceutical Products** - refer to any drug or medicine which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark of a drug manufacturer, thereby falsely purporting or representing itself as the product of another manufacturer. It also includes any drug or medicine whose label or content has been fraudulently altered, substituted, or imitated, as defined under Republic Act No. 8203, the Special Law on Counterfeit Drugs.
- h. **Household Remedies** - refer to non-prescription preparations intended for the relief of minor physical ailments and are generally recognized as safe for use without the supervision of a physician, such as alcohol, povidone-iodine (Betadine), hydrogen peroxide, mentholated rubs, liniments, and oral rehydration salts (ORS).
- i. **Over-the-Counter (OTC) Drugs** - refer to pharmaceutical products that may be sold without a medical prescription and are intended for use in the relief of minor ailments. OTC drugs are generally recognized as safe and effective for self-medication when used according to instructions. It can be sold even without the supervision of a pharmacist, as long as the outlet is licensed by the FDA (e.g., Robinsons, SM Supermarket).
- j. **Pharmacist-Only OTC (P-OTC) Drugs** - refer to medicines that may be dispensed without a doctor's prescription but only under the supervision of a licensed pharmacist in a duly authorized pharmacy or drugstore. These drugs require professional oversight because of potential side effects or misuse.
- k. **Retail Outlet for Non-Prescription Drugs (RONPD)** - refers to a retail establishment licensed by the Food and Drug Administration (FDA) to sell only non-prescription or over-the-counter (OTC) drugs. These are drugs that do not require a doctor's prescription, and are generally recognized as safe and effective for use by the public when used according to directions or instructions. Only simple, low-risk OTC items (like paracetamol tablets, vitamins, or antiseptic solutions) may be allowed.
- l. **Pharmacist** - refers to a health professional who is duly licensed by the Professional Regulation Commission (PRC) and registered with the Professional Regulatory Board of Pharmacy to engage in the practice of pharmacy, including the compounding, dispensing, and sale of pharmaceutical products.
- m. **Prescription Medicines** - refer to pharmaceutical products that can only be dispensed upon the written order of a duly licensed physician, dentist, or veterinarian, as they require medical supervision due to their potency, dosage, or possible adverse effect.

SECTION 5. REQUIREMENTS FOR THE OPENING AND OPERATION OF A RETAIL PHARMACEUTICAL OUTLET OR ESTABLISHMENT.

No person, natural or juridical, shall be allowed to open, establish, or operate a retail pharmaceutical outlet or any establishment engaged in the dispensing, selling, or reselling of pharmaceutical products within the Municipality of Hindang, Leyte, without first complying with the following requirements:

- a. **License to Operate (LTO)** - The establishment must secure a valid License to Operate (LTO) issued by the Food and Drug Administration (FDA) as either:
 - 1. A Licensed Pharmacy/Drugstore, duly supervised by a licensed pharmacist; or

ABA

Clarith

(ORDINANCE NO. 2026-01 of the Sangguniang Bayan of Hindang, Leyte, entitled: "Pharmaceutical Products Regulation Ordinance of the Municipality of Hindang, Leyte.....continued)

- 2. A Retail Outlet for Non-Prescription Drugs (RONPD), as defined under FDA Circular No. 2014-028, authorized to sell only over-the-counter (OTC) drugs and household remedies.
- b. **Supervision by a Licensed Pharmacist** - All pharmacies or drugstores must operate under the direct supervision and control of a duly licensed pharmacist, in compliance with Republic Act No. 10918, otherwise known as the Philippine Pharmacy Act.
- c. Other requirements imposed by the FDA on its LTO applicants.

SECTION 6. OPERATION OF BOTIKA NG BAYAN AND BOTIKA NG BARANGAY.

The Municipal Health Office (MHO) and in coordination with the FDA and component barangays shall ensure the functionality of Botika ng Bayan and Botika ng Barangay outlets within their locality to secure unhampered access to authentic pharmaceutical products.

SECTION 7. PROHIBITED ACTS - The following acts are hereby declared unlawful within the territorial jurisdiction of the Municipality of Hindang, Leyte:

- 1. Sale or Dispensing of Pharmaceutical Products without FDA Authorization. The dispensing, selling, or reselling of any drug, medicine, or pharmaceutical product by sari-sari stores, mobile vendors, or any retail outlet without a valid License to Operate (LTO) issued by the Food and Drug Administration (FDA).
- 2. Sale of Prescription Medicines without a Pharmacist. The dispensing or sale of prescription medicines, antibiotics, or controlled substances by any person or establishment not supervised by a duly licensed pharmacist.
- 3. Operation of an Unauthorized Pharmacy or Drugstore. The opening or continued operation of any pharmacy, drugstore, or similar establishment without securing a valid FDA License to Operate (LTO) and Business Permit from the Municipality of Hindang.
- 4. Unauthorized Use of the Name "Botika ng Bayan" or "Botika ng Barangay." The establishment or operation of any outlet using the name or signage of "Botika ng Bayan" or "Botika ng Barangay" without proper authorization or accreditation from the Department of Health (DOH) and FDA.
- 5. Sale or Distribution of Counterfeit, Unregistered Drugs. The sale, offer, or distribution of counterfeit, unregistered, or adulterated pharmaceutical products, whether by licensed or unlicensed establishments.
- 6. Failure to Display Required Permits and Licenses. The failure of any licensed pharmacy, drugstore, or RONPD to prominently display its FDA License to Operate (LTO), Business Permit, and the PRC License of the supervising pharmacist.
- 7. Refusal to Allow Inspection. The refusal of any establishment to allow inspection by authorized personnel of the Municipal Health Office (MHO) or the Business Permits and Licensing Office (BPLO) in coordination with the FDA.
- 8. Unauthorized Distribution of COVID-19 Drugs. The distribution, sale, or administration of COVID-19-related drugs or therapeutic products shall be strictly governed by the policies, guidelines, and issuances of the Food and Drug Administration (FDA) and the Department of Health (DOH). Any person or establishment that distributes or sells COVID-19 drugs without FDA or DOH authorization shall be held liable under this Ordinance and other applicable national laws.

SECTION 8. PENALTIES.

First offense- A fine of ₱1,000.00 and issuance of a Notice of Violation with warning to immediately cease and desist from the prohibited act.

(ORDINANCE NO. 2026-01 of the Sangguniang Bayan of Hindang, Leyte, entitled: "Pharmaceutical Products Regulation Ordinance of the Municipality of Hindang, Leyte....continued)

Second offense - A fine of One Thousand Five Hundred Pesos (P1,500.00), temporary closure of business, and confiscation of all pharmaceutical products found on display or for sale.

Third and Subsequent Offenses - A fine of Two Thousand Five Hundred Pesos (P2,500.00), revocation of business permit, and permanent closure of the establishment without prejudice to the filing of criminal or administrative cases under R.A. 10918, R.A. 8203, and other national laws.

If the violation is committed by a business establishment, both the owner and the person directly responsible for the violation shall be held jointly and severally liable.

If the offender is a corporation, partnership, or cooperative, the Manager, Operator, or Pharmacist-in-charge shall be held personally accountable.

SECTION 9. ENFORCEMENT. The Local Chief Executive or his duly authorized representative in coordination with the Municipal Health Office (MHO), Business Permits and Licensing Office (BPLO), Punong Barangays and the Philippine National Police (PNP), in collaboration with the Food and Drug Administration (FDA) and the Department of Health (DOH) shall be primarily responsible for the enforcement of this Ordinance which shall include the crackdown of counterfeit drugs and the illegal distribution of pharmaceutical products.

SECTION 10. INFORMATION, EDUCATION, AND CAMPAIGN. It shall be the obligation of the Local Government Unit of Hindang, Leyte to conduct massive information, education and communication efforts on the regulations for the benefit of sari-sari store owners within the municipality through the Office of the Municipal Health Officer in partnership with the Punong Barangays.

SECTION 11. SEPARABILITY CLAUSE. If any part or provision of this Ordinance is declared invalid or unconstitutional, the remaining portions shall remain in full force and effect.

SECTION 12. REPEALING CLAUSE. All municipal ordinances, rules, or regulations inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 13. EFFECTIVITY. This Ordinance shall take effect immediately upon approval and compliance with the posting in at least three (3) conspicuous places within the Municipality of Hindang, Leyte.

ENACTED this 5th day of January, 2026 by this Sanggunian in its regular session held for the purpose at the SB Session Hall, this Municipality, with the following votes:

Yes (9)

No (0)

Abstain (0)


TEODULÓN A. CLAVEJO
SB Member

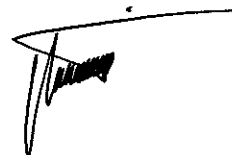

SALVADOR E. BANEZ, JR.
SB Member


LEONIDA A. CAVITE
SB Member


JOSE NAPOLEON D. MONTERO
SB Member









(ORDINANCE NO. 2026-01 of the Sangguniang Bayan of Hindang, Leyte, entitled:
"Pharmaceutical Products Regulation Ordinance of the Municipality of Hindang,
Leyte.....continued)


SORIANO B. DELALAMON
SB Member



MIKHAEL ANNE GELO D. ABOYME
SB Member


SEAN RYAN MARK C. CABAL
SB Member

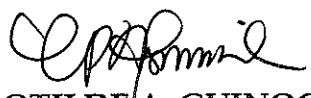

RODULFO C. DARGANTES
Ex-Officio Member-LNB Pres.


ADRIAN PAUL G. ASTORGA
Ex-Officio Member-SK Fed. Pres.

CERTIFIED CORRECT:


MYRINA C. ABASOLA
LLSO II- Temporary
Secretary to the Sanggunian

ATTESTED TO BE DULY ADOPTED:


CLOTILDE A. GUINOCOR
SB Member- Temporary
Presiding Officer

APPROVED:


ELPIDIO B. CABAL, JR.
Municipal Mayor

JAN 9 2026



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG
-oOo-


OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY *that* ORDINANCE NO. 2026-01 of the Sangguniang Bayan, Hindang, Leyte, *"An Ordinance regulating the dispensing, selling and reselling of pharmaceutical products in sari-sari stores and other similar retail outlets in the municipality of Hindang, Leyte, and providing penalties for violations thereof"*, had been correspondingly posted in the Municipal Hall and two (2) conspicuous places of the municipality as prescribed under the Local Government Code of 1991 otherwise known as Republic Act 7160.

GIVEN **this** 27th day of January, 2026 at Hindang, Leyte, Philippines.


ANNABEL A. MABALE
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF HINDANG
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY *that a PUBLIC HEARING was actually conducted last December 16, 2025 relative to ORDINANCE NO. 2026 -01 of the Sangguniang Bayan, this municipality, RE: "An Ordinance regulating the dispensing, selling and reselling of pharmaceutical products in sari-sari stores and other similar retail outlets in the municipality of Hindang, Leyte, and providing penalties for violations thereof", as prescribed under the Local Government Code of 1991.*

THIS CERTIFICATION *is issued in compliance with the requirements as provided for under Republic Act 7160.*

GIVEN this *27th day of January, 2026 at Hindang, Leyte, Philippines.*


ANNABEL A. MABALE
Secretary to the Sanggunian

ATTENDANCE SHEET

PUBLIC HEARING on the proposed ordinance, RE: "An Ordinance Regulating the Dispensing, Selling & Reselling of Pharmaceutical Products in Sari-sari Stores and Other Similar Retail Outlets in the Municipality of Hindang, Leyte, and Providing Penalties for Violations Therof, by Hon. Clotilde A. Guinocor

December 16, 2025, 8:00 am @ the SB Conference Hall

Name	Barangay	Gender		Signature
		M	F	
1 Adrian Paul G. Astorga	Poblacion 2	/		A. Pfa
2 JEDRIL A. CLAVESU	POB 2	/		
3 Sean Ryan Mark C. Caball	MAN	/		
4 SORIANO B. DELA CRUZ	MAN	/		
5 CLOTILDE A. GUINOCOR	BONTOC		✓	
6 MICHAEL ADRIAN	TABOK	/		
7 NESTOR O. AROGADRE	POB. 2	/		
8 WELFZED V. SARSONAS JR	POB - 2	/		
9 Botic M. Calatara	Pob 2		✓	
10 ESTERITA A. SACUBANK	POB 2		✓	
11 Imelda S. Amertea	Pob. 2		✓	
12 JUSTINO V. Bate	MASILAM		✓	
13 Crispin I. Plasola	Maasin		✓	
14 RICHARD E. CALABRERA	POB. II HIGAY	/		
15 Geraldine Mond erondo	TABOK		✓	
16 Emelina O. Bondiola	POB. 1		✓	
17 Maricar M. Panganiban	Tabok		✓	
18 ERLIN CALABRERA	TABOK	/		
19 John Rose Martin-as	TABOK	✓		
20 EDUARDO PACOME	POB III	/		
21 GIL VENEDICK C. ZAMORA	POB. 2	/		
22 JOSE ANTONIO D. MONTECALVO	DOS	✓		
23 Rodolfo C. Pangasinan	Companion	/		
24 LEONIDA A. CRIVITE	SB Member		✓	
25 JUN CONCEPCION	DDN	✓		
26 FE ENRIQUE GORON	DOS		✓	
27 MAC MELVIN ABEDON	TABOK	/		
28 SALVADOR E. BATAJON JR.	Pob 2	✓		
29 VALENT MARIANO	COING OPTIC	/		
30 CLARITA BACCAY	DOS DEL SUR		✓	
31 FLORENCIO TACALAN	IT BIRGY, TABOK	/		
32 Mercedes Consular	Tabok		✓	
33 Norma Saldua	del sur		✓	
34 JUN A. OGBAL	DDN	✓		
35 Evelyn O. Garcia	Canha-Ayon		✓	
36 Mary Jane R. Aragon	Pob. 1		✓	
37 Arnulfo P. Adamo	DDN	✓		