



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
August 11, 2026

Item No.: 01

Date: 15 2026 SEP

PROVINCE OF LEYTE
LEGAL OFFICE

RELEASED

By: [Signature]
Date: 9.8.26 Time: 9w

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: SEP 08 2026
By: [Signature]

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2026-11 of the Sangguniang Bayan of San Miguel, Leyte.

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

- Ordinance No. 2026-11 entitled: **“Pharmaceutical Products regulation Ordinance of the Municipality of San Miguel, 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
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OFFICE OF THE SANGGUNIAN PANLALAWIGAN

1ST INDORSEMENT
07 August 2026

PROVINCE OF LEYTE
LEGAL OFFICE

RECEIVED

By: [Signature]
Date: 8.10.26 Time: 9:45

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2026-11** of the **Municipality of San Miguel, Leyte**, entitled: **An Ordinance banning the sale, distribution, re-selling of pharmaceutical products in Sari-sari Stores and other similar retail outlets within the jurisdiction of the Municipality of San Miguel, Leyte.**

[Signature]
FLORINDA JILL S. UYVICO
Secretary to the Sangguniang



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF SAN MIGUEL
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: AUG 07 2026
June H. H. H. H.

August 04, 2026

The Honorable Members of the Sangguniang Panlalawigan of Leyte
Thru: The Sangguniang Panlalawigan Secretary
Provincial Legislative Building,
Candahug, Palo, Leyte

Gentlemen/Ladies:

I have the honor to forward herewith pertinent documents of the Sangguniang Bayan of the Municipality of San Miguel, Leyte for review and approval, to wit:

1. Fifteen (15) copies of Municipal Ordinance No. 2026-11, Series of 2026 entitled: **"AN ORDINANCE BANNING THE SALE, DISTRIBUTION, RE-SELLING OF PHARMACEUTICAL PRODUCTS IN SARI-SARI STORES AND OTHER SIMILAR RETAIL OUTLETS WITH THE JURISDICTION OF THE MUNICIPALITY OF SAN MIGUEL, LEYTE"**.

Kindly acknowledge receipt hereof.

Very truly yours,

BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan

Republic of the Philippines
PROVINCE OF LEYTE
 MUNICIPALITY OF SAN MIGUEL
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OFFICE OF THE SANGGUNIAN BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIAN BAYAN, SAN MIGUEL, LEYTE, HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, SAN MIGUEL, LEYTE ON JULY 20, 2026

PRESENT:

Hon. Estanislao D. Sabdao, Jr.	-	Municipal Vice-Mayor/Presiding Officer
Hon. Jerome P. Peñaranda	-	SB Member
Hon. Danilo L. Aureo	-	SB Member
Hon. Norman Niel G. Martija	-	SB Member
Hon. Letecia G. Espos	-	SB Member
Hon. Francis Jay D. Sabdao	-	SB Member
Hon. Raul A. Salano	-	SB Member
Hon. Richard Len B. Lapidario	-	SB Member

Sangguniang Panlalawigan
 Province of Leyte
RECEIVED
 Date: AUG. 07, 2026
 By: Divine H. H. am

ABSENT:

Hon. Thelma M. Brazil	-	SB Member (official leave)
Hon. Samuel P. Salomon	-	Ex-Officio Member, President, Liga ng mga Barangay (official leave)
Hon. Joss Novem B. Labaclado	-	Ex-Officio Member, President, Sangguniang Kabataan Pambayang Pederasyon (official leave)

Resolution No. 179 Series of 2026

AN ORDINANCE BANNING THE SALE, DISTRIBUTION, RE-SELLING OF PHARMACEUTICAL PRODUCTS IN SARI-SARI STORES AND OTHER SIMILAR RETAIL OUTLETS WITHIN THE JURISDICTION OF THE MUNICIPALITY OF SAN MIGUEL, LEYTE

EXPLANATION:

WHEREAS, Memorandum Circular No. 2022-025, dated March 2, 2022, issued by the Department of Interior and Local Government (DILG), mandates all Local Government Units to prohibit the sale, distribution and re selling, of pharmaceutical products in Sari-sari Stores and other similar retail outlets

WHEREAS, Section 30 of RA No. 10918, otherwise known as the Philippine Pharmacy Act, prohibits the compounding, dispensing, selling or re-selling of pharmaceutical products through retail drug outlets not licensed by the Food and Drugs Administration (FDA);

WHEREAS, Republic Act No. 8203, otherwise known as the Special Law on Counterfeit Drugs, also prohibits any person from manufacturing, selling, offering for sale, donating, distributing, trafficking, brokering, exporting, importing or possessing counterfeit drugs.

WHEREAS, the proliferation or creation of counterfeit pharmaceutical products and the sale of fake COVID-19 medicines by sari-sari stores, are a potential cause of serious harm to the health and safety of the general public.

WHEREFORE on motion of Hon. Francis Jay D. Sabdao duly seconded by all members present;

NOW THEREFORE, BE IT ORDAINED, by the Sangguniang Bayan of Municipality of San Miguel, Leyte in regular session assembled;

Certified Correct:

Attested by:

Concurred:

Approved:

BRYAN NEIL B. BRAZIL
 Secretary of the Sangguniang Bayan

HON. FRANCIS JAY D. SABDAO
 SB MEMBER

HON. RAUL A. SALANO
 SB MEMBER

HON. JEROME P. PEÑARANDA
 SB MEMBER

HON. DANILLO L. AUREO
 SB MEMBER

HON. NORMAN NIEL G. MARTIJA
 SB MEMBER

ATTY. NORMAN D. SABDAO
 Municipal Mayor

HON. ESTANISLAO D. SABDAO, JR.
 Municipal Vice-Mayor/Presiding Officer

HON. JEROME P. PEÑARANDA
 SB MEMBER

HON. DANILLO L. AUREO
 SB MEMBER

HON. NORMAN NIEL G. MARTIJA
 SB MEMBER

HON. LETECIA G. ESPOS
 SB MEMBER

MUNICIPAL ORDINANCE NO.2026-11
Series of 2026

AN ORDINANCE BANNING THE SALE, DISTRIBUTION, RE-SELLING OF
PHARMACEUTICAL PRODUCTS IN SARI-SARI STORES AND OTHER SIMILAR RETAIL
OUTLETS WITHIN THE JURISDICTION OF THE MUNICIPALITY OF SAN MIGUEL, LEYTE

Authored by: HON. FRANCIS JAY D. SABDAO
Committee Chair on Rules, Privileges, Ordinances and Health

Section 1. It shall be the policy of the Local Government Unit of San Miguel, Leyte to protect and promote the right to health and instill health consciousness among its constituents, pursuant to Section 15, Article 11 of the 1987 Constitution.

Section 2. Definition of Terms:

- a. Sari-sari stores refer to retailing stores selling a general line or merchandise, classified as micro-enterprises.
- b. Prescription Medicine refer to medicines which can only be dispensed by a Pharmacist to a patient, upon the presentation of a valid prescription from a physician.
- c. Pharmacist only OTC medicines refer to over the counter medicines classified by appropriate government agencies to be obtained only from a licensed pharmacist with mandatory pharmacist's advice on their selection and proper use.
- d. Pharmacist refers to a health professional who has been registered and issued a valid Certificate of Registration and Professional Identification Card by the PRC and the Professional Regulatory Board of Pharmacy.
- e. Household remedies refer to any preparation containing pharmaceutical substance of common or ordinary use to relieve common physical ailments and which may be dispensed without medical prescription in original packages, bottles or containers of which the nomenclature has been duly approved by the FDA.
- f. Over the counter (OTC) medicines refer to medicines used for symptomatic relief of minor ailments and which may be dispensed without a prescription. g. pharmaceutical products refer to drugs, medicines, biological, pharmaceutical and biopharmaceutical products/specialties, veterinary biologics and veterinary medicinal products.
- g. Counterfeit pharmaceutical products refer to pharmaceutical products which do not contain the amounts as claimed; with wrong ingredients, without active ingredients or with insufficient quantity of active ingredients.

Section 3. Sari-sari Stores and other similar retail outlets are prohibited from selling, dispensing or re-selling, prescription and pharmacist-only Over the Counter (OTC) medicines as defined and classified by FDA;

Section 4. Owners of the sari-sari stores and other similar retail outlets may, however apply authorization from the FDA, to dispense, sell and resell pharmaceutical products, limited to household remedies and OTC drugs (which are not pharmacist-only) by securing the requirements outlined for retail outlet for non-prescription drugs pursuant to FDA Circular No. 2014-028;

Certified Correct:

BRYAN MEIL B. BRAZIL
Secretary to the Sangguniang Bayan

Attested by:

HON. ESTANISLAO D. SABDAO, JR.
Municipal Vice-Mayor/Presiding Officer

Concurred:

HON. JEROME P. PERNERANDA
SB MEMBER

HON. DANILLO L. AUREO
SB MEMBER

HON. NORMAN NIEL G. MARTIJA
SB MEMBER

HON. LETECIA G. ESPINOZA
SB MEMBER

Approved:

ATTY. NORMAN D. SABDAO
Municipal Mayor

HON. FRANCIS JAY D. SABDAO
SB MEMBER

HON. RAUL A. SALAÑO
SB MEMBER

HON. RICHARD LEN B. LAPIDARIO
SB MEMBER

Concurred by:

Section 5. Exceptions may be made in emergency cases, which refer to life-threatening situations where a patient needs immediate medical attention and treatment and the services of a pharmacist are not available;

Section 6. It shall be the duty of the Barangay Officials in each barangay, to inform its constituents regarding this ordinance and to report to the PNP, those sari-sari stores without license that sell and dispense any pharmaceutical products;

Section 7. Penalties for any violation thereof:

First Offense Warning

Second Offense Php 1,000.00

Third Offense Php 2,000.00 and closure of sari-sari store

Section 8. As provided for in Memorandum Circular No. 2022-025, the PNP thru the PNP Chief are mandated to likewise implement the law, thereby required the Police Officers to conduct proper information dissemination and strict but careful execution of the regulation which may result to the imposition of penalty to violators based on Section 7 thereof.

Section 9. SEPARABILITY CLAUSE. – If, for any reason, part or parts of this Ordinance is declared invalid by law, the remaining provisions shall remain valid and effective.

SECTION 10. REPEALING CLAUSE. – All previous issuances, ordinances, rules and regulations or parts thereof which are inconsistent or in conflict with the provisions of this Code are hereby repealed or modified accordingly.

Section 11. EFFECTIVITY. This ordinance shall take effect after barangay information campaign and upon posting in three (3) conspicuous places within San Miguel, Leyte.

UNANIMOUSLY APPROVED

July 20, 2026

I HEREBY CERTIFY to the correctness of the foregoing resolution.

BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan

Attested by:

HON. ESTANISLAO D. SABDAO, JR.
Municipal Vice-Mayor/Presiding Officer

Approved:

ATTY. NORMAN D. SABDAO
Municipal Mayor

HON. JEROME P. PANDRADA
SB MEMBER

HON. DANILLO L. AUREO
SB MEMBER

HON. RAUL A. SALAÑO
SB MEMBER

HON. NORMAN NIEL G. MARTIJA
SB MEMBER

HON. RICHARD LEN B. LAPIDARIO
SB MEMBER

HON. LETECIA G. ESPRÓS
SB MEMBER

HON. FRANCIS JAY D. SABDAO
SB MEMBER



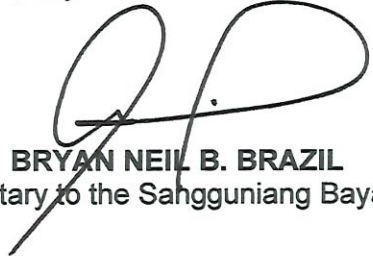
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PROVINCE OF LEYTE
MUNICIPALITY OF SAN MIGUEL
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OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

THIS IS TO CERTIFY that Municipal Ordinance No. 2026-11, Series of 2026 as embodied under Resolution No. 179, Series of 2026 entitled: **“AN ORDINANCE BANNING THE SALE, DISTRIBUTION, RE-SELLING OF PHARMACEUTICAL PRODUCTS IN SARI-SARI STORES AND OTHER SIMILAR RETAIL OUTLETS WITH THE JURISDICTION OF THE MUNICIPALITY OF SAN MIGUEL, LEYTE”**, has been posted in three (3) conspicuous places within the municipality and shall remain posted for three (3) consecutive weeks.

Done this 4th day of August 2026 at San Miguel, Leyte.


BRYAN NEIL B. BRAZIL
Secretary to the Sangguniang Bayan