



**EXECUTIVE ORDER NO. 224
Series of 2023**

**AN ORDER ADOPTING REPUBLIC ACT NO. 11900 OTHERWISE KNOWN AS THE
VAPORIZED NICOTINE AND NON-NICOTINE PRODUCTS REGULATION ACT
IN THE CITY OF PANABO, DAVAO DEL NORTE**

WHEREAS, it is hereby declared the policy of the State to protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, it is further declared the policy of the State to enact a balanced policy whereby these novel consumer products are properly regulated using internationally accepted product standards in order to protect the citizens from the hazards of regulated, unregulated and substandard Vapor Products and Heated Tobacco Products;

WHEREAS, Republic Act No. 11900 entitled "*An Act Regulating the Importation, Manufacture, Sale, Packaging, Distribution, Use, and Communication of Vaporized Nicotine and Non-Nicotine Products, and Novel Tobacco Products*" or the Vaporized Nicotine and Non-Nicotine Products Regulation Act, was promulgated to regulate the importation, assembly, manufacture, sale, packaging, distribution, use, advertisement, promotion and sponsorship of Vaporized Nicotine and Non-Nicotine Products, and their devices;

WHEREAS, the Vaporized Nicotine and Non-Nicotine Products Regulation Act was enacted in order to promote a healthy environment, protect the citizens from any potential hazards of these novel consumer products, reduce the harm caused by smoking, and ensure that the sale to minors and the illicit trade of Vaporized Nicotine and Non-Nicotine Products, and their devices, and Novel Tobacco Products in the country are prevented;

WHEREAS, the Department of Trade and Industry (DTI) has released the Implementing Rules and Regulations for RA 11900 through Department Administrative Order (DAO) No. 22-16, Series of 2022;

WHEREAS, pursuant to Section 16 (General Welfare), Section 26 and Section 458 (a)(1) of the Local Government Code of 1991 mandated the Local Government Units to use its necessary and appropriate powers to promote the general welfare of its people, particularly by promoting their health and safety and enhance their right to a balanced ecology;

WHEREAS, pursuant to Section 455 (b)(1)(xvi) and (b)(2)(iii) of the Local Government Code of 1991 grants the Local Chief Executive (LCE) the power to exercise general supervision and control over all programs, projects, services and activities of the City. The LCE may issue such necessary Executive Orders for the faithful and appropriate execution of laws and ordinances;

NOW, THEREFORE, I, JOSE E. RELAMPAGOS, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. ADOPTION. The City Government of Panabo officially affirms its adoption of the Vaporized Nicotine and Non-Nicotine Products Regulation Act, together with its corresponding Implementing Rules and Regulations as issued by the Department of Trade and Industry by DAO No. 22-16, Series of 2022.



SECTION 2. COVERAGE. This provision shall be applicable to any person, natural or juridical, whether resident or not, and in all places, found within the territorial jurisdiction of the City of Panabo, Davao del Norte, who are engaged in the subsequent activities:

- a. importation, assembly, manufacture, sale, packaging, distribution, advertisement promotion;
- b. sponsorship of Vaporized Nicotine and Non-Nicotine Products and their devices or offline platform or purchase or use of the same; and
- c. those responsible for ensuring compliance on public use and in designated vaping areas.

SECTION 3. COVERED PRODUCTS. The law identifies the following products:

- a. Vapor Products or Vapor Products Refills
- b. Vapor Product Devices
- c. Heated Tobacco Products (HTP) Consumables
- d. HTP Devices, and
- e. Novel Tobacco Products

SECTION 4. IMPLEMENTATION, MONITORING AND REPORTING. The implementation of this order is entrusted to the Philippine National Police, the Anti-Smoking Task Force of Panabo City, the City Health Office, and Deputized Anti-Smoking Enforcers. Their responsibility is to carry out this duty in compliance with the provisions outlined in RA 11900 and its corresponding Implementing Rules and Regulations (IRR).

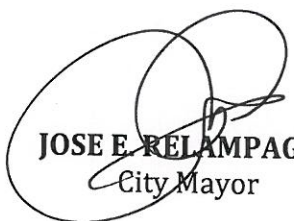
All residents of Panabo City are encouraged to collaborate in submitting any relevant information pertaining to Section 3 hereof to appropriate authorities for the purpose of monitoring and inspection.

SECTION 5. AWARENESS CAMPAIGN. The responsibility of conducting smoking and vaping restriction awareness programs, aimed at educating the public about the harmful effects of smoking and vaping, is with the City Health Office. This undertaking may involve various initiatives such as information drives and the display of warning sign images in public spaces.

SECTION 6. SEPARABILITY CLAUSE. Should any provision of this executive order be declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

SECTION 7. EFFECTIVITY. This order shall take effect immediately upon signing hereof.

Issued this 9th day of August, 2023 at Panabo City, Davao del Norte, Philippines.


JOSE E. RELAMPAGOS,
City Mayor