



Republic of the Philippines
Department of Education
REGION VIII - EASTERN VISAYAS

May 13, 2020

REGIONAL MEMORANDUM

No. **261**, s. 2020

REITERATION OF EXECUTIVE ORDER NO. 51 "NATIONAL CODE OF MARKETING OF BREASTMILK SUBSTITUTES, BREASTMILK SUPPLEMENT AND OTHER RELATED PRODUCTS" AND ADMINISTRATIVE ORDER 2007-0017 "GUIDELINES ON THE ACCEPTANCE AND PROCESSING OF FOREIGN AND LOCAL DONATIONS DURING EMERGENCY AND DISASTER SITUATION"

To: Schools Division Superintendents
Regional Office Division Chiefs
Public Elementary and Secondary School Heads
All Others Concerned

1. Attached are the Executive Order No. 51 "National Code of Marketing of Breastmilk Substitutes, Breastmilk Supplement and Other Related Products" and Administrative Order 2007-0017 "Guidelines on the Acceptance and Processing of Foreign and Local Donations During Emergency and Disaster Situation."
2. In line with these, all officials and personnel of the Department of Education are reminded not to donate nor accept donation of infant formula or any breast-milk substitute to infants and young children up to twenty-four (24) months.
3. Immediate dissemination of and compliance with this Memorandum are directed.


RAMIR B. UYTICO EdD, CESO IV

Director IV 

Enclosures: None

References: Executive Order No. 51
Administrative Order 2007-0017

To be indicated in the Perpetual Index under the following subjects:

BREASTMILK DONATION POLICIES
ESSD-SHS-ALSLS



Malacañang
Manila

EXECUTIVE ORDER NO. 51

ADOPTING A NATIONAL CODE OF MARKETING OF BREASTMILK SUBSTITUTES, BREASTMILK SUPPLEMENTS AND RELATED PRODUCTS, PENALIZING VIOLATION THEREOF, AND FOR OTHER PURPOSES.

WHEREAS, in order to ensure that safe and adequate nutrition for infants is provided, there is a need to protect and promote breastfeeding and to inform the public about the proper use of breastmilk substitutes and supplements and related products through adequate, consistent and objective information and appropriate regulation of the marketing and distribution of the said substitutes and related products;

WHEREAS, consistent with Article II of International Code of Marketing of Breastmilk Substitutes, the present government should adopt appropriate legislation to give effect to the principles and aim of the aforesaid International Code;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, do hereby order:

SECTION 1. Title - This Code shall be known and cited as the "National Code of Marketing of Breastmilk Substitutes, Breastmilk Supplement and Other Related Products"

SEC. 2. Aim of the Code - The aim of the Code is to contribute to the provision of safe and adequate nutrition for infants by the protection and promotion of breastfeeding and by ensuring the proper use of breastmilk substitutes and breastmilk supplements when there are necessary, on the basis of adequate information and through appropriate marketing and distribution.

SEC. 3. Scope of the Code -The Code applies to the marketing and practices related thereto, of the following products: breastmilk substitutes, including infant formula; other milk products, foods and beverages, including bottled complementary foods, when marketed or otherwise represented to be suitable, with or without modification, for use as a partial or total replacement of breastmilk; feeding bottles and teats. It also applies to their quality and availability, and to information concerning their use.

SEC. 4. Definition of Terms - For the purposes of this Code, the following definition of terms shall govern:

- (a) "*Breastmilk Substitute*" means any food being marketed or otherwise represented as a partial or total replacement for breastmilk, whether or not suitable for that purpose.
- (b) "*Complementary Food*" means any food, whether manufactured or locally prepared, suitable as a complement to breastmilk or to infant formula, when

either becomes insufficient to satisfy the nutritional requirements of the infant. Such food is also commonly called "weaning food" or "breastmilk supplement."

- (c) "*Container*" means any form of packaging of products for sale as a normal retail unit, including wrappers.
- (d) "*Distributor*" means a person, corporation or any other entity in the public or private sector engaged in the business (whether directly or indirectly) of marketing at the wholesale or retail level a product within the scope of this Code. A "primary distributor" is a manufacturer's sale agent, representative, national distributor or broker.
- (e) "*Infant*" means a person falling within the age bracket of 0-12 months.
- (f) "*Health care system*" means governmental, non-governmental or private institutions or organizations engaged, directly or indirectly, in health care for mothers, infants and pregnant women; and nurseries or child care institutions. It also includes health workers in private practice. For the purpose of this code, the health care system does not include pharmacies or other established sales outlets.
- (g) "*Health Worker*" means a person working in a component of such health care systems, whether professional or non-professional, including volunteer workers.
- (h) "*Infant Formula*" means breastmilk substitute formulated industrially in accordance with applicable Codex Alimentarius standards, to satisfy the normal nutritional requirements of infants up to between four to six months of age, and adapted to their physiological characteristics. Infant formula may also be prepared at home in which case it is described as "home prepared."
- (i) "*Label*" means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to, a container of any product within the scope of this Code.
- (j) "*Manufacturer*" means a corporation or other entity in the public or private sector engaged in the business or function (whether directly or through an agent or an entity controlled by or under contract with it) of manufacturing a product within the scope of this Code.
- (k) "*Marketing*" means product promotion, distribution, selling, advertising, product public relations, and information services.
- (l) "*Marketing personnel*" means any person whose functions involve the marketing of a product or products coming within the scope of this Code.
- (m) "*Sample*" means single or small quantities of a product provided without cost.
- (n) "*Supplies*" means quantities of a product provided for use over an extended period, free or at a low price, for social purposes, including those provided to families in need.

SEC. 5. Information and Education

- (a) The government shall ensure that objectives and consistent information is provided on infant feeding, for use by families, and those involved in the field of infant nutrition. This responsibility shall cover the planning, provision, design and dissemination of information, and the control thereof, on infant nutrition.
- (b) Informational and educational materials, whether written, audio, or visual, dealing with the feeding of infants and intended to reach pregnant women and mothers of infants, shall include clear information on all the following points:
 - (1) the benefits and superiority of breastfeeding;
 - (2) maternal nutrition, and the preparation for the maintenance of breastfeeding;
 - (3) the negative effect on breastfeeding of introducing partial bottle-feeding;
 - (4) the difficulty of reversing the decision not to breastfeed; and
 - (5) where needed, the proper use of infant formula, whether manufactured industrially or home-prepared. When such materials contain information about the use of infant formula, they shall include the social and financial implications of its use; health hazards of unnecessary or improper use of infant formula and other breastmilk substitutes. Such materials shall not use any picture or text which may idealize the use of breastmilk substitutes.

SEC. 6. *The General Public and Mothers*

- (a) No advertising, promotion or other marketing materials, whether written, audio or visual, for products within the scope of this Code shall be printed, published, distributed, exhibited and broadcasted unless such materials are duly authorized and approved by an inter-agency committee created herein pursuant to the applicable standards provided for in this Code.
- (b) Manufacturers and distributors shall not be permitted to give, directly or indirectly, samples and supplies of products within the scope of this Code or gifts of any sort to any member of the general public, including members of their families, to hospitals and other health institutions, as well as to personnel within the health care system, save as otherwise provided in this Code.
- (c) There shall be no point-of-sale advertising, *giving of samples or any other promotion devices* to induce sales directly to the consumers at the retail level, such as special displays, discount coupons, premiums, special sales, bonus and tie-in sales for the products within the scope of this Code. This provision shall not restrict the establishment of pricing policies and practices intended to provide products at lower prices on a long-term basis.
- (d) Manufacturers and distributors shall not distribute to pregnant women or mothers of infants any gifts or articles or utensils which may promote the use of breastmilk substitutes or bottle feeding, nor shall any other groups, institutions or individuals distribute such gifts, utensils or products to the general public and mothers.

- (e) Marketing personnel shall be prohibited from advertising or promoting in any other manner the products covered by this Code, either directly or indirectly, to pregnant women or with mother of infants, except as otherwise provided by this Code.
- (f) Nothing herein contained shall prevent donations from manufacturers and distributors of products within the scope of this Code upon request by or with the approval of the Ministry of Health.

SEC. 7. Health Care System

- (a) The Ministry of Health shall take appropriate measures to encourage and promote breastfeeding. It shall provide objective and consistent information, training and advice to health workers on infant nutrition, and on their obligations under this Code.
- (b) No facility of the health care system shall be used for the purpose of promoting infant formula or other products within the scope of this Code. This Code does not, however, preclude the dissemination of information to health professionals as provided in Section 8(b).
- (c) Facilities of the health care system shall not be used for the display of products within the scope of this Code, or for placards or posters concerning such products.
- (d) The use by the health care system of "professional service representatives," "mothercraft nurses" or similar personnel, provided or paid for by manufacturers or distributors, shall not be permitted.
- (e) In health education classes for mother and the general public, health workers and community workers shall emphasize the hazards and risks of the improper use of breastmilk substitutes particularly infant formula. Feeding with infant formula shall be demonstrated only to mothers who may not be able to breastfeed for medical or other legitimate reasons.

SEC. 8. Health Workers

- (a) Health workers shall encourage and promote breastfeeding and shall make themselves familiar with objective and consistent information on maternal and infant nutrition, and with their responsibilities under this Code.
- (b) Information provided by manufacturers and distributors to health professionals regarding products within the scope of this Code shall be restricted to scientific and factual matters, and such information shall not imply or create a belief that bottlefeeding is equivalent or superior to breastfeeding. It shall also include the information specified in Section 5.
- (c) No financial or material inducements to promote products or distributors to health workers or members of their families, nor shall these be accepted by the health workers or members of their families, except as otherwise provided in Section 8(e).
- (d) Samples of infant formula or other products within the scope of this Code, or of equipment or utensils for their preparation or use, shall not be

and factual matters, and such information shall not imply or create a belief that bottlefeeding is equivalent or superior to breastfeeding. It shall also include the information specified in Section 5.

- (c) No financial or material inducements to promote products within the scope of this Code shall be offered by manufacturers or distributors to health workers or members of their families, nor shall these be accepted by the health workers or members of their families, except as otherwise provided in Section 8(e).
- (d) Samples of infant formula or other products within the scope of this Code or of equipment or utensils for their preparation or use, shall not be provided to health workers except when necessary for the purpose of professional evaluation or research in accordance with the rules and regulations promulgated by the Ministry of Health. No health workers shall give examples of infant formula to pregnant women and mothers of infants or members of their families.
- (e) Manufacturers and distributors of products within the scope of this Code may assist in the research, scholarships and continuing education, of health professionals, in accordance with the rules and regulations promulgated by the Ministry of Health.

SECTION 9 *Persons Employed by Manufacturers and Distributors* .Personnel employed in marketing products within the scope of this Code shall not, as part of their job responsibilities, perform educational functions in relation to pregnant women or mothers of infants.

SECTION 10 *Containers/Labels* –

- (a) Containers and/or labels shall be designed to provide the necessary information about the appropriate use of the products, and in such a way as not to discourage breastfeeding.
- (b) Each container shall have a clear, conspicuous and easily readable and understandable message in Pilipino or English printed on it, or on a label, which message can not readily become separated from it, and which shall include the following points:
 - (i) the words "Important Notice" or their equivalent;
 - (ii) a statement of the superiority of breastfeeding;
 - (iii) a statement that the product shall be used only on the advice of a health worker as to the need for its use and the proper methods of use; and
 - (iv) instructions for appropriate preparation, and a warning against the health hazards of inappropriate preparation.
- (c) Neither the container nor the label shall have pictures or texts which may idealize the use of infant formula. They may, however, have graphics for easy identification of the product and for illustrating methods of preparation.
- (d) The term "humanized," "maternalized" or similar terms shall not be used.
- (e) Food products within the scope of this Code marketed for infant feeding, which do not meet all the requirements of an infant formula but which can be modified to do so, shall carry on the label a warning that the unmodified product should not be the sole source of nourishment of an infant.

- (f) The labels of food products within the scope of this Code shall, in addition to the requirements in the preceding paragraphs, conform with the rules and regulations of the Bureau of Food and Drugs

SECTION 11 *Quality*

- (a) The quality of products is an essential element for the protection of the health of infants, and therefore shall be of high recognized standard.
- (b) Food products within the scope of this Code shall, when sold or otherwise distributed, meet applicable standards recommended by the Codex Alimentarius Commission and also the Codex Code of Hygienic Practice for Foods for Infants and Children.
- (c) To prevent quality deterioration, adulteration or contamination of food products within the scope of this Code shall, when sold or otherwise distributed, meet applicable standards recommended by the Codex Alimentarius Commission and also the Codex Code of Hygienic Practice for Foods for Infants and Children,

SECTION 12 *Implementation and Monitoring*

- (a) For purposes of Section 6(a) of this Code, an inter-agency committee composed of the following members is hereby created:

Minister of Health	..	Chairman
Minister of Trade and Industry...	..	Member
Minister of Justice	..	Member
Minister of Social Services and Development	..	Member

The members may designate their duly authorized representative to every meeting of the Committee.

The Committee shall have the following powers and functions:

- (1) To review and examine all advertising, promotion or other marketing materials, whether written, audio or visual, on products within the scope of this Code;
 - (2) To approve and disapprove, delete objectionable portions from and prohibit the printing, publication, distribution, exhibition and broadcast of, all advertising promotion or other marketing materials, whether written, audio or visual, on products within the scope of this Code;
 - (3) To prescribe the internal and operational procedure for the exercise of its powers and functions as well as the performance of its duties and responsibilities, and
 - (4) To promulgate such rules and regulations as are necessary or proper for the implementation of Section 6(a) of this Code.
- (b) The Ministry of Health shall be principally responsible for the implementation and enforcement of the provisions of this Code. For this purpose, the Ministry of Health shall have the following powers and functions:
- (1) To promulgate such rules and regulations as are necessary or proper for the implementation of this Code and the accomplishment of its purposes and objectives.

- (1) To promulgate such rules and regulations as are necessary or proper for the implementation of this Code and the accomplishment of its purposes and objectives.
- (2) To call the assistance of government agencies and the private sector to ensure the implementation and enforcement of, and strict compliance with, the provisions of this Code and the rules and regulations promulgated in accordance herewith.
- (3) To cause the prosecution of the violators of this Code and other pertinent laws on products covered by this Code.
- (4) To exercise such other powers and functions as may be necessary for or incidental to the attainment of the purposes and objectives of this Code.



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May 28, 2007

ADMINISTRATIVE ORDER

No. 2007 - 0017

Subject: Guidelines on the Acceptance and Processing of Foreign and Local Donations During Emergency and Disaster Situations

I. Rationale

The Department of Health (DOH), with other agencies, plays a vital role in accepting foreign and local donations in times of disasters, calamities and other emergencies. Donations, in terms of health and medical related goods or articles to address the cited situations, are main responsibilities of the Department.

Unprecedented events have necessitated DOH to review its policies regarding foreign and local donations during emergency and disaster situations. There have been instances when accepted donations turn out to be inappropriate to address the needs with regard emergency and disaster situations. Donation acceptance and distribution are plagued by unnecessary delays that, more often than not, render the donated items outmoded for addressing the emergency and disaster needs. Such delays are mostly brought about by the fact that concerned DOH offices have no set procedures and protocols for handling and administering donations under the cited circumstances. This policy laps also account for questionable actions and decisions related to donations for purposes of cited situations. Current government programs seemingly fail to anticipate the service requirement necessary to address the overall consequences of emergencies and disasters. Worst is that the current system does not provide enough information to ascertain whether donated items reach desired beneficiaries.

Emergency and disaster situations are among governmental concerns that has no prescribed intervention in law or otherwise. This holds true especially with regard donations for the purpose of addressing the consequences of such situations. Since the health of victims constitute the primordial concern in times of emergency and disaster situations, the DOH has assumed the responsibility of defining the policy parameters for managing the donations for such eventualities. Such undertaking derives mandate from the residual powers of the President, as defined under Book III, Chapter 7, Section 20 of E.O. 292, otherwise known as the "Administrative Code of 1987". The Secretary of Health hereby invokes such power as "alter ego" of the President with regard the health welfare of all Filipinos.

In consideration of the foregoing, the Department is taking the initiative to institute the proper policy reforms in the aspect of health emergency management. This is in consonance with the current health reform agenda known as Fourmula One (F1) for Health. With this Administrative Order, service delivery in times of disasters, calamities and other emergencies shall be improved. Furthermore, a monitoring and evaluation scheme shall be established to ensure that the policies to be instituted shall address the dynamic requirements of emergency and disaster situations.

II. Objective

This Administrative Order shall provide a rational and systematic procedure for the acceptance, processing and distribution of foreign and local donations that are exclusively for unforeseen, impending, occurring and experienced emergency and disaster situations.

III. Scope

This Order shall apply to all Government instrumentalities that are concerned in the management and administration of donations, which are necessary to address the consequences of emergencies and disaster situations.

IV. Definition of Terms

A. For purposes of this Order, the following terms shall be defined as follows:

1. *Acute Emergency* – shall refer to the sudden onset of any actual threat to public threat to public safety.
2. *DOH Package List for Emergencies and Disasters* – shall refer to a listing of items for donation, such as, drugs/medicines, medical supplies, medical equipment, processed foodstuff, micronutrients, environmental supplies, and others. Such list shall be issued by the DOH, in consultation with other Government agencies, NGOs, GOs, and other concerned entities.
3. *Donation* – shall refer to the act of liberality whereby a foreign or local donor disposes gratuitously of cash, goods or articles, including health and medical-related items to address unforeseen, impending, occurring or experienced emergency and disaster situations, in favor of the Government of the Philippines, which accepts them.
4. *Donor* – shall refer to the all persons, countries or agencies that may contract and dispose of cash, goods or articles, including health and medical-related items to address unforeseen, impending, occurring or experienced emergency and disaster situations.
5. *Formal Acceptance* – shall refer to an instrument, a Deed of Acceptance, issued by the Secretary of Health or his designated representative that acknowledges the consummation of the donation and the transfer of the ownership or interest over the donated item to the DOH.

6. *Packing List* – shall refer to a shipping document that includes: Information on the contents of each numbered carton by INN; Dosage form; Quantity; Batch number; Expiry date; Volume; Weight; and Any special storage condition. This also includes brochures or literatures, invoices and plan of distribution of the item inside the package,
7. *Processed Food* – shall refer to food that has been subjected to some degree of processing like milling, drying, concentrating, canning or addition of some ingredients which changes partially or completely the physio-chemical and/or sensory characteristics of the raw material thereof.
8. *Report of Analysis/Assay for Active Ingredients* – shall refer to the examination result report with regard the active ingredients in a drug or medicine, which is required by BFAD.
9. UN List of Emergency Relief Items – shall refer to the Compendium of Basic Specifications, a product of international collaboration involving United Nation organizations, such as, WHO and UNICEF.

B. The acronyms used in this Order stands for the following agencies:

1. BFAD – Bureau of Food and Drugs of the DOH
2. BHDT – Bureau of Health Devices and Technology of the DOH
3. BIHC – Bureau of International Health Cooperation of the DOH
4. BOD – Bureau of Customs
5. CHD – Center for Health Development of the DOH
6. COA – Commission on Audit
7. DFA – Department of Foreign Affairs
8. DOH – Department of Health
9. DBM – Department of Budget and Management
10. HEMS – Health Emergency Management Staff of the DOH
11. MMD – Materials and Management Division of HEMS, DOH
12. NDCC – National Disaster Coordinating Council
13. INN – Individual Non-proprietary Name
14. UN – United Nations

V. General Guidelines

- A. There shall be no donation for purposes of emergencies and disaster situations, whether from international or local source, unless a formal acceptance for the purpose is issued by the Secretary of Health or his designated representative. DOH shall not be responsible nor incur liabilities for unaccepted donations.
- B. The need for formal acceptance shall only be waived in situations of acute emergencies, provided that, the items for donations are well within the UN List of Emergency Relief Items.

- C. Items for donation may be in any form, such as, drugs/medicines, medical supplies, medical equipment, processed foodstuff, micronutrients, environmental supplies, and others that may be substantial in addressing emergencies and disaster situations. A "DOH Package List for Emergencies and Disasters" which contain the drugs and medicines which in accordance to the Philippine National Drug Formulary (PNDF) shall be the basis of determining the acceptability of items for donation for purposes of emergencies and disaster situations. However, drugs and medicines which are not included in the PNDP list maybe accepted after thorough evaluation of the BFAD, on a case to case basis.
- D. Cash donations shall be used for procuring items that are necessary for addressing all phases of emergencies and disaster situations, including recovery and rehabilitation, subject to the rules and guidelines of COA and DBM.
- E. A certain quantity of the items for donation specifically drugs and medicines shall be retain and kept within a certain period of time as a reference samples for validation and further testing purposes in cases problems will arise in the medication of patients.

VI. Guidelines for Acceptance

- A. The DOH shall limit its monetary obligation to the payment of logistics for the transfer of donated items to emergency and disaster areas. Custom duties, brokerage fees, handling fees, warehousing fees, and others shall be borne by the Donor.
- B. Acceptance of donations for emergencies and disaster situations shall be based on the expressed need of the beneficiaries and be relevant to the disease pattern and health concerns that are prevailing in the affected areas.
- C. Infant formula, breast-milk substitute, feeding bottles, artificial nipples, and teats shall not be items for donation. No acceptance of donation shall be issued for any of the enumerated items.
- D. Acceptance of donation in foodstuffs for purposes of emergency and disaster situations should have a shelf life of at least three (3) months from the time of arrival to the Philippines.
- E. Acceptance of donation in drugs/medicines for purposes of emergency and disaster situations should comply with the following minimum criteria:
 - 1. Shelf life of at least twelve (12) months from the time of arrival to the Philippines;
 - 2. Labeling with English translation or in a language that is understood by Philippine health professionals;
 - 3. Packaging that complies to international shipping regulations accompanied by a detailed packing list that specifies: The n;
 - 4. Weight per carton does not exceed 50 kilograms;
 - 5. Exclusive packaging with regard other supplies;
 - 6. Documentary proof of compliance to applicable quality standards; and,
 - 7. Documentary proof that the items were obtained from reliable sources.

- F. Acceptance of donation in medical equipment for purposes of emergency and disaster situations should comply with the following minimum criteria:
1. Attached manual of instructions for installation and operation that is written or translated in English; and,
 2. Accompanied by a list of service centers in the Philippines where services and spare parts are available.

VII. Guidelines for Distribution

- A. The DOH shall distribute the donated items to emergency and disaster affected areas. The distribution of such items for election purposes shall not be allowed nor the re-packaging thereof in consideration of elective or appointive government officials.
- B. The DOH reserves the right to distribute and utilize excesses in donated items that results from:
1. Situations wherein the donation exceeds the requirement to address the needs of beneficiaries and affected areas; and
 2. Delays in the arrival of donated items to the Philippines.

VIII. Roles and Functions of DOH Instrumentalities

A. Pre-Disaster/Emergency Phase

1. HEMS shall:
 - (a) Evaluate and facilitate the formal acceptance of donations from local donors for purposes of emergency and disaster situations;
 - (b) Develop, in coordination with pertinent bureaus, national centers and other offices of the DOH and stakeholders, the "DOH Package List for Emergencies and Disasters";
 - (c) Undertake periodic updating of the list and ensure dissemination thereof to the members of the NDCC and pharmaceutical companies;
 - (d) Manage and administer, through its MMD, the transportation of donated items to target beneficiaries and affected areas; and,
 - (e) Develop procedures for monitoring local donations.
2. BIHC shall:
 - (a) Evaluate and facilitate the formal acceptance of donations from foreign donors for purposes of emergency and disaster situations;
 - (b) Ensure that the "DOH Package List for Emergencies and Disasters" and other DOH issuances related to foreign donations be forwarded to the DFA for dissemination to all foreign embassies; and,
 - (c) Develop procedures for monitoring foreign donations.

3. BFAD shall promulgate guidelines and develop mechanisms for the expedient identification of registered and clearance for unregistered drugs that are items of donation for purposes of emergency and disaster situations.
4. For purposes of emergency and disaster situations, the concerned CHD shall refer foreign donors to the BHIC and local donors to the HEMS.

B. During Emergency/Disaster

1. HEMS shall:
 - (a) Review, evaluate and facilitate the formal acceptance of donations from both local and foreign donors;
 - (b) Ensure that the proposed donation is evaluated based on the "DOH Package List for Emergencies and Disasters", provided that, items not on the list shall be evaluated based on the needs of the beneficiaries and affected areas; and,
 - (c) Prepare the allocation list that will be implemented by its MMD.
2. BHIC shall:
 - (a) Officially request assistance from different foreign donors;
 - (b) Receive and coordinate donation proposals from foreign donors;
 - (c) Forward foreign donation proposals to HEMS for review, evaluation and facilitation of possible formal acceptance;
 - (d) Continuously coordinate with donors and update concerned DOH offices regarding the details of formally accepted donations, such as, delivery date and others;
 - (e) Coordinate with necessary DOH offices regarding the issuance of pertinent clearances and reports, which shall ascertain the compliance to the minimum Philippine standards for such donated items;
 - (f) Forward to HEMS the pertinent clearances and reports for donated items for proper disposition, such as but not limited to the facilitation of the release thereof from the BOC.
3. BHDT shall expediently evaluate and, thereafter, issue the pertinent clearance for donated medical equipment and health technology in order to meet the exigencies of the emergency and disaster situation.
4. BFAD shall expediently review and evaluate the donated items that fall within its jurisdiction and forward the "Report of Analysis/Assay for Active Ingredients" to the BIHC. Due to the exigencies of the emergency and disaster situation, BFAD is expected to issue the report within forty eight (48) hours from the time of submission of the donated items for review and evaluation.
5. The concerned CHD shall oversee the distribution and utilization of donated items in the affected areas and, thereafter, submit a utilization report thereof to HEMS.

C. Post Emergency/Disaster

1. HEMS shall:
 - (a) Evaluate the utilization of donated items and formalize the same in a written report. The report shall be forwarded to the donor, in case of local donation, or to the BIHC, in case of international donation; and
 - (b) Annually review, together with all concerned offices, all donations entered into by the DOH for purposes of emergency and disaster situations and the policy instruments that have been issued pursuant thereto.
2. BIHC shall receive the utilization report with respect to international donation and forward the same, through necessary communications, to the respective donors.

IX. Repealing Clause


All orders, rules and regulations or any provision(s) thereof inconsistent with this Order are hereby deemed repealed and modified accordingly.

X. Separability Clause

In the event that any provision or part of this Administrative Order be declared unauthorized or rendered invalid by any court of law or competent authority, those provisions not affected by such declaration shall remain valid and effective.

XI. Effectivity Clause

This Order shall take effect immediately.


FRANCISCO T. DUQUE III, MD, MSc.
Secretary of Health