



Republic of the Philippines  
**PROVINCE OF LEYTE**  
Provincial Capitol  
Tacloban City

-oOo-

**PROVINCIAL LEGAL OFFICE**

Item No.: 34  
Date: 07 2026 JUL

PROVINCE OF LEYTE  
LEGAL OFFICE

RECEIVED

By: *[Signature]*  
Date: 07-26-26 Time: 12:00

Sangguniang Panlalawigan  
Province of Leyte  
**RECEIVED**  
Date: JUN 26 2026  
By: Jemi V.

**2<sup>nd</sup> INDORSEMENT**

June 3, 2026

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 12 of the Sangguniang Bayan of Merida, Leyte.

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

- Ordinance No. 12 entitled: **“Regulated Sale of Medicines Ordinance of the Municipality of Merida, 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)<sup>1</sup> and (a)(1)(iii)<sup>2</sup> of the Local Government Code of 1991 (R.A 7160) in relation to RA 10918<sup>3</sup>. 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.

*[Signature]*  
**ATTY. JOSE RAYMUND A. ACOL**  
*Provincial Legal Officer*

<sup>1</sup> (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.

<sup>2</sup> (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;

<sup>3</sup> The Philippine Pharmacy Act

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte  
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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN** PROVINCE OF LEYTE  
LEGAL OFFICE

RECEIVED

**1<sup>ST</sup> INDORSEMENT**  
29 May 2026

By:   
Date: 6.01.26 Time: 9:00

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 12, series of 2026 of the Municipality of Merida, Leyte**, entitled: **An Ordinance prohibiting sari-sari stores, convenience stores, and other unlicensed retail establishments from selling medicines and drug products without the required food and drug administration (FDA) licenses, providing penalties therefor, and for other purposes.**

  
**FLORINDA JILLS. URVICO**  
Secretary to the Sanggunian



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF MERIDA

**OFFICE OF THE SANGGUNIANG BAYAN**

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28 MAY 2026

THE SANGGUNIANG PANLALAWIGAN OF LEYTE  
CAPITOL BUILDING  
PALO LEYTE

Province of Leyte  
**RECEIVED**  
Date: MAY 29 2026  
By: \_\_\_\_\_

DEAR HONORABLE MEMBERS;

I have the honor to submit to the Sangguniang Panlalawigan of Leyte copies of **MUNICIPAL ORDINANCE NO. 12, SERIES OF 2026 "AN ORDINANCE PROHIBITING SARI-SARI STORES, CONVENIENCE STORES, AND OTHER LICENSED RETAIL ESTABLISHMENTS FROM SELLING MEDICINES AND DRUG PRODUCTS WITHOUT THE REQUIRED FOOD AND DRUG ADMINISTRATION (FDA) LICENSES, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES"** enacted by the 19<sup>th</sup> Council of this Municipality, for review and consideration.

Hoping everything is in order.

Thank you.

Respectfully,

  
JOSELITO T. DELOS ANGELES  
Secretary to the Sangguniang Bayan



THE REPUBLIC OF THE PHILIPPINES  
PROVINCE OF LEYTE

SANGGUNIANG BAYAN NG MERIDA (19<sup>TH</sup> COUNCIL)  
Sangguniang Panlalawigan  
Province of Leyte



BAGONG PILIPINAS

**RECEIVED**

Date: MAY 29 2026  
By: \_\_\_\_\_

EXCERPT FROM THE MINUTES OF THE 33<sup>RD</sup> REGULAR SESSION OF THE  
SANGGUNIANG BAYAN (19<sup>TH</sup> COUNCIL), MERIDA, LEYTE, HELD ON APRIL 22, 2026  
AT THE LEGISLATIVE BUILDING SESSION HALL.

I HEREBY CERTIFY that this is a true and accurate copy of the resolution duly adopted by the Sangguniang Bayan of Merida, Leyte on **APRIL 22, 2026.**

  
**JOSELITO T. DELOS ANGELES**  
SB Secretary

SANGGUNIANG BAYAN MEMBERS:

  
**HON. ATTY. CHRISTIAN Q. SALTA**  
SB Member

  
**HON. BENJAMIN A. TRAVERO JR.**  
SB Member

  
**HON. JESUS ANTONIO R. MARTINEZ**  
SB Member

**HON. CHENIL C. CALDERON**  
SB Member (Sick Leave)


  
**HON. MELQUIADES D. GUIO-GUIO**  
SB Member

  
**HON. BRENDA T. ADOLFO**  
SB Member

  
**HON. ROGEN G. WENCESLAO**  
SB Member

  
**HON. OLIVER R. LIMOSNERO**  
SB Member

**HON. RONILLO O. LABANG**  
LNB President (Forced Leave)

  
**HON. ASHLEY NOREEN J. DIAZ**  
SK Federation President

  
**HON. RODRIGO M. WENCESLAO**  
Municipal Vice Mayor, Presiding Officer

-RESOLUTION NO. 19-26-091-

A RESOLUTION ADOPTING MUNICIPAL ORDINANCE NO. 12, SERIES OF 2026 "AN ORDINANCE PROHIBITING SARI-SARI STORES, CONVENIENCE STORES, AND OTHER UNLICENSED RETAIL ESTABLISHMENTS FROM SELLING MEDICINES AND DRUG PRODUCTS WITHOUT THE REQUIRED FOOD AND DRUG ADMINISTRATION (FDA) LICENSES, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES."

WHEREAS, Section 15, Article II of the 1987 Philippine Constitution mandates the State to protect and promote the right to health of the people;

WHEREAS, Republic Act No. 9711, otherwise known as the *Food and Drug Administration Act of 2009*, strengthened the regulatory powers of the FDA to ensure the safety, efficacy, and quality of drugs and medicines sold to the public;

WHEREAS, Republic Act No. 3720, as amended, otherwise known as the *Food, Drug, and Cosmetic Act*, requires that medicines and drugs shall only be sold by establishments duly licensed by the FDA;

WHEREAS, FDA Circular No. 2011-004, entitled "*Guidelines on the Issuance of License to Operate (LTO) for Drug Establishments*," mandates that the retail sale of medicines shall be limited to FDA-licensed drug outlets;

WHEREAS, FDA Circular No. 2016-014, as amended, expressly prohibits the sale of medicines by unlicensed retail establishments, including sari-sari stores and convenience stores;

WHEREAS, FDA Circular No. 2021-007 and related issuances strengthen regulatory measures against the sale of unregistered, counterfeit, expired, repacked, or misbranded medicines;

WHEREAS, the unauthorized sale of medicines encourages self-medication, improper drug use, antimicrobial resistance, and preventable adverse drug reactions, posing a serious threat to public health and safety;

WHEREAS, pursuant to Sections 16 and 447 (or 458 / 468, as applicable) of Republic Act No. 7160, otherwise known as the *Local Government Code of 1991*, the Municipality is empowered to enact ordinances to protect public health and regulate businesses within its jurisdiction;

WHEREAS, this Ordinance supports the attainment of the United Nations Sustainable Development Goals (SDGs), particularly those on health, responsible consumption, and strong institutions;

NOW, WHEREFORE, ON MOTION OF Hon. Brenda T. Adolfo Chairman Committee on Health duly seconded by MASS, BE IT RESOLVED TO ENACT;

-MUNICIPAL ORDINANCE NO. 12-  
Series of 2026

INTRODUCED/AUTHORED BY:  
HON. BRENDA T. ADOLFO

**SECTION 1. TITLE.**

This Ordinance shall be known as the "Regulated Sale of Medicines Ordinance of the Municipality of MERIDA."

**SECTION 2. DECLARATION OF POLICY**

It is hereby declared the policy of the Municipality to protect and promote the health and safety of its constituents by ensuring that medicines and drug products are sold, dispensed, and distributed only through duly licensed establishments and qualified personnel, in accordance with national laws and FDA regulations.

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THE REPUBLIC OF THE PHILIPPINES  
 PROVINCE OF LEYTE  
**SANGGUNIANG BAYAN NG MERIDA (19<sup>TH</sup> COUNCIL)**



(CONTINUATION OF MUNICIPAL ORDINANCE NO. 12, SERIES OF 2026, DATED APRIL 22, 2026. .... //PAGE 02)

**SECTION 3. SUSTAINABLE DEVELOPMENT GOALS (SDGS) ALIGNMENT.**

This Ordinance contributes to the attainment of the following SDGs:

- a. **SDG 3 – Good Health and Well-Being**, by preventing unsafe and improper access to medicines
- b. **SDG 12 – Responsible Consumption and Production**, by ensuring regulated and safe distribution of pharmaceutical products;
- c. **SDG 16 – Peace, Justice, and Strong Institutions**, by strengthening local enforcement of national health laws;
- d. **SDG 11 – Sustainable Cities and Communities**, by promoting safer and healthier communities.

**SECTION 4. DEFINITION OF TERMS.**

For purposes of this Ordinance:

- a. **Medicines or Drugs** – Any substance or preparation intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease, including prescription and over-the-counter medicines;
- b. **Sari-Sari Store** – A small-scale retail store not licensed by the FDA to sell medicines;
- c. **Convenience Store** – A retail establishment selling consumer goods but without an FDA License to Operate for drug retailing;
- d. **FDA License to Operate (LTO)** – A permit issued by the Food and Drug Administration authorizing the retail sale of medicines;
- e. **Licensed Drug Outlet** – A pharmacy, drugstore, or botika duly licensed by the FDA.

**SECTION 5. PROHIBITED ACTS.**

It shall be unlawful for any sari-sari store, convenience store, or other retail establishment **without a valid FDA License to Operate** to:

- a. Sell, distribute, or offer for sale any medicine or drug product;
- b. Display or store medicines intended for sale;
- c. Sell repacked, unlabeled, expired, counterfeit, or tampered medicines;
- d. Provide medical advice or therapeutic claims without authority.

**SECTION 6. EXEMPTIONS.**

This Ordinance shall not apply to:

- a. FDA-licensed pharmacies, drugstores, and botikas;
- b. Government health facilities authorized to dispense medicines;
- c. Other establishments expressly authorized by the FDA.

**SECTION 7. ENFORCEMENT AND MONITORING.**

The enforcement of this Ordinance shall be undertaken by the Municipal Health Office (MHO), Business Permits and Licensing Office (BPLO), Municipal Police Station, and Barangay Officials, in coordination with the Food and Drug Administration.

**SECTION 8. PENALTIES, ENFORCEMENT, AND DUE PROCESS**

Any person, store owner, vendor, or establishment found selling, dispensing, distributing, or offering for sale **drugs, medicines, pharmaceutical products, or medical devices without a valid License to Operate (LTO) from the Food and Drug Administration (FDA)** or without the required professional supervision, shall be held administratively liable under this Ordinance, **without prejudice to prosecution under Republic Act No. 9711 (FDA Act of 2009), Republic Act No. 10918 (Philippine Pharmacy Act), and other applicable laws.**

**a. Schedule of Administrative Penalties**

- 1. **First Offense**
  - Written warning;
  - Confiscation of illegally sold or unlicensed medicines and pharmaceutical products; and
  - Fine of **One Thousand Five Hundred Pesos (₱1,500.00)**.
- 2. **Second Offense**
  - Fine of **Two Thousand Pesos (₱2,000.00)**; and
  - **Suspension of business permit for thirty (30) days.**
- 3. **Third and Subsequent Offenses**
  - Fine of **Two Thousand Five Hundred Pesos (₱2,500.00)**;
  - **Revocation of business permit;** and
  - **Permanent closure of the establishment.**

**b. Issuance of Notice and Right to Due Process**

- 1. Any violation shall be documented through a **Notice of Violation (NOV)** issued by the authorized enforcement officer.
- 2. The NOV shall state the nature of the violation, the evidence, and the corresponding penalty.
- 3. The violator shall be given **five (5) working days** from receipt of the NOV to submit a written explanation or request a hearing.
- 4. A summary hearing shall be conducted within **ten (10) working days**, after which the LGU shall issue a written resolution.

**c. Enforcement Authority**

This Ordinance shall be enforced by the following offices:

- Municipal Health Office (MHO)
- Business Permits and Licensing Office (BPLO)
- Philippine National Police (PNP)

-OVER-

*(Handwritten signatures and initials in blue ink are present throughout this section, including a large signature on the left and another on the right.)*

**LAND OF MERRY AND DASHING PEOPLE**





THE REPUBLIC OF THE PHILIPPINES  
 PROVINCE OF LEYTE  
**SANGGUNIANG BAYAN NG MERIDA (19<sup>TH</sup> COUNCIL)**



(CONTINUATION OF MUNICIPAL ORDINANCE NO. 12, SERIES OF 2026, DATED APRIL 22, 2026. .... //PAGE 03)

- Barangay Officials
- Other duly authorized enforcement teams of the LGU

**d. Confiscation and Lawful Disposal**

1. All seized drugs and medicines shall be properly **inventoried, sealed, and documented.**
2. Confiscated items shall be turned over to the **Municipal Health Office**, which shall coordinate with the **FDA or DOH** for proper storage, testing, and disposal.

Penalties are without prejudice to prosecution under national laws.

**SECTION 9. ANNEXES.**

The following are hereby adopted as integral parts of this Ordinance:

- **Annex A** – FDA Circulars and Legal References
- **Annex B** – SDG Alignment Matrix
- **Annex C** – Barangay Compliance Checklist
- **Annex D** – Monitoring and Evaluation Framework

**SECTION 10. INFORMATION AND EDUCATION CAMPAIGN.**

The Municipality shall conduct continuous public information campaigns on the lawful sale and proper use of medicines.

**SECTION 11. SEPARABILITY CLAUSE.**

If any provision is declared invalid, the remaining provisions shall remain in force.

**SECTION 12. REPEALING CLAUSE.**

All ordinances or parts thereof inconsistent with this Ordinance are hereby repealed or modified accordingly.

**SECTION 13. EFFECTIVITY.**

This Ordinance shall take effect fifteen (15) days after publication or posting as required by law.

**ENACTED: 22 APRIL 2026**

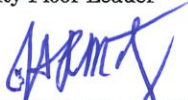
**APPROVED UNANIMOUSLY.**

**SANGGUNIANG BAYAN MEMBERS**


  
**ATTY. CHRISTIAN Q. SALTA, EnP**  
 Municipal Councilor  
 Majority Floor Leader

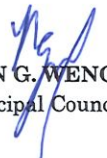
  
**BENJAMIN A. TRAVERO, JR.**  
 Municipal Councilor

**CHENIL C. CALDERON**  
 Municipal Councilor  
 (Sick Leave)

  
**JESUS ANTONIO R. MARTINEZ**  
 Municipal Councilor


  
**BRENDA T. ADOLFO**  
 Municipal Councilor

  
**MELQUIADES D. GUIO-GUIO**  
 Municipal Councilor

  
**ROGEN G. WENCESLAO**  
 Municipal Councilor

  
**OLIVER B. LIMOSNERO**  
 Municipal Councilor

**RONILLO O. LABANG**  
 Ex-Officio (LnB President)  
 (Forced Leave)

  
**ASHLEY NOREEN J. DIAZ**  
 Ex-Officio (Mun. SK Fed. President)

-OVER-



**LAND OF MERRY AND DASHING PEOPLE**





THE REPUBLIC OF THE PHILIPPINES  
PROVINCE OF LEYTE  
SANGGUNIANG BAYAN NG MERIDA (19<sup>TH</sup> COUNCIL)



(CONTINUATION OF MUNICIPAL ORDINANCE NO. 12, SERIES OF 2026, DATED APRIL 22, 2026. ....//PAGE 04)

APPROVED BY HIS HONOR, THE MUNICIPAL MAYOR ON April 28, 2026.

CONFORME:

**ENGR. ROLANDO M. VILLASEÑICO**  
Municipal Mayor

CERTIFIED BY:

**RODRIGO M. WENCESLAO**  
Municipal Vice Mayor / Presiding Officer

ATTESTED BY:

**JOSELITO T. DE LOS ANGELES**  
Secretary to the Sangguniang Bayan

LAND OF MERRY AND DASHING PEOPLE

LGU Merida, Barangay Poblacion, Greenheights District,  
Merida, Leyte 6540 The Philippines  
Email: [sangguniangbayanofmeridaleyte@gmail.com](mailto:sangguniangbayanofmeridaleyte@gmail.com)  
FB Page: SANGGUNIANG BAYAN MERIDA LEYTE





Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF MERIDA

## OFFICE OF THE SANGGUNIANG BAYAN

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### CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that MUNICIPAL ORDINANCE NO. 12, SERIES OF 2026 – “AN ORDINANCE PROHIBITING SARI-SARI STORES, CONVENIENCE STORES, AND OTHER LICENSED RETAIL ESTABLISHMENTS FROM SELLING MEDICINES AND DRUG PRODUCTS WITHOUT THE REQUIRED FOOD AND DRUG ADMINISTRATION (FDA) LICENSES, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES” had been posted in three (3) conspicuous places in the locality within three (3) consecutive weeks from APRIL 29, 2026 TO MAY 20, 2026.

THIS CERTIFICATION has been issued in compliance to Section 511 (1), Title One, book IV of RA 7160, otherwise known as the Local Government Code of 1991.

DONE AND ISSUED this 28<sup>TH</sup> day of MAY 2026 at Merida, Leyte, Philippines.

  
JOSELITO T. DELOS ANGELES  
Secretary to the Sangguniang Bayan