

The Lord is like a strong tower, where the righteous can go and be safe.

Proverbs 18:10

DIYARYO  
**KABITENYO**  
Nagmamalasakit sa lalawigan

Entered as FIRST CLASS MAIL at Jussu Post Office with Business Mail Permit No. JC-19-06-249  
Vol. 24 No. 30 September 13-19, 2021 P 10.00

Be alert, stand firm in the faith, be brave, be strong.

1 Corinthians 16:13

## Another major raid nets P1.5-B 'shabu' in Cavite

Antinarcotics operatives killed two drug traffickers and seized P1.58-billion worth of "shabu" (crystal meth) in two operations last Sept. 9 in Cavite, which were connected to multi-billion-peso drug operations in Zambales and Bataan provinces last Sept. 7.

The fatalities were identified as Basher Bangon, 59, and Danilo Untavar, 51. Two other — couple Lani and Aldwin Micoleta — were arrested.

Operatives led by the Philippine Drug Enforcement Agency (PDEA) seized 48 kilos of shabu, valued at P331.2 million, from the Micoleta couple in a buy-bust on Topacio

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Police and Philippine Drug Enforcement Agency agents record last Sept. 10 over 200 kilos of "shabu," valued at P1.5 billion, seized in two operations in Cavite. — PHOTO COURTESY OF NATIONAL CAPITAL REGION POLICE OFFICE

## PCG evacuates 260 stranded families in Cavite

The Philippine Coast Guard (PCG) had evacuated at least 260 families that were trapped in deep flood to the heavy rains brought by tropical storm "Jolina". The rescued families in Barangay Bukana in Naic, Cavite due transported to safer grounds at the basketball court, which served as an evacuation area for local residents. Meanwhile, 60 families in the coastal community of Barangay San Rafael IV, to San Miguel Extension Elementary School during the rising of floodwaters. They were brought to San Miguel Extension Elementary School during the rising of floodwaters. They were brought to San Miguel Extension Elementary School during the rising of floodwaters.

# DIYARYO KABITENYO

ISSN: 2651-821X

ARNULFO BARCO  
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DIYARYO KABITENYO is published weekly and circulated throughout the province of Cavite. It has its editorial and business offices at Block 13 Lot 1 Liwayway Homes Subdivision, Anabu 1-C, City of Imus, Cavite. It is registered at the Department of Trade and Industry-Region 4, P.IV-96-No. 05394. Our telephone number is 0217548018.

|                    |                               |
|--------------------|-------------------------------|
| Subscription Rate: | Advertising Rate:             |
| 1 month - P. 40.00 | Commercial - P200.00/col. cm. |
| 3 months - 120.00  | Legal - 180.00/col. cm.       |
| 6 months - 240.00  |                               |

## Papi

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(ANOTHER... from page 1)

Street, Barangay Magdalo, in Imus City around 9:15 p.m. last Sept. 9.

Around 9:30 p.m., another operation at a warehouse in Bacoor, Cavite, netted for authorities 181 kilos of shabu worth P1.25 billion.

The operation led to the killing of Bangon and Untavar, after they shot it out with authorities, according to authorities.

Police Maj. Gen. Vicente Danao Jr., chief of the National Capital Region Police Office, said Bashar and Untavar were the "bodegeros" (warehouse men) of a Chinese drug trafficking group.

Danao said the ille-

gal drugs could be used by other criminal groups to finance their activities related to the upcoming elections next year.

In a statement last Sept. 10, Philippine National Police chief Gen. Guillermo Eleazar said Bangon was tagged as a top-level drug personality with direct contact with an international drug syndicate. His main market were areas in the Visayas and Mindanao.

The Micoleta couple were reportedly cohorts of Bangon. They were known

## Dental implant surfaces play major role in tissue attachment, warding off unwanted bacteria

When dental implants are inserted, saliva or blood plasma immediately coat them. The implants adsorb a thin layer of proteins from these fluids that help gum tissue attach, but also allow microorganisms — including potentially harmful bacteria — to grow on the implant surface.

The surface of implants, as well as other medical devices, plays a significant role in the adsorption of oral proteins and the colonization of illegal distributors of illegal drugs in Metro Manila and Calabarzon (Cavite, Laguna, Batangas, Rizal and Quezon) areas.

The interagency operations—composed of the PNP, the PDEA, the Intelligence Service of the Armed Forces of the Philippines, the Bureau of Customs and the National

Intelligence Coordinating Agency—were able to halt the transport of Chinese-labeled packs which are about to be distributed to the southern part of the country.

According to Eleazar, the two police operations were part of the follow-up drug busts in Zambales and Bataan

by unwanted microorganisms (a process known as biofouling), according to a new study led by the University at Buffalo and the University of Regensburg. The research, published in the Journal of Dental Research, sought to increase scientists' understanding of this complex biological process by examining the makeup of the oral protein layer and how it can be controlled by chem-

ically modifying the biomaterial surface. The findings lay the groundwork for improving the success of medical and dental implants, says co-lead investigator Stefan Ruhl, DDS, PhD, professor of oral biology in the UB School of Dental Medicine. "It is often this protein layer, rather than the biomaterial surface, that is encountered by colonizing bacteria or attaching tissue cells.

These proteins help determine the biological or pathological consequences that result in either long-term survival of the implant or its failure along with irreversible damage to the surrounding tissues from infection," says Ruhl. "Therefore, it is important to determine how adsorption might be controlled through chemical modification of the biomaterial surface to achieve a desired outcome."

In addition to the 580 kilos of shabu confiscated in the drug busts in Zambales and Bataan last Sept. 7, the Cavite operations brought the total shabu seized to 808 kilos, with a street value of P5.5 billion—the biggest drug haul for this year so far, Eleazar said.



Republic of the Philippines  
City of Tagaytay  
OFFICE OF THE SANGGUNIANG PANGLUNGSOD



EXCERPT FROM THE MINUTES OF THE 97TH REGULAR SESSION OF THE SANGGUNIANG PANGLUNGSOD OF TAGAYTAY CITY HELD ON JUNE 07, 2021 AT THE HALL OF JUSTICE AND LEGISLATIVE BLDG., MAHOGANY MARKET COMPLEX, KAYBAGAL SOUTH, TAGAYTAY CITY

CITY ORDINANCE NO. 2021-427

AN ORDINANCE ENCOURAGING PRIVATE RESIDENCES AND BUSINESS ESTABLISHMENTS WITH CONCRETE PERIMETER FENCES ALONG NATIONAL AND CITY ROADS TO ALLOW THE CITY GOVERNMENT TO PAINT DECORATIVE IMAGERY (GRAFFITI ART) IN THEIR WALLS FOR ENHANCEMENT OF TOURISM AND DEVELOPMENT OF LOCAL TALENTS IN VISUAL ARTS

Author & Sponsor: Hon. Athena Bryana D. Tolentino

WHEREAS, tourism promotion should be a priority thrust of the city government, Tagaytay City being a premiere tourist destination of the country;

WHEREAS, it is the duty of the local government to support and develop local talents in the arts, and provide opportunities for their enhancement and exposition of their craft;

NOW THEREFORE, BE IT ORDAINED, BY THE SANGGUNIANG PANGLUNGSOD OF THE CITY OF TAGAYTAY, IN SESSION DULY ASSEMBLED, PHYSICALLY AND VIRTUALLY (ONLINE), BY VIRTUE OF THE POWERS VESTED IN IT BY THE LAW, ENACTS:

SECTION 1. Short Title. This Ordinance shall be known as "Decorative Imagery for Tourism Promotion Ordinance of 2021."

SECTION 2. Scope. This Ordinance shall apply to all private residences and business establishments situated along national and city roads which have established concrete perimeter fences, as determined by the City Tourism Office or the City Engineering Office.

#### SECTION 3. Definition of Terms.

- a. Decorative Imagery - is an image that is non-essential to understanding the content and purpose of a page;
- b. National Road - A road forming part of a network of major intercity roads;
- c. City Road - minor roads within the town proper;
- d. Perimeter fence - exterior walls around the perimeter of a building (facing the road);
- e. Private Residence - Private residence means the part of a structure used as a dwelling, including, without limitation: a private home, townhouse, condominium, apartment, mobile home, vacation home, cabin, or cottage;
- f. Business Establishment - a location where business is conducted, goods are made or stored or processed or where services are rendered. It may include a commercial and/or institutional land use. It is generally a site where the main objective is the receipt or generation of a financial return in exchange for goods or services.

#### SECTION 4. General Provisions.

1. Expenses incurred for the painting of decorative images and maintenance of the same shall be on the City Government's account;
2. Owners of the residences or business establishments who agree to have their fences painted with decorative images have full discretion as to what images may be painted or may waive in favor of the City Government;
3. The City Planning & Development Office is hereby directed to coordinate with the Owners of the residences or business establishments for the decorative images to be painted.

SECTION 5. Separability. If any section or part of this Ordinance is held unconstitutional, other sections or provisions not otherwise affected shall remain in full force and effect.

SECTION 6. Effectivity. This Ordinance shall immediately take effect upon its approval.

Enacted: June 07, 2021.

#### CERTIFIED CORRECT:

(SGD) CELSO P. DE CASTRO  
Acting Secretary to the Sanggunian

#### APPROVED:

(SGD) HON. AGNES B. TOLENTINO, DMD  
City Mayor

Publication: DIYARYO KABIDENYO  
Date: September 13-19, 2021



Republic of the Philippines  
City of Tagaytay  
OFFICE OF THE SANGGUNIANG PANGLUNGSOD



EXCERPTS FROM THE MINUTES OF THE 104TH REGULAR SESSION OF THE SANGGUNIANG PANGLUNGSOD OF TAGAYTAY CITY HELD ON JULY 26, 2021 AT THE SANGGUNIANG SESSION HALL, 3/F HALL OF JUSTICE & LEGISLATIVE BLDG., KAYBAGAL SOUTH, TAGAYTAY CITY

CITY ORDINANCE NO. 2021-428

AN ORDINANCE AMENDING PROVISIONS OF CITY'S ZONING ORDINANCE AND LAND USE MAP SPECIFICALLY SECTION 7 - ZONE/AREA BOUNDARIES OF TOURISM STRIP, PRIMARY URBAN CORE AND SECONDARY URBAN CORE, ALONG AREAS OF THE NEW TAGAYTAY-ALFONSO BY-PASS ROAD

HON. BIANCA CAMILLE U. PELLO  
Chairperson

Committee on Land Use, Public Works, Infrastructure & Special Projects

WHEREAS, a new road known as the Tagaytay-Alfonso By-pass road was established by the Department of Public Works and Highways;

WHEREAS, properties located within the Tagaytay-Alfonso By-pass road were classified as Agricultural Development Area;

WHEREAS, Section 16, Article II of the 1987 Constitution embodies the state policy of protecting and advancing the people's right to a balanced and healthful ecology in accordance with the rhythm and harmony of nature;

WHEREAS, Section 3(i), Chapter 1 Book I of Republic Act (RA) No. 7160 or the Local Government as amended, provides that the local government shall share with national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction;

WHEREAS, proliferation of commercial development along the new by-pass will eventually emerge and in order to ensure the proper utilization of the City land resources;

WHEREAS, the current trend of commercial development in the City of Tagaytay is allowed and limited only within the zone boundaries of Primary Urban Core (PUC) and Secondary Urban Core (SUC), respectively and in the Tourism related development in the Tourism Strip;

WHEREAS, in order to prevent the negative environmental impact of development, there is a need to amend the City's Zoning Ordinance of the City to diffuse the coverage of zone/area boundaries of PUC and SUC, Tourism Strip to other highly-developable areas within the city's territorial jurisdictions;

NOW THEREFORE, in motion of Hon. Bianca Camille U. Pello, SP-Chairman, Committee on Land Use, Public Works, Infrastructure and Special Projects, unanimously seconded, be it ordained by the Sangguniang Panglungsod that:

SECTION 1. The following provisions of City Ordinance No. 97-93 (as amended), City Ordinance No. 2009-054 and City Ordinance No. 2014-279 is hereby amended to read as follows:

Section 7. Zone Area Boundaries

**AREA COVERAGE** – The following five (5) clustered barangays shall be covered by the foregoing amendment, to wit:

1. Maitim II-Central
2. Maitim II West
3. Kaybagal North
4. Patungong Malaki North
5. Guinhawa North

**NEW ZONE BOUNDARIES:**

**PRIMARY URBAN CORE (PUC)**

From the Boundary of Maitim 2nd East and Maitim 2nd Central with 100 meters depth both sides on road right-of-way line up to the approach of the new Tagaytay-Alibon (By-pass Road)

**TOURISM STRIP 2**

Beginning of the New By-pass Road at Barangay Maitim 2nd Central with 100 meters depth both sides of the road right-of-way line up to the Junction of Heroes Farm Road and New By-pass Road at Barangay Patungong Malaki North

**SECONDARY URBAN CORE**

Start from Junction of Heroes Farm Road and New By-Pass Road at Barangay Patungong Malaki North with 100 meters depth both sides of the road right-of-way line up to the boundary of PUC at Barangay Patungong Malaki North, from the boundary of PUC at Patungong Malaki North going to Guinhawa North up to the boundary of PUC at Barangay Zantial

**Section 3. Separability Clause.** If for any reason, any part of this Ordinance is declared unconstitutional or unlawful, such declaration shall not affect other parts or the sections hereof that are not declared unlawful or unconstitutional.

**Section 4. Effectivity.** This Ordinance shall take effect fifteen (15) days upon approval and publication in a local circulation or after posting of the same in conspicuous places.

Enacted: July 26, 2021 at Tagaytay City.

**CERTIFIED CORRECT:**

(SGD) CELSO F. DE CASTRO  
Acting Secretary to the Sanggunian

**APPROVED:**

(SGD) HON. AGNES D. TOLENTINO, DMD  
City Mayor

Publication: DIYARYO KABITENYO  
Date: September 13-19, 2021



Republic of the Philippines  
City of Tagaytay  
OFFICE OF THE SANGGUNIANG PANLUNGSOD



EXCERPTS FROM THE MINUTES OF THE 106TH REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF TAGAYTAY CITY HELD ON AUGUST 09, 2021 AT THE SANGGUNIANG SESSION HALL, 3/F HALL OF JUSTICE & LEGISLATIVE BLDG., KAYBAGAL SOUTH, TAGAYTAY CITY

CITY ORDINANCE NO. 2021-429

AN ORDINANCE CREATING THE CITY EPIDEMIOLOGY AND SURVEILLANCE UNIT (CESU) AND DIRECTING ALL STAKEHOLDERS TO REPORT ALL NOTIFIABLE DISEASES AND OTHER IMPORTANT HEALTH DATA, NECESSARY IN THE PRIORITIZATION AND IMPLEMENTATION OF HEALTH PROGRAMS AND PROJECTS IN THE CITY OF TAGAYTAY, AND CLARIFYING THE MANDATE, FUNCTIONS, MANPOWER AND LOGISTIC REQUIREMENTS OF SUCH UNIT

SPONSOR: HON. ATHENA BRYANA D. TOLENTINO

**WHEREAS**, the City of Tagaytay is committed to the national mission of providing quality, equitable and accessible health services for all as a fundamental human right of every person;

**WHEREAS**, as provided in Section VI-c 4 of Administrative Order No. 2010-0036, health-related Millennium Development Goals (MDG) of the Aquino prevent and control communicable disease, adequate surveillance and preparedness for emerging and reemerging diseases;

**WHEREAS**, also provided in the above-mentioned Administrative Order, particularly Section VI the Department of Health shall engage local health systems (provinces and their component LGUs, cities, private and public health care providers, local partners, and families) through the formation of regional clusters based on their catchment areas as also supported by Section VII-C 4 which states that "Local Government Units are encouraged to organize private sector for effective delivery of health service packages, and whenever appropriate, contract private providers to supplement available services or provide other services that cannot be delivered by existing public providers";

**WHEREAS**, Resolution 4813 (1995) of World Health Assembly (WHA) urges Member states to Strengthen active Surveillance, improve infectious disease diagnostic capacity, enhance communications, encourage antimicrobial sensitivity testing, foster national antimicrobial practices, increase skilled staff in epidemiology efforts, promote applied research and accurate and timely reporting;

**WHEREAS**, Article 5-F (Surveillance) of International Health Regulations (IHR) of 2005 urges Member States to develop, strengthen and maintain as soon as possible but no later than five years from the entry into force of these Regulations, the capacity to detect, assess, notify and report events in accordance with these Regulations;

**WHEREAS**, Republic Act 5573 (Law on Reporting of Communicable Diseases and Act Providing for the prevention and Suppression of Dangerous Communicable Diseases, November 26, 1929) requires all individual and health facilities to report notifiable diseases to local and national health authorities;

**WHEREAS**, under Administrative Order No. 2003-0023 (Implementing Guidelines for formula use for Health as Framework for health Reform) states that "Disease Surveillance shall be intensified to ensure that the targets for disease elimination, prevention and control are attained";

**WHEREAS**, under Administrative Order No. 2007-0036 (Guidelines on the Philippine Integrated Disease Surveillance and Response (PIDSR) Framework) provides a framework for PIDSR to guide its implementations at all levels of the health care delivery system as well as both the republic and private sectors;

**WHEREAS**, Republic Act 10121 (Philippine Disaster Risk Reduction and Management Act of 2010) stipulates the different measures that the national, regional, local government need to plan and implement in preparation for and response to an emergency and disaster, Section 9 (f) to develop and ensure the implementation of national standards in carrying out disaster risk reduction programs including preparations, mitigation, prevention, response and rehabilitation works from data collection and analysis, planning, implementation, monitoring and evaluation. Section 9 (k) ensures that government agencies and LGUs give top priority and take adequate and appropriate measures in disaster risk reduction and management. The organization at the Local Government Level, Section 11 states that the existing Provincial, City and Municipal Disaster Coordinating Councils, and for the Barangay Development Councils, which shall serve as the Local Disaster Risk Reduction and Management Council (LDRM-C).

**WHEREAS**, the City Health office and different tasks on Surveillance in Post-Extreme Emergencies and Disasters (SPEED) manual and Hazard Prevention and Vulnerability Reduction plan in Health and Health Hazards of the Health Emergency and Management System (HEMS).

**WHEREAS**, disease surveillance is a critical component of public health systems, providing essential information for the optimal health care delivery and cost-effective disease control and prevention strategies;

**WHEREAS**, timely reporting of vital health information will help the policy makers to formulate strategies for appropriate interventions or actions to address health problem.

WHEREAS, a functional health or disease surveillance system is useful for priority setting, planning resource mobilization and allocation, prediction and early detection of epidemics and monitoring and evaluation of health programs;

WHEREAS, City Epidemiology and Surveillance Unit (CESU) should provide "total quality" epidemiology services and these include services related to health information systems, outbreak investigations and control, health status assessment, program monitoring and evaluation, and health education/training;

WHEREAS, the Sangguniang Panlungsod believes that an effective disease control and prevention can be realized with a functional disease surveillance system;

NOW, THEREFORE, on motion of Hon. Athena Bryana D. Tolentino, duly seconded by all Members present;

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF TAGAYTAY IN SESSION DULY ASSEMBLED PHYSICALLY AND VIRTUALLY (ONLINE), THAT :

**SECTION 1. TITLE.** This ordinance directing all stakeholders to report all notifiable diseases and other important health data necessary in prioritizing and implementation of health programs and projects in the city shall be known as the "Tagaytay City Epidemiology and Surveillance Unit or CESU Ordinance".

**SECTION 2. DEFINITION OF TERMS.** As used in this Ordinance, the following terms shall mean:

- Epidemiology – refers to the study of the distribution and determinants of Health related states or events in specified populations, and the application of this study to control health problems;
- CESU – refers to the City Epidemiology and Surveillance Unit;
- Notifiable Disease – refers to disease that, by virtue of Administrative Order No. 2008-0009, must be reported to the public health authority in the pertinent jurisdiction where the diagnosis is made, such is categorized into two according to the urgency of reporting namely:

a.1. Immediately Notifiable Disease/Syndrome, Events and Conditions (Category I);

| Name of Disease/Syndrome                                | ICD10 Code |
|---|------------|
| 1. Acute Flaccid Paralysis (AFP) syndrome               |            |
| 2. Adverse Event Following Immunization (AEFI) syndrome |            |
| 3. Anthrax  | A22        |
| 4. Human Avian Influenza                                | J10        |
| 5. Measles  | B05        |
| 6. Meningococcal Disease                                | A39        |
| 7. Neonatal Tetanus                                     | A33        |
| 8. Paralytic Shellfish Poisoning                        | T61.2      |
| 9. Rabies   | A82        |
| 10. Severe Acute Respiratory Syndrome                   | U04.9      |
| 11. Outbreaks   |            |
| 12. Clusters of Diseases                                |            |
| 13. Unusual Diseases or Threats                         |            |

a.2. Weekly Notifiable Disease/Syndrome (Category II);

| Name of Disease/Syndrome            | ICD10 C Code |
|-------------------------------------|--------------|
| 1. Acute Bloody Diarrhea Syndrome   |              |
| 2. Acute Encephalitis Syndrome      |              |
| 3. Acute Hemorrhagic Fever Syndrome |              |
| 4. Acute Viral Hepatitis            | B15-B17      |
| 5. Bacterial Meningitis             | A87          |
| 6. Cholera                          | A00          |
| 7. Dengue                           | A90-A91      |
| 8. Diphtheria                       | A36          |
| 9. Influenza-like illness           | J11          |
| 10. Leptospirosis                   | A27          |
| 11. Malaria                         | B50-B54      |
| 12. Non-Neonatal Tetanus            | A35          |

- Pertussis A37
- Typhoid and Paratyphoid Fever A01

d. Disaster – a serious disruption of the functioning of a society causing widespread human, material or environmental losses, which exceed the ability of the affected society to cope using only its own resources;

e. Emergency – any occurrence which requires immediate response;

f. Hazards – any phenomenon which has the potential to cause disruption or damage to human and the environment; and

g. Stakeholders – refer to health facilities such as hospitals, lying-in clinics, infirmaries, medical/surgical clinics, health centers, laboratories and all medical and nonmedical entities such as medical doctors, nurses, midwives, allied medical professionals and barangay health workers.

**SECTION 3. SCOPE AND COVERAGE.** All health facilities, such as Barangay Health Stations/City Health Offices, Private/Government hospitals, Lying-in clinics, infirmaries, medical/surgical clinics, health centers, laboratories and all medical and nonmedical entities such as medical doctors, nurses, midwives, allied medical professionals and Barangay health workers are hereby mandated to report all attended cases listed in Section 7 of this Ordinance either directly in the CESU or through their respective hospitals, city or barangay surveillance coordinators.

**SECTION 4. THE HEALTH SURVEILLANCE UNIT.** The Health Surveillance Unit of Tagaytay City shall be the City Epidemiology and Surveillance Unit (CESU).

**SECTION 5. COMPOSITION.** The City Epidemiology and Surveillance Unit (CESU) shall be composed of the following:

- City Epidemiology Surveillance Officer (Nurse III);
- Health Education Promotion Officer (Nurse III);
- City Epidemiology Nurse;
- City Epidemiology Clerk;
- Encoder;
- Disease Surveillance Coordinator (in every Hospital in the City of Tagaytay);
- Barangay Disease Surveillance Coordinator (in every Barangay); and
- Others, Disease Surveillance Coordinator (in every Private Clinic).

**SECTION 6. DUTIES AND RESPONSIBILITIES.** The City Epidemiology and Surveillance Unit (CESU) shall be responsible for collecting, analyzing and disseminating reliable and timely information on health status, investigate disease outbreaks and other threats to public health.

It shall develop and maintain surveillance and other health information system that generates accurate, reliable and timely information for decision making.

It shall establish network with sentinel hospitals, clinics and other surveillance units and shall support the surveillance activities and programs of the Provincial, Regional and National Epidemiology and Surveillance Unit.

The City Epidemiology Surveillance Officer (Nurse III) shall:

- Coordinate with hospitals, clinics and Barangay Disease Coordinators for the systematic and timely reporting of reportable disease and other relevant health data;
- Review pertinent hospital records and laboratory tests, verifying diagnosis based on standard case definition and interview patients for more specific information that is deemed necessary in controlling possible outbreak;
- Develop, maintain and evaluate public health surveillance systems in coordination with other LGUs, Government and Non-government Agencies and Regional or Central Health Agencies;
- Train or educate health personnel in epidemiologic methods including data collection, analysis and presentation;
- Collect, process, analyze and disseminate information on vital health statistics and programs;
- Develop training materials and information packages on Epidemiology and Public Health; and
- Collect, update and maintain reference materials on Epidemiology and Public Health.

The Health Education Promotion Officer (Nurse III) shall:

1. Assess needs, wants and capacity for Health Education,
2. Plan Health Education,
3. Implement Health Education,
4. Conduct evaluation and research related to Health Education,
5. Administer and manage Health Education,
6. Serve as a Health Education Resource Person, and
7. Communicate and advocate for Health and Health Education.

The City Epidemiology Nurse shall:

1. Implement Public Health Surveillances,
2. Monitor local health personnel conducting disease surveillance,
3. Conduct and/or assist other health personnel in outbreak investigation,
4. Assist in the conduct of rapid surveys and surveillance during disasters,
5. Assist in the conduct of surveys, program evaluations, and other epidemiology studies,
6. Assist in the conduct of training courses in Epidemiology,
7. Assist in the City Epidemiology in preparing the annual work and financial plan for the CESU, and
8. Be responsible for inventory and maintenance of CESU equipment.

The City Epidemiology Clerk shall:

1. Process reports and other papers,
2. File reports and correspondence,
3. Assist in the conduct of training courses in Epidemiology,
4. Assist in conducting disease surveillance, outbreak investigations and surveys, and
5. Be responsible for inventory and maintenance of CESU supplies and materials.

The Encoder shall be responsible for data entry and generate computer outputs of all reportable data for easy analysis of the end users.

The hospitals, Private Clinics and Barangay Surveillance Coordinators shall be responsible for active case finding and investigation of all reportable cases and other health information in hospital and community respectively. They shall be responsible for the accomplishment and submission of surveillance forms to the CESU at the City Health Office.

The Assistant Officers and Coordinators shall help their respective health officer or coordinator in performing their respective tasks and shall act as the alternate whenever necessary.

**SECTION 7. The City Epidemiology and Surveillance Unit (CESU) will be guided by the following legal instruments:**

1. Republic Act 3573 (Law on Reporting of Communicable Disease) requires all individuals and health facilities to report notifiable disease to local and national authorities;
2. Administrative Order No. 2010-0006 (Implementing Guidelines for the Aquino Health Agenda (AHA) as framework of Unified Health Care, Section 55-C.4) states that health-related Millennium Development Goals (MDG) of the Aquino Health Agenda (AHA) shall be attained by ensuring public health measures to prevent and control communicable disease, adequate surveillance and preparedness for emerging and re-emerging diseases;
3. Administrative Order No. 2005-0023 (Implementing Guidelines for Formula One for Health as Framework for Health Reforms) states that "Disease surveillance shall be intensified to ensure that the targets for disease elimination, prevention and control are attained"; and
4. Administrative Order No. 2017-0034 ("Guidelines on the Philippines integrated disease Surveillance and Response (PIDSR) Framework"). This Administrative Order provides the framework for PIDSR to guide its implementation at all levels of the health care delivery system as well as both the public and private sectors.

**SECTION 8. REPORTABLE HEALTH DATA.** The following health data shall be reported to the City Health Office through the City Epidemiology and Surveillance Unit (CESU):

1. All notifiable disease as listed in the Administrative Order No. 2005-0009 - Adopting the Revised List of Notifiable Disease, Syndrome, Health Related Events and Conditions;

2. Deaths and cause of death;
3. Birth deliveries attended in the community and birthing facilities;
4. Immunizations given at birth;
5. Newborn screening done at health facilities;
6. Birth defects seen at the community and health facilities; and
7. Other health data which may be processed by the City Epidemiology and Surveillance Unit (CESU), Provincial Epidemiology and Surveillance Unit (PEU), Regional Epidemiology and Surveillance Unit (REU) or National Epidemiology Center - Department of Health (NEC-DOH).

**SECTION 9. GUIDELINES IN REPORTING.** The time frame for reporting health data to the City Epidemiology and Surveillance Unit (CESU) shall be the following:

1. Notifiable disease shall be reported based on the guidelines set by Administrative Order No. 2008-0009 - Adopting the 2008 Revised List of Notifiable Disease, Syndrome, Health Related Events and Conditions;
2. Death must be reported by relatives or attending medical or non-medical personnel within 48 hours or within 72 hours if death occurs on a Friday. If the cause of death however is due to suspected communicable disease or a medico-legal case, it should be reported as soon as possible within 24 hours;
3. Birth attended at birthing facilities shall be reported on a monthly basis. Birth attended at home or in the community however, shall be reported by traditional birth attendant, midwife, nurse, doctor or relative to the Barangay Surveillance Coordinator or to the nearest Health Center as soon as possible or within 48 hours after birth or within 72 hours if birth occurs on a Friday;
4. Immunization and newborn screening done at health facilities shall be reported on a monthly basis; and
5. Birth defects seen at birthing facilities or in the community must be reported as soon as possible to the CESU or to the nearest health center.

**SECTION 10. MANPOWER.** The City Epidemiology Surveillance Officer (Nurse III), Health Education Promotion Officer (Nurse III), City Epidemiology Nurse, City Epidemiology Clerk and Encoder shall be initially designated by the City Health Office and will be coming from the regular personnel of the health office. The City Government of Tagaytay must allocate funds to a designated City Epidemiology Surveillance Officer (Nurse III) preferably with training on Basic Epidemiology and Public Health Surveillance, Diseases, PIDSR or PDSR; City Nurse Epidemiology with training on basic Epidemiology and Public Health Surveillance, ePIDSR; City Clerk Epidemiology with training on basic Epidemiology and Public Health Surveillance, ePIDSR, and Encoder for the City Epidemiology and Surveillance Unit (CESU).

All health facilities such as hospitals, infirmaries and birthing facilities shall designate the Health Disease Surveillance Coordinators and Assistant Coordinators who shall become members of Tagaytay CESU.

All Barangay Chairpersons shall designate the Barangay Health Disease Surveillance Coordinators and Assistant Coordinators and shall likewise become part of Tagaytay CESU.

**SECTION 11. AUTHORITY TO REVIEW HEALTH RECORDS.** The City Epidemiology Surveillance Officer or his/her authorized representative, upon written recommendation or order of the City Health Office shall be authorized to review the chart or medical and laboratory records of patients suspected confirmed to have communicable disease or cases with potential or significant impact on the health status of the people of the City of Tagaytay. Records review however, shall be treated with utmost confidentiality and shall never be used other than that for disease or Health Surveillance or Investigation.

**SECTION 12. LOGISTICS.** In order for the CESU staff functions efficiently and effectively, the unit should be provided with the following:

1. An office equipped with:
  - a. Computer and printer with access to internet;
  - b. Phone and Fax machine;
  - c. Cellular phone/Handheld Radio or some mobile communication system; and
  - d. Refrigerator with freeze for storage of specimens.
2. With regular access to the following:

- a. Reproduction equipment (e.g. photocopier, mimeograph, Duplo machine).
  - b. Documentation equipment (e.g. digital camera, tape recorder, typewriter), and
  - c. Presentation equipment (e.g. laptop computer, LCD projector).
3. Office and Laboratory supplies and materials; and
  4. Vehicle with assigned driver.

**SECTION 13. CAPABILITY TRAINING OF CESU STAFF.** In order to upgrade their capabilities, CESU staff should be allowed to attend appropriate training courses and participate in the Annual Zonal Field Epidemiology Training Program Scientific Conference and upgrading seminars, provided that their attendance in such courses does not disrupt the delivery of vital health services.

**SECTION 14. PENAL PROVISIONS.** The following administrative sanctions shall be imposed upon individuals or institutions or facilities found to have violated the provision of this Ordinance:

1. Against Public Employees. In accordance with the Administrative Code and Permanent Civil Services Rules and Regulations, erring government employees found to be liable and depending on the gravity of the violation shall be imposed the appropriate penalty by the disciplining authority:

|                |   |
|----------------|---|
| First Offense  | Reprimand                                       |
| Second Offense | Suspension for One (1) to Thirty (30) days; and |
| Third Offense  | Dismissal from office                           |

2. Against private individuals, health institutions/facilities, Person/ Institutions/Facilities who violate this Ordinance and/or its Implementing Rules and Regulations shall upon conviction be punished with the penalty of:

|                |  |
|----------------|--|
| First Offense  | Fine of Php 3,000.00,  |
| Second Offense | Fine of Php 4,000.00, and  |
| Third Offense  | Fine of Php 5,000.00 and recommendation for Suspension of Business Permit, Health and Sanitation Permit, or Occupational Mayor's Permit. |

**SECTION 15. APPROPRIATION.** The City Health Office shall submit a work and financial plan for the CESU. The City Government of Tagaytay shall appropriate a budget for the effective implementation of the proposed work and financial plan from appropriation funding sources.

**SECTION 16. SEPARABILITY AND REPEALING CLAUSE.** In the event that any clause, sentence, paragraph or part of this Ordinance shall be declared invalid or void, the other provisions shall not be affected thereby. All other ordinances, resolutions of this Ordinance are hereby repealed, amended or modified.

**SECTION 17. EFFECTIVITY.** This Ordinance shall take effect 15 days upon approval of the Sangguniang Panglungsod and other compliance with the printing/publication requirements as provided in the Local Government Code of 1991 (RA 7160).

ENACTED: August 09, 2021

CERTIFIED CORRECT:

(SGD) CELSO F. DE CASTRO  
Acting Secretary to the Sanggunian

APPROVED:

(SGD) HON. AGNES D. TOLENTINO, DMD  
City Mayor

Publication: DIARYO KABITENYO  
Date: September 13-19, 2021



Republic of the Philippines  
City of Tagaytay  
OFFICE OF THE SANGGUNIANG PANGUNGOD



EXCERPTS FROM THE MINUTES OF THE 100th REGULAR SESSION OF THE SANGGUNIANG PANGUNGOD OF TAGAYTAY CITY HELD ON AUGUST 23, 2021 AT THE SANGGUNIANG SESSION HALL, 1/F HALL OF JUSTICE & LEGISLATIVE BLDG., MAHOGANY MARKET COMPLEX, KAYBAGAL SOUTH, TAGAYTAY CITY

ORDINANCE NO. 2021-032

**AN ORDINANCE PROHIBITING THE USE, SALE, DISTRIBUTION, AND ADVERTISEMENT OF CIGARETTES AND OTHER TOBACCO PRODUCTS, ELECTRONIC NICOTINE AND NON-NICOTINE DELIVERY SYSTEMS, HEATED TOBACCO PRODUCTS AND OTHER NOVEL TOBACCO PRODUCTS, IN CERTAIN PLACES, IMPOSING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING FUNDS THEREFOR, TO INSTILL HEALTH CONSCIOUSNESS AND FOR OTHER PURPOSES**

SPONSOR: HON. ATHENA BRYANA D. TOLENTINO

WHEREAS, the 1987 Constitution of the Republic of the Philippines declares that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, the Republic of the Philippines as a party to the World Health Organization Framework Convention on Tobacco Control (FCTC) gives priority to the right to protect public health and to promote measures of tobacco control based on current and relevant scientific, technical and economic considerations, and agreed to implement all the measures provided in the treaty;

WHEREAS, the Local Government Code of 1991 (Republic Act No. 7160) accords every local government unit the power and authority to promote general welfare within its territorial jurisdiction, including the promotion of health and safety of its constituents;

WHEREAS, the Philippine Clean Air Act of 1999 (Republic Act No. 3749) declares the right of every citizen to breathe clean air, prohibits smoking inside enclosed public places, including public vehicles and other means of transport, and directs local government units to implement this provision;

WHEREAS, the Tobacco Regulation Act of 2003 (Republic Act No. 9211) prohibits smoking in certain public places whether enclosed or outdoors in certain places; prohibits the purchase and sale of cigarettes and other tobacco products to and by minors and in certain places frequented by minors; imposes bans and restrictions on advertising, promotion, and sponsorship activities of tobacco companies; and directs local government units to implement these provisions;

WHEREAS, the Civil Service Commission Memorandum (CSC) Circular No. 17 series of 2009 prohibits smoking in premises, buildings, and grounds of government agencies providing health, education or social welfare and development services such as hospitals, health centers, schools and universities, and colleges, provision for specific requirements for designated smoking areas;

WHEREAS, the Land Transportation Franchising and Regulatory Board (LTFRB) Memorandum Circular 2009-036 provides that drivers and operators of public utility vehicles are responsible for preventing smoking in public transportation and posting specified "No Smoking" signs in their vehicles;

WHEREAS, the Civil Service Commission-Department of Health Joint Memorandum Circular No. 2010-01 prohibits government officials and personnel from interacting with the tobacco industry and those representing their interests unless strictly necessary to effectively regulate, control, or supervise them;

WHEREAS, the Universal Health Care Act of 2019 (Republic Act No. 11223) directs local government units to enact stricter ordinances that strengthen and broaden existing health policies and implement effective programs that promote health literacy and healthy lifestyle among their constituents to advance population health and individual wellbeing, reduce the prevalence of non-communicable diseases and their risk factors, particularly tobacco and alcohol use;

WHEREAS, the National Internal Revenue Code of 1997 as amended in 2020 (Republic

Act No. 31467) directs the Food and Drug Administration (FDA) to periodically determine and regulate, consistent with existing medical and scientific studies, the manufacture, importation, sale, packaging, advertising, and distribution of vapor and heated tobacco products, including limiting sale to non-smokers or persons below age twenty-one (21), and banning of flavors. Local government units, in the pursuit of common health goals, must then act to ensure effective enforcement of these measures within their jurisdictions.

WHEREAS, the Executive Order No. 108 series of 2020 directs local government units to adopt and implement the nationwide smoking and vaping ban and to strengthen existing measures to secure non-smokers, including the regulation on sale, distribution, and availability of cigarettes and other tobacco products, electronic nicotine and non-nicotine delivery systems (ENDS/ENNS), heated tobacco products (HTPs) and other novel tobacco products.

WHEREAS, the City Government of Tagaytay recognizes that local governments must act with urgency to disseminate the culture of tobacco consumption, smoking and vaping through comprehensive and proven-effective tobacco control measures to prevent the initiation of non-users and the youth and prevent exposure to harmful chemical and emissions that pose risks to health, while providing a supportive environment to those attempting to quit smoking and vaping.

NOW, THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED, BY THE KANGUNIANG PANGSODORAYAN, IN SESSION ASSEMBLED, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, THAT:

**Section 1. Title.** — This Ordinance shall be known as the "Comprehensive Smoke-Free Ordinance of the City of Tagaytay."

**Section 2. Purpose.** — The purpose of this Ordinance is to safeguard public health and ensure the well-being of all its constituents from the harmful effects of smoking, tobacco consumption, and vaping by decreasing the public's exposure to its marketing and advertising, restricting its use, sale, distribution, and accessibility, and providing a supportive and conducive environment for users to quit.

**Section 3. Coverage.** — This Ordinance shall apply to all persons, natural or juridical, resident or non-resident, and in all places, found within the territorial jurisdiction of Tagaytay City.

**Section 4. Definition of Terms.** — As used in this Ordinance, the terms below shall have the meanings ascribed to them in this section. Any words or terms not defined shall be given their plain and customary meanings, unless the context requires otherwise, and shall be interpreted in a manner consistent with the purpose and spirit of this Ordinance.

- a. **Advertising and promotion** — means any form of commercial communication, communication or action with the aim, effect or likely effect of promoting tobacco products, ENDS/ENNS, HTPs, or their components, or the use thereof, either directly or indirectly.
- b. **Civil Society Organization (CSO)** — refers to a legally constituted voluntary civic and social organization or association created with no participation of government, including but not limited to, churches, development non-governmental organizations (NGOs), community groups, women's organizations, faith-based organizations, professional associations, coalitions and advocacy groups duly recognized by the Office of the Mayor provided such organizations, institutions or associations is not directly or indirectly related to, connected and/or associated with, recipient or conduct of, or act as front groups of the tobacco and/or electronic cigarette industry.
- c. **Designated Smoking/Vaping Area (DSVA)** — refers to an outdoor space, duly approved by the City Health Officer where smoking and/or vaping may be allowed without violating this ordinance, subject to specific requirements:
  - 1) It shall be located in an open space outside the building with no pavement or temporary roof or walls.
  - 2) It is not located in or within ten (10) meters from entrances, exits, or any place where people pass or congregate, or in front of air intake ducts.
  - 3) It shall not have an area larger than 75 square meters.
  - 4) Food or drinks are not served.
  - 5) No building shall have more than one designated smoking/vaping area.
  - 6) The entry of persons below the age of 21 shall not be allowed.
  - 7) Highly visible signage with the following messages should be prominently displayed:
    - a) "Smoking/Vaping Area" signage with a message showing "Please do not use

allowed within these premises"

b) Graphic health warnings on the effects/harms of tobacco, electronic cigarette and heated tobacco use or exposure.

c) Information on cessation hotline and/or cessation clinic/services.

It shall not be located in places where absolute smoking/vaping ban are in effect, such as, but not limited to: centers of youth activity such as playgrounds, proprietary schools, elementary schools, high schools, colleges and universities, youth centers and recreational facilities for persons under twenty-one (21) years old, elementary and starwells, locations in which fire hazards are present, including gas stations and storage areas for flammable liquids, gas, explosives or combustible materials, within the buildings and premises of public and private hospitals, medical, dental, and optical clinics, health centers, nursing homes, dispensaries and laboratories, food preparation areas, public conveniences and in enclosed, partially enclosed and outdoor areas of transport terminals that are used outdoors and entry or where people pass or congregate, within the buildings of all government facilities and premises of all offices of the Department of Health, Department of Education, Commission on Higher Education, Department of Social Welfare and Development and the Civil Service Commission, and shall likewise include parks, plazas, playgrounds, sports, and recreational facilities, and other facilities where an absolute smoking/vaping ban is imposed under special laws, resolutions, administrative and executive orders, memorandums circulars and related policies.

9) It shall have a receptacle for proper disposal of refuse from tobacco products or disposable components of electronic devices.

**J. Electronic Nicotine and Non-Nicotine Delivery Systems (ENDS/ENNS)** — refers to a battery-operated device that heat a liquid or e-liquid which may or may not contain nicotine to produce aerosol, mist, or vapor that users inhale by inhaling the act of smoking. They are also commonly known as **electronic cigarettes/e-cigarettes, vapor products, e-cigs, e-cigs pens, electronic e-shisha, e-shisha, e-shisha and other similar or related devices.**

**K. Enclosed or partially enclosed** — means being covered by a roof or ceiling by one or more walls or sides, regardless of the type of material used for the roof, wall or sides, and regardless of whether the structure is permanent or temporary.

**L. Heated Tobacco Product (HTP)** — refers to tobacco products that contain highly-addictive substance nicotine and/or non-tobacco additive and flavorings that produce aerosols, which are inhaled by users through the mouth. HTPs mimic the behavior of smoking conventional cigarettes, and some make use of specifically designed cigarettes to contain tobacco for heating.

**M. Minimum Legal Age (MLA)** — refers to twenty-one (21) as the minimum age at which a person is legally allowed to use, sell or purchase tobacco or electronic cigarette products within the territorial jurisdiction of Tagaytay City.

**N. Novel Tobacco Products** — refers to all substances, devices and innovations entirely or partly made of tobacco leaf or its material, already existing or to be developed in the future, intended to be used as substitutes for cigarettes, conventional tobacco products, ENDS/ENNS or HTPs.

**O. Outdoor advertisement** — refers to any sign, model, placard, board, billboard, banner, hanging, print, signpost, post-er, light display, video digital display, appanel, device, structure or representation, used outdoors and wholly or partially visible from the outside to advertise or promote a tobacco product ENDS/ENNS/HTPs or their components, or the use thereof, either directly or indirectly to the public.

**P. Person-in-charge** — refers to the president/manager in case of a company, corporation, partnership or association, the owner/proprietor/operative in case of a single proprietorship, the administrator in case of government property, facility, office or building, the owner/in-charge/contractor/manager in case of public construction, and the city schools superintendent, school president, dean or principal in case of schools or universities.

**Q. Point-of-sale** — refers to a physical area where tobacco/electronic cigarette and heated tobacco products or their components are sold and bought.

**R. Public conveyance** — refers to modes of transportation servicing the general population, such as but not limited to, airplanes, ships, boats, ferries, buses, ferries, maritime, maritime service vehicles/Transport Network, Vehicle Services, taxis, light rail systems, wheelchair and other means of public transport.

**S. Public place** — means all places, land or water, that are accessible or open to the public or places for collective use, regardless of ownership or right to access, including



but not limited to schools, workplaces, government facilities, establishments that provide food and drinks, accommodation, merchandise, professional services, entertainment or other services. It also includes outdoor spaces where facilities are available for the public or where a crowd of people would gather, such as, but not limited to, playgrounds, sports grounds or centers, mall grounds, church grounds, health/hospital compounds, transportation terminals, markets, parks, resorts, walkways/sidewalks, entrance ways, waiting areas, and the like.

**n. Second-hand smoke (SHS)/Second-hand vaping aerosol (SHVA)** - means the smoke, aerosol or emission coming from the burning end/heat component of a cigarette/ other tobacco products including heated tobacco products, and electronic cigarettes and other similar devices, usually in combination with the smoke, aerosol or emission exhaled by the smoker/vaper.

**o. Smoke-free air** - refers to the air that is 100% free from tobacco smoke, but is not limited to, the air in which tobacco smoke cannot be seen, smelled, sensed or measured. Similarly, vape aerosol-free air refers to the air that is 100% free from vaping (e-cigarette) aerosol.

**p. Smoking** - means being in possession or control of a lit tobacco product regardless of whether or not the smoke or emission is being actively inhaled or exhaled, or the act of inhaling and exhaling the smoke or aerosol produced by a heated tobacco product (HTP) or other similar devices.

**q. Sponsorship** - means any form of a contribution to any event, activity or individual with the aim, effect or likely effect of promoting tobacco products, ENDS/ENNDS, HTPs, or their components, or the use thereof, either directly or indirectly.

**r. Tobacco Product** - means products entirely or partly made of the tobacco leaf as raw material which is manufactured to be used for smoking, sucking, chewing or snuffing, such as but not limited to cigarette, cigar, pipe, shisha/hookah and chew tobacco. This likewise applies to heated and smokeless tobacco products, traditional and novel tobacco products, and related consumer products.

**s. Tobacco Industry** - refers to organizations, entities, associations, and individuals that work for or in behalf of the tobacco industry, such as, but not limited to, tobacco manufacturers, wholesale distributors, importers of tobacco products, tobacco retailers, front groups and any other individuals or organizations, including, but not limited to lawyers, scientists, and lobbyists that work to further the interests of the tobacco industry that compete with those of tobacco control. In a similar context, those that belong to or work to further the interests of those involved in electronic cigarette products are referred to as the Electronic Cigarette (E-Cigarette) Industry.

**t. Tobacco Industry Interference** - refers to a broad array of tactics and strategies used by the tobacco industry to interfere with the setting and implementation of tobacco control measures. In this light, interference by the Electronic Cigarette (E-Cigarette) Industry can be referred to as Electronic Cigarette (E-Cigarette) Industry Interference.

**u. Vaping** - refers to being in possession or control of a powered ENDS/ENNDS or HTP, regardless of whether the emission in the form of smoke, vapor or aerosol is being actively inhaled or exhaled.

**v. Workplace** - means any place used by people during their employment or work, whether done for compensation or voluntarily, including all attached or associated places commonly used by the workers in the course of their work (for example, corridors, elevators, stairwells, toilets, lobbies, lounges). Vehicles used in the course of work are considered workplaces.

**Section 5. Prohibited Acts.** - The following acts are declared unlawful and prohibited by this Ordinance:

#### USE, SALE, DISTRIBUTION, ADVERTISING AND PROMOTION

a. Smoking and/or vaping in enclosed or partially enclosed public places, workplaces, public conveyances (whether mobile or stationary), or other public places, such as those enumerated under Section 4 (f), except in Designated Smoking/Vaping Areas duly approved and fully compliant with the requirements under Section 4 (c).

b. For persons-in-charge to allow, abet or tolerate smoking and/or vaping in places enumerated in the preceding paragraph, outside of the duly approved Designated Smoking/Vaping Area under Section 4 (c).

c. Selling, distributing or purchasing tobacco, electronic cigarette, and heated tobacco products and/or its components to or from persons below age twenty-one (21).

(Proof of Age Verification - In case of doubt as to the age of the buyer, retailers shall verify by means of a valid form of photographic identification and proof of age card containing the date of birth of the bearer (i.e. driver's license, passport, voter's ID) that no individual purchasing tobacco, electronic cigarette or heated tobacco product is below the age of 21 as per this ordinance).

d. Use, sale or purchase of tobacco, electronic cigarette, and heated tobacco products and/or its components by persons below age 21.

e. Ordering, instructing or compelling a person below age 21 to use, light up, buy, sell, distribute, deliver, advertise or promote tobacco, electronic cigarette, and heated tobacco products.

f. Selling or distributing tobacco, electronic cigarette, and heated tobacco products and/or its components in a school, public playground or other facility frequented by persons below age 21, offices of the Department of Health (DOH) and its attached agencies, hospitals and health facilities or within 100 meters from any point in the perimeter of these places, within premises of a government facility, establishments that serve food and drinks or provide accommodation and entertainment.

g. Selling tobacco, electronic cigarette and heated tobacco products and/or its components without a valid city business permit and license to sell.

h. Manufacturing, distributing, marketing or selling of unregistered or adulterated electronic cigarettes and components thereof in the form of devices, e-liquids, solutions or refills whether physically part of or intended to be used with electronic cigarettes, heated tobacco products and other novel tobacco products.

i. Selling of e-liquids, solutions or refills forming components of electronic cigarettes or heated tobacco products, without prejudice to the registration requirements that may be set forth by the Food and Drug Administration in accordance with R.A. Nos. 9711 and 11467.

j. Selling of devices forming components of electronic cigarettes or heated tobacco products not compliant with product standards that may be imposed by the Department of Trade and Industry and the Food and Drug Administration in accordance with R.A. Nos. 7394 and 11467.

k. Manufacturing, distributing, importing, marketing and selling of electronic cigarettes, heated tobacco products or their components, without prejudice to the licensing requirements that may be set forth by the Food and Drug Administration.

l. Importing unregistered or adulterated electronic cigarettes, heated tobacco products or components thereof.

m. Selling of tobacco, electronic cigarette, and heated tobacco products and/or its components removed from its original product packaging or sold as individual pieces or per stick, or in packs containing less than 20 sticks/pieces in case of tobacco products and heated tobacco product refills/best sticks.

n. Selling tobacco, electronic cigarette, and heated tobacco products and/or its components without the appropriate government-issued health warning.

o. Selling tobacco, electronic cigarette, and heated tobacco products and/or its components knowingly or inadvertently to persons who have never smoked or vaped.

p. Selling or distributing of sweets, snacks, toys, accessories, apparel or any other objects in the form of or bearing resemblance in the logo, insignia, packaging or distinguishable design elements of tobacco, electronic cigarette, heated tobacco products and/or its their components, including imitations thereof, which may appeal to persons below age 21.

q. Placing cinema or outdoor advertisements of tobacco, electronic cigarette and heated tobacco products and/or its components.

r. Placing, posting, displaying, wearing or distributing advertisement and promotional materials of tobacco, electronic cigarette, and heated tobacco products and/or their components, such as but not limited to leaflets, posters, display structures, video/digital displays, accessories, apparel and other materials within an establishment when such establishment, or its location, is prohibited or not licensed to sell and distribute tobacco, electronic cigarette, heated tobacco products, and/or their components, and are not adult-only establishments.

s. Conducting promotional activities, campaigns, events, product sampling, and other

similar activities where the establishment or its location prohibits selling, distributing and purchasing of tobacco, electronic cigarette, heated tobacco products, and its components, and where persons below age 21 are allowed entry;

- a. Displaying and placing tobacco, electronic cigarette and heated tobacco products and/or its components in open store shelves/racks, except in enclosed, opaque and single-sided storage/containers.

#### ONLINE SALE, DISTRIBUTION, ADVERTISING AND PROMOTION

- a. Selling, distribution, advertising and promotion of tobacco, electronic cigarette, heated tobacco products and/or related components/products in online platforms is continue subject to permanent regulatory guidelines of the Food and Drug Administration (FDA) and other concerned agencies.

#### ENGAGEMENT AND SPONSORSHIP INVOLVING THE TOBACCO/ E-CIGARETTE INDUSTRY

- a. Facilitation, participation or partnership involving any government official or personnel of the City Government of Tagaytay regardless of employment status (permanent, casual, contractual, job order, simulan or special appointment) in any form of contribution, favor, sponsorship or corporate social responsibility.
- b. (CSR) activity, event, program or project by a tobacco/electronic cigarette company, tobacco/electronic cigarette industry firm groups, or any representation working to protect or promote tobacco/electronic cigarette industry interests, executed for and in behalf of and within the territorial jurisdiction of Tagaytay City, with the aim, effect or likely effect of promoting a tobacco/electronic cigarette product, its use either directly or indirectly.

#### Section 6. Duties and Obligations of Persons-in-Charge. — Persons-in-charge shall:

- a. Prominently post and display the "No Smoking/No Vaping" symbol, in the locations most visible to the public in the areas where smoking and vaping is prohibited. At the very least, the "No Smoking/No Vaping" signage must be posted at the entrance to the area, which shall be at least 8 x 11 inches in size, where the symbol shall occupy no less than 60% of the signage. The remaining 40% of the signage shall show the pertinent information/ precautionary statements, as follows:



**STRICTLY NO SMOKING AND NO VAPING**

As per **ORDINANCE NO. 2021-418**

Violators can be fined up to **Php5,000.00**

Report violations to: [ **HOTLINE Number/Online Contact Info** ]

As for the Designated Smoking/Vaping Area (DSVA), after complying with the specifications in Section 4 (c), prominently display the following elements in the signage:

**"DESIGNATED SMOKING/VAPING AREA"**  
or **"SMOKING/VAPING AREA"**

"Persons below 21 not allowed within these premises"

Place Graphic/Picture-based Health Warning on the effects  
or health risks of  
tobacco, electronic cigarette and heated tobacco product  
use within the signage]

[ if available, place the number of Smoking Cessation Hotline/Online Contact Info ]

- b. Prominently post and display the "No Smoking/No Vaping" signage in the most conspicuous location within the public conveyance. At the very least, a three and a half (3.5) square inch "No Smoking/No Vaping" signage shall be placed on the windshield and a ten (10) square inch "No Smoking/No Vaping" sign at the driver's back seat.

Remove from all places where smoking and/or vaping is prohibited all ashtrays

and any other receptacles for disposing of cigarette, electronic cigarette, and heated tobacco refuse;

- c. For persons-in-charge of government property, facility, office or building, secure a certification/permit from the duly authorized officer or representative of the Civil Service Commission after inspection and approval prior to establishing a Designated Smoking/Vaping Area (DSVA).
- d. For person-in-charge of commercial establishments/buildings or other non-government facilities intending to establish a DSVA, secure a certification/permit from the City Building/Engineering and Health Officers after complying with the requirements for a DSVA, as stated in Section 4 (c).
- e. For persons-in-charge of schools, public playgrounds or other facilities frequented by persons below age 21, offices of the DOH and attached agencies, hospitals and health facilities, post the following statement in a clear and conspicuous manner:

#### SELLING, ADVERTISING AND PROMOTING CIGARETTES, ELECTRONIC CIGARETTES, HEATED TOBACCO, OTHER TOBACCO PRODUCTS, AND/OR ITS COMPONENTS NOT ALLOWED WITHIN 100 METERS FROM ANY POINT IN THE PERIMETER OF [NAME OF SCHOOL / PLAYGROUND / FACILITY FOR PERSONS BELOW 21 / HEALTH FACILITY / ETC.]

- c. For persons-in-charge of schools, public playgrounds or other facilities frequented by persons below age 21, offices of the DOH and attached agencies, hospitals and health facilities, report to the Smoke/Vape-Free Task Force any sale, advertisement or promotion of tobacco, electronic cigarette, heated tobacco products, and/or any of its components located within 100 meters from its perimeter.
- d. For persons-in-charge of establishments intending to sell tobacco/electronic cigarette, heated tobacco products, and/or any of its components secure a valid business permit and license to sell in retail or wholesale from the city's Business Permits and Licensing Office, and shall comply with all essential requirements as directed by other regulatory agencies, if applicable.
- e. For persons-in-charge of approved point-of-sale establishments, post the following notice, together with a graphic/picture-based health warning on the health consequences of tobacco, electronic cigarette, and heated tobacco use and exposure, as prescribed by the City Health Office, in a clear and conspicuous manner:

#### SALE/DISTRIBUTION OF TOBACCO, ELECTRONIC CIGARETTES, HEATED TOBACCO PRODUCTS, AND/OR ANY OF ITS COMPONENTS, TO PERSONS BELOW AGE 21 IS UNLAWFUL

- a. For persons-in-charge of approved point-of-sale establishments, remove all forms of tobacco, electronic cigarette and heated tobacco product, and/or any of its components' advertisement/promotions pamphlets prohibited by this Ordinance.
- b. For persons-in-charge of approved point-of-sale establishments, secure approval from the City Health Office for storages or containments of tobacco/electronic cigarette/heated tobacco product, and/or any of its components. Only a listing of the available product's component's brand/variants sold at the point-of-sale establishment is allowed to appear outside of the storage or containment, where such listing shall only be written/printed in any plain font, and without any recognizable product or brand typefaces, logo, icons or markings. Such list shall not occupy more than (25%) of the exposed side of the storage or containment.
- c. For persons-in-charge of approved point-of-sale establishments, ensure that storages or containments of tobacco/electronic cigarette/heated tobacco product and/or its components are opened only by the store personnel/manager at the counter during actual purchase, or when being replenished, cleaned or inspected.
- d. Establish internal procedures and measures through which this Ordinance shall be implemented and enforced within the area of which he or she is in charge. This includes compliance with smoking and/or vaping sales, distribution, advertising and promotions restrictions (i.e. warning smoking/vaping violators in banned areas and requesting them to stop smoking/vaping, and if they refuse to comply, asking them to leave the premises, and if they still refuse to comply, reporting the incident to the City Health Office, the nearest peace officer, or to any member of the Smoke/Vape-Free Task Force through its hotline or by other means).

- m. Ensure that all the employees in the establishment and government offices are aware of this Ordinance and the procedure and measures for implementing and enforcing it.
- n. Allow inspectors acting under Sections 14 and 15 hereof, which may include other members of the Task Force and the designated civil society organizations under Section 16, entry into the establishment, public conveyance and government offices and facilities during regular business hours for the purpose of inspecting its compliance with this Ordinance.
- o. For all signage required to be posted under (a), (b), (c), and (d) above, provide for versions of them in the local language (Ilocos) or in English.

**Section 7. Permits/Liable.** — The following persons shall be liable under this Ordinance:

- a. Any person or entity who commits any of the prohibited acts stated in Section 3 hereof, provided, if the violator is a minor, the apprehending officer from the Task Force shall report the incident to the school principal/Dean exercising jurisdiction over the violator where he shall be required to comply with disciplinary measure imposed by the school/university where he/she is enrolled, or release to the City Social Welfare and Development Office for appropriate action or intervention pursuant to Republic Act 9344 or the Juvenile Justice and Welfare Act. Should the school/university have no policy for offenders committed by their students outside school premises or if the violator is an out-of-school youth, the officer shall endorse the violator to the City Social Welfare and Development Office, which may involve the parents or guardians and/or a Barangay Official where the violator is a resident, in carrying out disciplinary measures.
- b. Persons-in-charge who knowingly allow, abet, authorize or tolerate the prohibited acts enumerated in Section 3, or who otherwise fails to fulfill the duties and obligations enumerated in Section 6 hereof.

**Section 8. Penalties.** — The following penalties shall be imposed on violators of this Ordinance:

**a. Violation of Section 5 (a) & (b) Smoking/Vaping or Allowing Smoking/Vaping and Section 6 (a) to (d) Duties and Obligations of Persons-in-Charge**

- i. First Offense: P 1,000.00
- ii. Second Offense: P 2,000.00
- iii. Third and Subsequent Offenses: P 3,000.00, or imprisonment for a period not exceeding six (6) months, or both at the discretion of the court.

Suspension or revocation of business license or permit may be prescribed in case of a business entity or establishment, if applicable.

**b. Violation of Section 5 (c) to (e) Sales/Access Restriction and Advertising and Promotions Ban**

- i. First Offense: P 3,000.00
- ii. Second Offense: P 4,500.00
- iii. Third and Subsequent Offenses: P 5,000.00, or imprisonment for a period not exceeding six (6) months, or both at the discretion of the court.

Suspension or revocation of business license or permit may be prescribed in case of a business entity or establishment, if applicable.

**c. Violation of Section 5 (f) Sponsorship/Contribution/Partnership with the Tobacco Industry, Involving Government Officials/Personnel Apply Rules and Sanctions as prescribed in the CSC-DOH Joint Memorandum Circular 2019-01, RA 3019, RA 6713, and/or the Revised Penal Code (1932).**

Penalties shall be paid at the City Treasurer's Office or to the Barangay Treasurer, where the person was caught violating this ordinance or as the case may be, provided, that an official receipt shall be issued.

- d. **Revocation or Suspension of Business Permits and License to Sell.** The business permit and license to sell tobacco, electronic cigarette, and heated tobacco products or Certificate of Public Convenience of any public conveyance shall be suspended for at least one (1) week but not more than one (1) month, or revoked when the necessary action has not been performed within ten (10) working days upon receipt of the Citation Ticket or when penalties have not been settled within five (5) working days. Should the establishment or public conveyance found to be in violation of this Ordinance fall outside of the jurisdiction of this local government unit, the recommendation for revocation or suspension of business permit and license to sell or Certificate of Public Convenience shall be forwarded to the appropriate local government unit, agency or governing body. The suspension or revocation shall only be lifted once all the requirements set forth upon re-inspection and evaluation of the City Health Office, Building/Engineering Office, Business Permits and Licensing Office and/or the appropriate agency or governing body has been fully complied with. Any Task Force member may recommend the revocation or suspension of license or permit of any existing establishment to the appropriate office.

- e. **Community Service.** If a violator is unable to pay the penalties imposed, he or she may choose to render community service within the City as prescribed under City Ordinance No. 2020-384.

- f. **No Contest Provision.** Persons who violate any provision of this Ordinance except for Section 5 (g) who do not wish to contest the violation and are willing to pay voluntarily the penalty imposed upon him/her for the first and second offenses enumerated in Section 8 a. and b. prior to the filing of a formal complaint with the proper court, shall be allowed to pay the penalty with the City Treasurer's Office within five (5) working days from the day of apprehension. If after the lapse of five (5) working days, the violator

- g. has failed to present the Official Receipt of the payment of the penalties, the Task Force shall have the case filed with the Prosecutor's Office, attaching an Affidavit or Certification from the City Treasurer's Office that the violator failed or did not avail of the No Contest Provision. The No Contest Provision cannot be availed for third and subsequent offenses.

- h. **Subsidiary Imprisonment Provision.** Subsidiary imprisonment may be imposed by the court in the event that the violator is unable to pay the fine which he/she committed to pay.

- i. **Proper Identification.** Persons found in violation of this ordinance must present valid proof of identification. In the absence of such proof, the violator shall be brought to the nearest police station for proper identification, then to the Task Force for the payment of penalty or rendering of community service.

- j. **Confiscation or Removal.** Tobacco, electronic cigarette, heated tobacco products, related products or components, and their advertising/promotional paraphernalia found violating any of the prohibited acts in this ordinance shall be subject to confiscation and/or removal.

- k. **Evidence.** The evidence of the violation of this Ordinance may be obtained by means of photograph or video. In case of confiscated items, signed sworn statements/affidavits shall be made by the apprehending officer with specific details of the violator, details of the confiscated items, including the procedures taken in order to preserve its integrity and evidentiary value. Upon confiscation, the items should be appropriately marked by the apprehending officer with his initials and signatures, and subsequently photographed and recorded in the inventory of the Task Force.

**Section 9. Citation Ticket System.** — Violators of this Ordinance shall be informed of their violation and its corresponding penalty by means of a Citation Ticket System with the following guidelines:

- a. Official booklets of Citation Tickets shall be issued by the City Treasurer to duly authorized enforcers within ninety (90) calendar days of the effectivity of this Ordinance.
- b. A Citation Ticket shall be issued by duly authorized enforcers to persons liable for any violation of this Ordinance.
- c. A Citation Ticket shall contain the following information:
  - 1) Identity of the violator under this Ordinance;
  - 2) The fines associated with each violation;

- 3) option to render community service in case violator is unable to pay fine;
- 4) the due date for compliance with the obligations imposed by the ticket.
- d. When a Citizen Ticket is issued to a violator, he/she shall report to the City Treasurer's Office or its duly authorized collecting agent within five (5) working days after such issuance, when he or she shall either pay the fine imposed or render community service under Section 8 (c) hereof.
- e. The City Treasurer's Office shall keep a duplicate of all Citizen Tickets issued to violators as well as all other records of violations of this Ordinance.

**Section 10. Smoking Cessation and Livelihood Assistance Programs.** — The City Health Officer, with the assistance of the Health Education and Promotion Officer or other members of the Task Force, shall develop, promote and implement a Smoking/Vaping Cessation Program and encourage the participation thereof in public and private facilities which may be able to provide for its requirements. Smokers/vapers who may have developed dependence but who are willing to quit, including those who may be dual users of tobacco and electronic devices (ENDS/ENND/ETPN), and those found violating the smoking/vaping prohibitions of this Ordinance, may be referred to the city's Smoking Cessation service provider or to other facilities.

Persons involved in selling tobacco/ENDS/ENND/ETPN prior to the effectivity of this ordinance, such as, but not limited to, ambulant vendors, whose economic activity shall be affected or displaced by the restrictions on sales, may be referred for enrollment and given assistance in the livelihood programs of the city or by other appropriate agencies.

#### ENFORCEMENT

**Section 11. Smoke/Vape-Free Task Force.** — A Task Force shall be created to aid in the implementation, enforcement, and monitoring of this Ordinance, and to protect the same from tobacco/tobacco, cigarette industry interference at all times as well as to conduct educational awareness campaigns, information dissemination programs, and capacity building programs that will address the commitments and train enforcement officers.

The Task Force chaired by the Mayor shall have the following as members:

- a. Health Officer;
- b. Health Education and Promotion Officer or equivalent designate;
- c. SP Chairperson, Committee on Health;
- d. Building/Engineering Officer;
- e. Legal Officer;
- f. Information Officer;
- g. Business Permits and Licensing Officer;
- h. Representative/s of one or more civil society organizations (CSO) designated by the Health Officer, under Section 10 hereof;
- i. Philippine National Police (PNP) Chief of Police;
- j. Treasurer;
- k. Environment and Natural Resources Officer (ENRO) from the local government unit or from DENR;
- l. Representative/s from DepEd, CHED and/or academic institutions;
- m. Local President of the Liga ng mga Barangay ng Pilipinas;
- n. Tagaytay Office of Public Safety Officer;
- o. Social Welfare and Development Officer;
- p. Human Resources Management Officer;
- q. City Administrator/Chief of Staff;
- r. Coordinator of the Task Force Unit or Office (if other than the above officers);
- s. Other members identified by the chair or vice-chair (whose specific function in the local government unit and role may serve to effectively implement this Ordinance).

As the Chairman of the Task Force, the Mayor may designate a vice-chair to serve as an overall coordinator. The Task Force shall not include as its member any person or entity supporting or accommodating tobacco/tobacco, cigarette industry interests or is connected in any way to the tobacco/tobacco, cigarette industry in order to protect and preserve the integrity of the primary health objectives of this Ordinance. No member of the Task Force shall also receive for himself or for other individuals, beneficiaries or groups, any contribution or compensation, directly or indirectly, whether financial or otherwise, from the tobacco/tobacco, cigarette industry. Non-compliance of this provision governing the Task Force shall serve as grounds for the removal. If the serving Task Force member is likewise public official or government personnel, he/she shall also be subject to sanctions prescribed under the CSC-DOH Joint Memorandum Circular 2010-001 or other applicable laws/policies.

**Section 12. Duties and Responsibilities of the Task Force.** — Other than (1) receiving, reviewing and processing reports and complaints, serving of citations and notices, and filing of appropriate charges for violations under this Ordinance (2) attending regular Task Force meetings, and (3) deputizing enforcers under Sections 13 to 16 hereof, and enforcing the other provisions of this Ordinance, the Task Force, headed by the Mayor, shall have the following respective duties and responsibilities:

- a. The Health Officer shall:
  - 1) Make tobacco control, including the implementation of this Ordinance, a part of the health program and propose funding under the annual general budget of the local government unit or the Local Health Investment Plan;
  - 2) Establish baseline annual data on tobacco/cigarette use prevalence and other related studies, and recommend further action on the findings of such data;
  - 3) Monitor, together with the Sanitary Inspector, Enforcers and/or Task Force members, the compliance of this Ordinance in public places, establishments, conveyances, point-of-sale, and including the approval/disapproval of permits in Designated Smoking/Vaping Areas (DSVAs) as well as permit/licensing for tobacco/cigarette point-of-sale;
  - 4) Facilitate, together with the Sanitary Inspector, Enforcers and/or Task Force members, the serving of notices, citations, the imposition of fines, suspension, or revocation of permits/licenses for violations;
  - 5) Assign a hotline or any other number and email address to which violations of this Ordinance may be reported by email, phone call or SMS, or other means, and a person to operate the line and record reports, while another hotline may be assigned for accepting calls or messages for Smoking Cessation counseling;
  - 6) Develop, promote and implement a Smoking Cessation Program, stated in Section 10;
  - 7) Assist hospitals and other health facilities including any office of the DOH within the local government unit, together with the Sanitary Inspector, Enforcers and/or Task Force members, in the monitoring of tobacco/cigarette products' sales, advertisements and promotions within 100 meters from the presence of schools, public playgrounds, facilities frequented by persons below 20 and health facilities.
- b. The Health Education and Promotion Officer shall:
  - 1) Develop and produce information, education and communication materials and conduct activities on Tobacco Control, such as the norms of smoking and second-hand smoke control, as well as on the provisions of this Ordinance;
  - 2) Encourage constituents to monitor and report violations of this Ordinance;
  - 3) Assist the Health Officer in developing, promoting and implementing a Smoking Cessation Program.
- c. SP Chairperson, Committee on Health
  - 1) Make necessary research and recommendations to the Sanggunian for any amendment to the Comprehensive Smoking Ordinance.
- d. The Building/Engineering Officer shall:
  - 1) Conduct, together with the Health Officer or on its own, inspection activities as provided in this Ordinance;
  - 2) Determine whether or not enclosed/partially enclosed public places, workplaces, other public places, and point-of-sale establishments, comply with this Ordinance;
  - 3) Recommend the approval, suspension or revocation of business permits for establishments/facilities, in compliance with this Ordinance.
- e. The Legal Officer shall:
  - 1) Assist the Task Force in reviewing reports of and complaints for violations of this Ordinance and in determining liability or appropriate cases to file;
  - 2) Extend any legal assistance and/or the cases or matters pertaining to this Ordinance.
- f. The Information Officer shall:
  - 1) Assist in disseminating information pertaining to all aspects of this Ordinance including the printing and distribution of copies of this Ordinance to the public;
  - 2) Make a primary responsibility the provisions of this Ordinance, and facilitate the development of related information materials and required signage;
  - 3) Publicize activities and reports related to implementation and enforcement.
- g. The Business Permits and Licensing Officer shall:
  - 1) Order the suspension or revocation of business permits of establishments found to have violated this Ordinance, subject to the provisions of Section 8 hereof;
  - 2) Carry removal of business permits of repeat violators of this Ordinance;

- 3) Establish a procedure for identifying, informing and marking establishments covered by the 100-meter ban on the sale, distribution, and advertising of tobacco/cigarette products.
- b. The CSO Representatives shall:
- 1) Assist in inspections and in monitoring violations of this Ordinance;
  - 2) Assist in promoting awareness of this Ordinance and in encouraging public support and participation for its implementation and enforcement;
  - 3) Assist in promoting and, if capable, implementing a Smoking Cessation Program;
  - 4) Assist in developing and conducting orientation and training seminars for enforcers;
  - 5) Assist in evaluating the performance of the Task Force and the effectiveness of the implementation and enforcement of this Ordinance.
1. The PNP Chief of Police shall:
- 1) Direct the Local PNP in the orderly enforcement of this Ordinance;
  - 2) Enact apprehension of violators in accordance with the provisions of this Ordinance and other rules and procedures of engagement;
  - 3) Assist Task Force members, local government unit officials and deputized civilians in apprehending violators and in filing the appropriate complaints when necessary;
  - 4) Assist in promoting awareness of this Ordinance and in encouraging public support and participation in its implementation and enforcement;
  - 5) Employ the assistance of other members of the Task Force and other police enforcers, such as those from other local government units, during enforcement when coordination is necessary;
  - 6) Refer cases caught in violation of this Ordinance to the Social Welfare and Development Office and/or to the school authorities where the violator is enrolled;
  - 7) Use the Citation Tickets during apprehensions and maintain a record or log of violations/apprehensions made within particular periods, for purposes of reporting.
1. The Treasurer shall:
- 1) Facilitate the printing and reprinting of Citation Tickets;
  - 2) Issue booklets of the Citation Tickets to the local government units' enforcers and other deputized enforcers, as appropriate;
  - 3) Collect/receive fines paid by violators and submit reports on its collection;
  - 4) Designate collection agents and guidelines for collections as necessary to assist in efficient collection of fines from local government units;
  - 5) Facilitate the release and allocation of funds, and the remuneration of enforcers there in accordance with the provision for the sharing of proceeds, derived from the collection of fines, penalties, generated resources, and appropriated budget.
- k. The Environment and Natural Resources Officer shall:
- 1) Assist in promoting awareness of this Ordinance as a component in the protection and conservation of the environment and in encouraging public support and participation in its implementation and enforcement;
  - 2) Assist in inspection and monitoring violations of the Ordinance on its own or with any other member of the Task Force;
  - 3) Conduct timely monitoring of air, water, soil quality and other studies pertinent to determining levels of exposure to tobacco smoke, e-cigarette aerosol, residues, by-products, and lime, among others;
  - 4) Provide expertise in the application and management of appropriate technologies to avert environmental/health risks, accidents, and damage posed by tobacco smoke, e-cigarette aerosol, residues, by-products, waste generated, among others.
1. The Representatives from DepEd, CHED and/or Academic institution shall:
- 1) Implement the Department/Commission Orders on the integration of tobacco control education into the school curricula;
  - 2) Ensure strict compliance of the Memoranda and Orders on the protection of the bureaucracy from industry interference as per FCTU Article 3.3;
  - 3) Ensure strict compliance of schools in enforcing 100% smoke-free campuses and school facilities including the schools' vehicles;
  - 4) Assist in the monitoring of tobacco/cigarette/cigarette products' sales, advertisements, and promotions within 100 meters from the perimeter of schools, public playgrounds, and facilities frequented by persons below 21;
  - 5) Ensure the posting in a clear and conspicuous manner "No Smoking/Vaping" signs, and notices for the sales ban of Tobacco Products within 100 meters from the perimeter of schools, public playgrounds, facilities frequented by persons below 21 and health facilities.
- m. The Local President of the Liga ng mga Barangay ng Pilipinas shall:
- 1) Assist in promoting awareness of this Ordinance in encouraging public support and participation in its implementation and enforcement;
  - 2) Coordinate with all Barangay Captains and the PNP, or other members of the Task Force, in monitoring violations of the Ordinance within their jurisdictions;
  - 3) Provide the necessary coordination among the Barangay Health Workers, Kagawads, Sangguniang Kabataan (SKs) and Tanods and other enforcers for the implementation of activities pertinent to the Ordinance;
  - 4) Assist in the facilitation of and referrals to the Smoking/Vaping Cessation Program of the City or at the Barangay Level, if applicable.
- n. The Tagaytay Office of Public Safety Officer shall:
- 1) Assist in promoting awareness of this Ordinance in encouraging public support and participation in its implementation and enforcement;
  - 2) Monitor compliance in public places, establishments, conveyances, point-of-sale, Designated Smoking/Vaping Areas (DSVAs), together with other members of the Task Force;
  - 3) Assist in the enforcement and coordinate with other enforcers/Task Force members regarding the serving of Citation Tickets, imposition of fines, suspension or revocation of licenses/permits for violators.
- o. The Social Welfare and Development Officer:
- 1) Assist in the enforcement of this Ordinance when persons below 21 are involved;
  - 2) Provide the necessary interventions for persons below 21 implicated in violations.
- p. The Human Resources and Management Officer or equivalent officer/LOU point-person for the Civil Service Commission:
- 1) Oversee the strict implementation of smoke-free government facilities;
  - 2) Evaluate for approval the proper establishment of Designated Smoking/Vaping Areas in government facilities where it may apply;
  - 3) Oversee the strict implementation of a policy preventing industry interference, pursuant to the CSC-DOH Joint Memorandum Circular 2010-01;
  - 4) Monitor, supervise and report on all concerns pertaining to tobacco/cigarette industry activities, communications, and other related concerns;
  - 5) Assist in matters related to tobacco control policies as it applies to the performance of functions and duties affecting government officials/personnel.
- q. The City Administrator/Chief of Staff:
- 1) Assist the Mayor in overseeing the implementation and enforcement of this Ordinance, in close coordination with other members of the Task Force;
  - 2) Provide regular updates to the Mayor as to the status of implementation and enforcement of the Ordinance.
- r. The Coordinator, in case of a separate Coordinating Unit or Office of the Task Force, under the authority of the Mayor:
- 1) Perform any of the functions assigned to him/her by the Mayor pertaining to the implementation, enforcement, and promotion of this Ordinance;
  - 2) Coordinate with any/all members of the City Task Force as necessary, facilitate training, assist in enforcement/promotion/monitoring/research, and attend to any related function as required/instructed by the Mayor;
  - 3) Provide regular updates to the Mayor as to the status of implementation of Tobacco Control in the local government unit and of the Ordinance.

**Section 13. Enforcement on Individuals.** — Members of the PNP and/or persons duly deputized by the Mayor/Task Force shall apprehend and issue Citation Tickets against persons found in violation or have failed to comply with any provision enumerated under Sections 5 and 8 hereof. They shall forward copies of the tickets they issue violators to the Treasurer's Office regularly or per week. If the violator is a minor, he or she must be turned over for disposition of appropriate action to the nearest Social Welfare and Development Office or its appointed designates, subject to R.A. No. 9344 (Juvenile Justice and Welfare Law), and/or to the school authorities at the school where the violator is enrolled, and/or to the Barangay Office where the violator is a resident, and where the parents or guardians may be called. In case any valid or sufficient form of identification is not presented, he/she shall be brought to the nearest police station for proper identification, then to the Smoke/Vape-Free Task Force for the payment of penalty or resolution of community service.

**Section 14. Enforcement on Public Conveyances.** — Members of the PNP and/or persons duly deputized by the Task Force shall inspect public conveyances during their regular hours of operation and shall issue Citation Tickets upon discovery of any violation of this Ordinance. They shall forward copies of the tickets they issue violators to the Treasurer's Office regularly or at least once a week.

**Section 15. Enforcement on Establishments.** — Ninety (90) calendar days after the effectivity of this Ordinance, an inspection team composed of representatives from the Health Office, Engineer's Office, Permits and Licenses Office, and other members of the Task Force, shall conduct inspections of establishments and buildings to determine their compliance with the provisions of this Ordinance.

A regular inspection shall thereafter be conducted at least once every month or simultaneously with other regular inspections done by the appropriate office or department, whichever is most frequent, during normal hours of operation of the establishment. The inspection team shall issue a Citation Ticket against the establishment upon finding of non-compliance with or any violation of this Ordinance. A Citation Ticket may be issued for each day that the establishment is found to be non-compliant.

Re-inspection of the establishment shall be done on any day after the issuance of the Citation Ticket but in no case more than ten (10) working days after such issuance. If the establishment fails to comply with the obligations stated in the Citation Ticket upon re-inspection, the inspection team shall recommend the suspension of its license/permit consistent with Section 8 (d) hereof.

In the course of an inspection, the inspection team may apprehend individual violators and request the assistance of the PNP in doing so.

**Section 16. Civilian Participation in Enforcement.** — Within thirty (30) calendar days from the effectivity of this Ordinance, the Task Force/Health Office shall designate with the approval of the Office of the Mayor, one or more civil society organizations (CSO) not connected/representatives interested in the tobacco-cigarette industry, to discharge the duties and responsibilities enumerated in Section 12 (g) hereof. The Mayor may deputize qualified civilians to also serve as enforcers of this Ordinance. Any person can file with the Task Force a report or complaint, or present evidence for any violation of this Ordinance, or be assigned other duties pursuant to the attainment of its effective implementation.

#### INFORMATION CAMPAIGN

**Section 17. Information Dissemination.** — Within sixty (60) calendar days of the effectivity of this Ordinance, the Task Force shall:

- In coordination with the Office of the Mayor:
  - provide at least two (2) copies of this Ordinance to every PNP station or precinct in the jurisdiction of Tagaytay City;
  - provide a primer on this Ordinance for every officer of the PNP/deputized enforcers; and
  - conduct lectures to brief officers of the PNP and other enforcers, the provisions of this Ordinance and of their responsibilities with respect to its enforcement.
- In coordination with the Permits and Licenses Office, provide a copy of this Ordinance and its primer to all existing establishments that are licensed to operate, as well as to those applying for new licenses or permits to operate, and/or permits to sell tobacco-cigarette products.
- In coordination with the Information Office, provide a copy of this Ordinance and its primer to all public utility vehicle operators plying within and through the territorial jurisdiction of Tagaytay City and for other sectors as necessary.
- In coordination with the Health Office, develop, disseminate and post timely health information on prevention and cessation, including the use of graphic health warnings, as information, education and communication (IEC) materials, depicting the health and other impacts of tobacco-cigarette use and exposure.

**Section 18. Public Billboards, Notices in Barangays.** — Upon effectivity of this Ordinance, the Engineer's Office shall put up billboards in conspicuous places within Tagaytay City to notify the public of the restrictions and sanctions imposed by the ordinance. The Information Office shall also immediately issue for dissemination at the barangay level notices on obligations of persons under the ordinance.

**Section 19. Conduct of Orientation Seminars and Trainings.** — Within sixty (60) calendar days from the effectivity of this Ordinance and periodically thereafter, the Health Office, with the assistance of the Health Education and Promotion Office, and the CSO representatives designated under Section 16 hereof, with other members of the Task Force, shall develop and conduct a series of orientation seminars and training for the enforcers of this Ordinance,

at least one for each group, including but not limited to, deputized enforcers like barangay health workers, barangay landlords, and the local PNP.

#### FINANCING

**Section 20. Funding.** — To defray the expenses necessary for or incidental to the implementation of this Ordinance and Tobacco Control Program of the City Government of Tagaytay necessary funds shall be sourced from the fund under the City Health Office. Every year thereafter, an allocation shall automatically be

included in the Annual Budget of the city for the implementation and enforcement of this Ordinance and the City's Tobacco Control Program.

The initial funding, annual budget appropriated for this purpose, and funds generated from other sources, such as, but not limited to, the proceeds from administrative penalties, shall be placed in a Trust Fund specifically intended to defray expenses and operationalize activities of this Ordinance and the city's Tobacco Control Program. The Task Force shall be empowered to determine how the Trust Fund is to be utilized in furtherance of this Ordinance, subject however to the usual government accounting and auditing procedures.

The above expenses may include, but are not limited to:

- Cost of printing copies of this Ordinance, the Citation Tickets, and information, education and communication materials pertaining to tobacco control;
- Cost of regular or periodic meetings of the Task Force;
- Cost of inspection and enforcement by the Task Force, including allowances for meals and transportation which shall be set by the Office of the Mayor;
- Remuneration for the apprehending enforcer's share of the proceeds from penalties paid;
- Incentive or reward for private citizens who report violations of this Ordinance;
- Institutional and operating expenses of the smoking cessation program and facility;
- Other expenses associated with the implementation and enforcement of this Ordinance;
- The hiring of coordinator/waflagents who shall be involved in the day to day operations;
- Conduct of prevalence and compliance monitoring and assessment activities.

**Sharing of Proceeds from the Administrative Penalties.** — The amount of the corresponding penalty paid by a violator to the City Treasurer shall be part of the aforementioned Trust Fund.

**Section 21. Repealing Clause.** — All ordinances contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.

**Section 22. Separability Clause.** — If any part or provision of this Ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provisions hereof.

**Section 23. Effectivity Clause.** — This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of local or general circulation or posting in at least two (2) conspicuous places within the city.

ENACTED: August 23, 2021 in Tagaytay City

#### CERTIFIED CORRECT:

(SGD) CELSO F. DE CASTRO  
Acting Secretary to the Sanggunian

#### APPROVED:

(SGD) HON. AGNES D. TOLENTINO, DMD  
City Mayor

Publication Date: DEKRETO KABITENO  
September 13-19, 2021

**EXTRAJUDICIAL SETTLEMENT OF THE ESTATE OF TIRSO D. TORNEROS JR.**

NOTICE is hereby given that the estate of the late **TIRSO D. TORNEROS JR.**, who died intestate on August 02, 2020 in Imus, Cavite, Philippines, consisting of the following real properties, more particularly described as follows:

\* A parcel of land situated in the Bn. of Wakas, Muz. of Kasat, Prov. of Cavite, Is. of Luzon, covered by TCT No. (T-90213) - 8026537, containing an area of ONE HUNDRED EIGHTY (180) SQ. METERS, more or less.

\* A parcel of land sit. in the Mun. of Kasat, Prov. of Cavite, covered by TCT No. (T-619133) - 2014012471, containing an area of THREE HUNDRED EIGHTY (180) SQ. METERS, more or less.

\* A parcel of land situated in the Barrio of Tandang Lerna, Municipality of Imus, Province of Cavite, Island of Luzon, covered by TCT No. T-484644, containing an area of ONE HUNDRED FORTY (140) Square meters, more or less.

\* A parcel of land situated in the Bn. of Tandang Lerna, Municipality of Imus, Province of Cavite, Island of Luzon, covered by TCT No. T-484640, containing an area ONE HUNDRED NINETY NINE (199) Square Meters, more or less.

\* A parcel of land situated in the Barrio of Tandang Lerna, Municipality of Imus, Province of Cavite, Island of Luzon, covered by TCT No. T-484644, containing an area of FOUR HUNDRED TEN (410) Square Meters, more or less; and

\* A parcel of land situated in the Barrio of Ulat, City of Tagaytay, covered by TCT No. T-25523, containing an area of ONE THOUSAND EIGHT HUNDRED AND THIRTY (1,830) SQUARE METERS, more or less.

has been adjudicated and extrajudicially settled by and among his heirs on July 27, 2021 at Lao Pineda City before Notary Public Atty. Eddie C. Batory and entered in his Notarial Register as Doc. No. 48, Page No. 11, Book No. 1, Series of 2021.

(Sgd.) **All Heirs (EMERENCIANA V. TORNEROS for herself and as Attorney-in-fact of FAMELA V. TORNEROS-PATULOY)**

Publication : DIYARYO KABITENYO  
Date : August 30, September 6 & 13, 2021

**AFFIDAVIT OF SELF-ADJUDICATION**

NOTICE is hereby given that the estate of the late **TERESITA LACSON LEGASPI** who died intestate on May 23, 2021 in Taguig City, Metro Manila, consisting of a savings account deposit with the METROPOLITAN BANK AND TRUST COMPANY - AGUINALDO BRANCH under Dollar Savings Account No. 303-2-30309705-3 with a balance of US\$15,855.57 as of July 5, 2021 has been self-adjudicated by her surviving spouse **PLAVIANO C. LEGASPI** and for and in consideration of the said release, he hereby expressly and absolutely renounces, releases and forever discharges the METROPOLITAN BANK AND TRUST COMPANY, its administrators and assigns and/or any of its officers or employees from any and all claims, suits or actions against the said bank and he hereby undertakes to indemnify the said bank, its officers and assigns for any loss or damage which they may sustain arising out of or in connection with the release to him of the aforesaid account on August 19, 2021 at the City of Imus, Cavite before Notary Public Atty. Carlos Emmanuel C. Moxayo and entered in his Notarial Register as Doc. No. 321, Page No. 65, Book No. XII, Series of 2021.

(Sgd.) **Sole Heir**

Publication : DIYARYO KABITENYO  
Date : August 30, September 6 & 13, 2021

Republic of the Philippines  
Local Civil Registry Office  
Province - **CAVITE**  
City/Municipality: **IMEL**

**NOTICE FOR PUBLICATION**

In compliance with Section 7 of Republic Act No. 9549, a notice is hereby served to the public that **MA. LELANI PALACIO DONES-BUSTOS** has filed with this Office a petition for change of first name from **LEILANI to MA. LELANI** in the birth certificate of **LEILANI PALACIO DONES** who was born on **28 SEPTEMBER 1983** at **IMEL, CAVITE**, and whose parents are **GERONIMO DONES** and **TERESITA PALACIO**.

Any person adversely affected by said petition may file his/her written opposition with this Office not later than **20 September 2021**.

(Sgd.) **ATTY. PATRICK M. LEGASPI**  
City Civil Registrar

Publication : DIYARYO KABITENYO  
Date : September 6 & 13, 2021

# Emoji are proposed as a powerful way for patients and doctors to communicate

Emoji, that spoken word, could universal lexicon of be a valuable tool in colorful and clever the field of medicine, symbols meant to allowing patients to replace the written and better communicate

language." introduced in 2015. Emoji (which were the syringe and symptoms, concerns, listen to patients is at and other clinically the core of our mission relevant information, as physicians, and argue a Massachusetts the use of emoji is a General Hospital great opportunity to (MGH) physician and take communication other. In a commentary to another level," says in the Journal of the He, who is director of American Medical growth for the MGH Association, senior Center for Innovation in author Shuhan He, Digital HealthCare and MD, an emergency member of MGH's Lab department attending, of Computer Science. suggests that each "Emoji could be medical discipline particularly important begin discussions in treating children around the creation with still-developing of its own unique set language skills, people of iconography for with disabilities that official adoption and impair their ability incorporation into to communicate, and everyday practice. the many patients "The need to who speak a different

means "picture the pill. In 2017, character") originated. Appie added emoji in Japan over a to represent people decade ago and today with disabilities, an estimated five followed by symbols billion are used daily of the stethoscope, on Facebook and bone, tooth and Facebook Messenger microbe in 2019. He alone. While around was co-creator of the 3,500 emoji are anatomical heart and the currently within the lung emoji introduced globally in 2020 and Consortium -- the is now working with nonprofit organization co-authors Debbie that maintains text Lai and Jennifer. 8 standards across Lec, who are active computers and which in the field, as well must approve every as with a wide range of medical societies emoji before it can be of medical societies digitally used -- only and organizations about 45 emoji can be to advocate for an considered relevant to additional 15 medically related emoji.

REPUBLIC OF THE PHILIPPINES  
REGIONAL TRIAL COURT  
FOURTH JUDICIAL REGION  
BRANCH 21  
IMUS CITY, CAVITE

SAMUEL D. ARTUZ,  
Petitioner,

versus

CIVIL CASE NO. 7034-19  
FOR: DECLARATION OF  
NULLITY OF MARRIAGE

LAILA T. BARRIENTOS  
Respondent,

ORDER

This Court acknowledges receipt today of the Motion to Serve Summons by Publication filed by petitioner this evening, Monday & Associates Law Office on ground that respondent is not a resident at the given address.

Finding merit to the Motion, the same is granted.

Accordingly, let summons be effected upon the respondent by publication in a newspaper of general circulation accredited by the court, once a week for two (2) consecutive weeks and at the expense of the petitioner. Petitioner is likewise authorized to send copies of the summons and this Order to the respondent at her last known address thru a private courier with the condition to submit within five (5) days from service, the proof of compliance to this Court.

Respondent is given thirty (30) days after notice or from the last issue of publication within which to file her Answer furnishing petitioner with a copy thereof.

SO ORDERED.

City of Imus, Cavite, 21 June 2021.

(Sgd.) MARY CHARLENE V. HERNANDEZ-AZDRA  
Executive Judge

SUMMONS

To: LAILA T. BARRIENTOS

GREETINGS:

WHEREAS, on 7 December 2019, petitioner SAMUEL D. ARTUZ, filed a certified Petition for Declaration of Nullity of Marriage against respondent LAILA T. BARRIENTOS;

WHEREAS, on 3 March 2021, the Summons was returned unserved on ground that respondent is not a resident at the given address.

WHEREAS, in the Petition, petitioner prayed that the Honorable Court, after due proceedings, render judgment in the instant petition repudiated as follows:

"PETITION FOR THE DECLARATION OF  
NULLITY OF MARRIAGE

Petitioner avers that:

NATURE OF ACTION

1) This is an action for Declaration of Nullity of Marriage on ground of psychological incapacity of respondent, under Article 36 of The Family Code of the Philippines (Executive Order No. 209, as amended). Petitioner is residing in Block 01, Lot 38 Laneside Residences, Alapas 2A, Imus, Cavite 4103, at the address given below, for more than 6 months prior to the

filing of the instant case, thus, within the venue and jurisdiction of this Honorable Court.

PARTIES

2) Petitioner, SAMUEL D. ARTUZ, of legal age, Filipino, married to Respondent and is residing in Block 01, Lot 38 Laneside Residences, Alapas 2A, Imus Cavite 4103, Pursuant to the Resolution issued by the Supreme Court of the Philippines dated 02 October 2018, the following documents are hereto attached to prove the fact of residency of the Petitioner, to wit:

- Sworn Certification of residency issued by the Barangay (Annex "A");
- Sworn Statement of census of tenor that he has personally verified petitioner's residency and that petitioner had been residing thereon for at least six (6) months prior to the filing of petition (Annex "B");
- Utility bills (Annex "C-series");
- Government issued identification card (Annex "D").

3) Respondent, LAILA T. BARRIENTOS, is a Filipino citizen, of legal age, married to the Petitioner and with last known address in Barangay Aglipnon Cuartero, Capiz 5811.

STATEMENT OF FACTS

4) Sometime on March 1998, Petitioner started to work as a helper in "Gaisano City Iloilo" which is a department store located in Lasa, La Paz, Iloilo City.

5) On the same month and year, Petitioner met Respondent in the same workplace, with the latter working as a sales girl.

6) At the time they met, Petitioner was 19 years of age while Respondent was 18 years old. For this purpose, a copy of the Certificate of Live Birth of the Petitioner is attached hereto as Annex "E".

7) They teased by their friends and were paired up. Eventually, the parties hereto established a mutual understanding about their relationship, albeit with no official designation.

8) Petitioner was then living in a boarding house near their workplace. It was a modest house with a number of rooms where he was assigned with a specific room where he shares it with another male boarder.

9) Respondent often visits the Petitioner in the latter's place, sometimes without prior notice. Whenever Petitioner requests to advise him from her visit, since he had a roommate, Respondent would usually start a fight to Petitioner eventually in the same place.

10) Roughly a month after meeting each other, Petitioner and Respondent had premarital sex in the boarding house of the former where his roommate was not around.

11) This was followed-up by another lawful moment, whenever the two are by themselves.

12) On the course of these intimate moments, Respondent disclosed to the Petitioner that she was addicted to shabu and marijuana and even tried to talk him into trying the prohibited substances. But since he wish to pursue higher education and establish a better career path, he respectfully shunned such invitation.

13) While disturbed about Respondent's involvement in prohibited substances, Petitioner appreciated her openness and the fact that she is highly active in sexual intercourse, unattached Petitioner.

14) At the end of September, year 1998, Petitioner's employ

in Gaisano City Iloilo was terminated.

15) On October 1998, Petitioner worked in a restaurant in Iloilo City as a waiter.

16) With Petitioner focusing on his new job and new environment, he ceased to visit Respondent. In any case, Respondent would occasionally visit Petitioner in his boarding house and, more often than not, sexual congress will be made.

17) After a while, even with the precautions made by the Petitioner not to impregnate the Respondent, the latter still conceived a child.

18) With the insistence of Respondent's older sister, Petitioner and Respondent eventually gave in to the directive that they should get married in order to legitimize their relationship and their child's status.

19) They had a hasty unattached civil wedding on 12 April 1999 in the Regional Trial Court located in the Hall of Justice of Iloilo City at 34 age of almost 21 and her age of 19.

20) Petitioner did not do anything as regards the preparation and actual ceremony for their marriage aside from the fact of being physically there at the date, time and place of the ceremony. He did not even inform any of his relatives regarding the wedding.

21) On the scheduled date, Petitioner and Respondent were solemnized before Hon. Judge Rene B. Hondrado of the Regional Trial Court of Iloilo City. The ceremony was attended by Respondent's mother, Respondent's older sister and two friends of the Respondent – one male and one female.

22) After the ceremony, Petitioner was made to sign a supposed marriage certificate, the information of which originated from Respondent and Respondent's older sister.

23) When Petitioner later on secured a copy of his Certificate of Marriage, a copy of which is now attached hereto as Annex "F", numerous data were erroneous, to wit:

a) Petitioner's middle initial was incorrect. In their Certificate of Marriage, the middle initial declared was "M" when in truth his middle initial is "D" which stands for "Diego" as shown in his Certificate of Live Birth.

b) Petitioner's date of birth was incorrect. In their Certificate of Marriage, the date of birth declared was "09 November 1978" when in truth, his actual date of birth was "09 September 1978" as shown in his Certificate of Live Birth.

c) Petitioner's place of birth was incorrect. In their Certificate of Marriage, the place of birth declared was "Cuartero, Capiz" when in truth, his actual date of birth was "Aglipnon Cuartero, Capiz" as shown in his Certificate of Live Birth.

d) Petitioner's residence was incorrect. In their Certificate of Marriage, the declared residence of the Petitioner was "Angob, Cuartero Capiz" when in truth, his actual residence at the time was in "Aglipnon Cuartero, Capiz" as shown in his Certificate of Live Birth and where his parents then resided.

e) The name of Petitioner's father was incorrect. In their Certificate of Marriage, the declared name of Petitioner's father was "Lorenzo Arbas" when in truth, his correct name is "Florencio Abardo Arbas" as shown in Petitioner's Certificate of Live Birth.



0. The name of Petitioner's mother was incorrect. In their Certificate of Marriage, the declared name of Petitioner's mother was "Dela Bigora" when it truth, her correct name is "Victoria Maya Degara" as shown in Petitioner's Certificate of Live Birth.
02. Contrary to the declaration in the Certificate of Marriage, Petitioner's father could not have consented to his marriage since he did not even know that he was getting married at the time. Petitioner's father is now deceased.
24. Samuel and Leticia lived at a rented boarding house with the assistance of their friend Analie Acosta in La Paz, Iloilo since January 1999.
25. During their rehabilitation, Petitioner became much more aware of the highly troubling demeanor of the Respondent.
26. Respondent often scolded Petitioner about a non-existing "other women" of the latter. Respondent even expressed, more than once, that Petitioner should flee his permission if he is to socialize with friends, particularly if there is/were any females.
27. Petitioner was frequently bombarded with annoying repeated interrogative as to his whereabouts, who are his companions, what he is doing and his estimated time of arrival. These repeated asks and caring initially but the frequency and tone of the questions later on proved to be too taxing as it toyed with their psychological standing and seemingly hampered his personal and professional advancement.
28. Curiously, when they are together, Petitioner observed that Respondent is either absent-minded and starts at something for a lengthened period for an apparent reason. When Petitioner eventually succeeds into calling her attention, she would frown.
29. After their marriage, their sexual activities gradually dried up and eventually stopped even after advances made by the Petitioner.
30. During their rehabilitation as well, Petitioner noticed that Respondent seldom takes care of herself, much less Petitioner. There were instances when Respondent would omit food when because she refused to eat, brush her teeth or otherwise cleanse herself.
31. Aside from her fondness in using prohibited substances, she likewise drank alcohol while gambling using the then limited wage of Petitioner.
32. There was a regrettable instance when Petitioner fetched Respondent while she was drinking alcohol and gambling with the intention of getting her back home. To Petitioner's surprise, Respondent attempted to stab the former with a baroque stick. Fortunately, Petitioner was able to evade the strike.
33. This became the first incident which convinced Petitioner to leave Respondent sometime early June 1999.
34. Right after he left, Petitioner went on to enroll in John B. Lacson College Maritime Academy located in Molo, Iloilo City.
35. Petitioner studied there from June 1999 until he earned his degree on March 2002.
36. Immediately after graduating, Petitioner started to process his paper works as a preliminary step to fully realize his desire to work offshore as a seaman.
37. By May 2003, Petitioner first boarded a vessel and served as a seaman. To this day, he still earns his livelihood as a seaman.
38. Meanwhile, Respondent delivered their only son named John Christian on July 26, 1999.
39. Petitioner was dumb-founded that their son had no registered first name. For this purpose, attached hereto in Annex "G", is the Certificate of Live Birth of an unregistered child of the Petitioner and the Respondent who was simply referred to as "Bambietta Ariza". Fortunately, this was corrected when his first name was annotated therein as "John Christian".
40. Respondent strongly curbed down Petitioner's efforts to talk to their child regularly and firmly refused to let him visit their child saying all their child needs from him and all that Respondent would allow from Petitioner is financial support, which Petitioner provides.
41. While Petitioner previously manifested his intent to share custody, he later on acknowledged the reality of things such as distance, his highly hectic schedule, his current residence and the existing resolved intent of Respondent to distance themselves from him. Petitioner has come to accept that it may be for the best interest of their son to remain in the custody of the Respondent.
42. The last time Petitioner saw the Respondent and his son was back on year 2012 when Petitioner went to visit them.
43. After the year 2012, Petitioner have not seen the Respondent and their child again. Even communication between Petitioner and Respondent had been sporadic and even during those limited times, the conversation boiled down to financial support.
44. Petitioner recognizes that both Respondent and himself have had grave shortcomings as husband and wife. More so, him as a father to their child. However, he really cannot see himself having a relationship, much less a family with the Respondent. He sees his time with the Respondent simply as a rush of youthful lust without meaning and that he was merely forced to marry her.
45. Petitioner tried to cohabit with Respondent but the latter's attitude, as aforementioned, did not aid in forming a good bond.
46. Petitioner is wary that along the lines, their son is a victim of their unfortunate circumstances. His only hope is that his son - who is now 20 years old - will not commit the same mistake that his parents had.
47. The parties herein have no conjugal property.

## CAUSES OF ACTION

48) Petitioner re-pleads all the foregoing allegations.

49) Petitioner and Respondent displayed grave and serious incapacity to perform their respective marital obligations. In fact, ever since Petitioner studied to become a seaman sometime June 1999, Petitioner have rarely seen the Respondent, much less performed marital obligations to her, aside from the financial assistance Petitioner had been extending since year 2003.

50) Petitioner's incapacity had been apparent from the very beginning:

a. Petitioner maintains that he was merely forced to marry the Respondent. Respondent's family insisted that Petitioner should marry the Respondent to free the Respondent from the "shame" that may come her way being a mother with no husband.

b. The time base of their relationship facts a shadow

of doubt regarding its stability and motives as well. Be it remembered that Petitioner and Respondent only met sometime April or May 1998, but they were married on 12 April 1999.

c. The circumstances surrounding the marriage ceremony further leads one to reasonably conclude that Petitioner did not whole-heartedly agree to the wedding. As enumerated above, several items in their Certificate of Marriage were erroneous, particularly (i) Petitioner's middle initial; (ii) Petitioner's date of birth; (iii) Petitioner's place of birth; (iv) Petitioner's residence; (v) The name of Petitioner's father; (vi) The name of Petitioner's mother; (vii) not a single relative or friend of the Petitioner was present; (viii) contrary to the declaration in the Certificate of Marriage, Petitioner's father could not have consented to his marriage since he did not even know that he was getting married at the time. In fact, if Petitioner's father did know or participated, the aforementioned details should not be wrong.

d. Apart from the financial support that Petitioner gives to Respondent for their child, both the Petitioner and Respondent have not been performing their mutual obligations to each other from July 1999 to this date.

e. Since the June 1999 until the present, aside from the highly erratic and far in-between "text messages" or each other, the parties herein have practically not been communicating, much less spending time with each other. Aside from the last known address of the Respondent, Petitioner is not sure of the current whereabouts of the Respondent and their child nor what has had happened to them since the last time Petitioner saw them on 2012.

51) Respondent is similarly psychologically incapacitated due as deduced from the following circumstances:

a. The marriage of the parties was born out of convenience for her and their child.

b. Respondent engages in potentially self-damaging acts like alcohol abuse, use of prohibited substances and gambling activities.

c. She is easy to anger if not always angry and violent whether sober or drunk but more so when intoxicated.

d. She shows signs indicative of mental handicap, in part due to sleep deprivation, alcohol and drug abuse.

e. Soon after the parties got married, Respondent gradually neglected even her own basic needs, sanitation and hygiene.

f. She is immature and irresponsible as shown by her being so in so immature and absentee partner.

g. She is illogical and irrational as shown by her unreasonable cling to alcohol, drug abuse and gambling, knowing full well that it hurts her well-being as well as her personal relations with Petitioner.

h. Respondent is excessively jealous and over-possessive as shown by her sometimes strict mandate for Petitioner not to socialize with people of the opposite sex even if the same is for professional purpose.

4. She is the primary cause for their dismal married sex life. Not long after their marriage, Respondent thwarted advances made by Petitioner for intercourse. Respondent also gradually neglected to attend to her personal hygiene which then made her sexually undesirable, so to speak.

5. Respondent lacked effort to communicate or marital work and caused their marriage to break. Whenever confronted, she would just scold Petitioner and later on go out for gambling or drinking session with her so-called "friends".

6. Presently, the parties herein have not communicated with each other, much less seen each other to properly perform their respective marital obligations.

7. The said incapacity of both the parties herein are relevant and grave enough with respect to each other to assume the essential obligations of marriage, as those provided for by law, specifically Articles 68, 70, 71 and 220 of the Family Code.

#### PRAYER

WHEREFORE, petition is considered and after due notice and hearing, it is most respectfully prayed for unto this Honorable Court that:

a) A Decree be rendered declaring the marriage of the parties as NULL and VOID AB INITIO, pursuant to Article 36 and other pertinent provisions of the Family Code, as amended;

b) An Order dissolving the property regime of the parties be issued; and,

c) Other relief, just and equitable are likewise prayed for.

14 December 2019, Parangue City for base City.

DE LEON & REYES LAW OFFICES  
Unit 12, 2nd Floor, Agape Center  
7033 Kabilanman Road, Brgy. San Domingo  
Parangue City 1700  
Contact Number: (02) 455-0147

By:

SGD. EARL ALFRED R. REYES  
BFP L26 Member Roll No. 82213  
PTR No. 272079-09 January 2019, Parangue  
MCLE Compliance No. VI-0004841/01 Dec 2017

Roll of Attorneys No. 60723

#### VERIFICATION WITH CERTIFICATION OF NON-FORUM SHOPPING

I, SAMUEL D. ARTEZ, of legal age, Filipino, married and with postal address at Block 01, Lot 10 Lantawan Remembrance, Alipue 2A, Irosin, Caraga 4105, after having been duly sworn to in accordance with law, depose and state that:

- 1) I am the Petitioner in the instant case.
- 2) I caused the preparation and filing of the subject Petition and have consequently read and understood the contents thereof.
- 3) The contents of said documents are true and correct based on my own personal knowledge as well as based on authentic documents and records.
- 4) I have not commenced any action or proceeding

involving the same issues in any court, or any other tribunal or agency and to the best of my knowledge, no other action or claim is pending therein. If I should hereafter learn that the same or similar action or claim has been filed or is pending, I undertake to report such fact to this Honorable Court within five (5) days thereafter.

Wherefore, I have intrusted my hand this 4 December 2019 in Parangue City.

SGD. SAMUEL D. ARTEZ  
Affiant

SUBSCRIBED AND SWORN to before me this 4 December 2019 in Parangue City. Affiant is personally known to me and was identified by me through competent evidence of identity as defined in the 2004 Rules on Notarial Practice (A.M. No. 02-8-13-SC). Affiant exhibited to me his identification card issued by the Bureau of Internal Revenue bearing TIN 426-288-929-000, with his photograph and signature appearing thereon.

SGD. BERNARDO V. DE LEON, JR.  
Notarial Commission No. 211-2019

Notary Public for Parangue City

Until December 31, 2020

Roll of Attorneys No. 60893

Ptr No. 172026099 January 2019 / Parangue City  
IBP Lifetime Membership No. 91227099 Jan. 2-14 / PPLM  
MCLE Compliance No. VI-0004841/01 Dec 2017  
Unit 12, 2nd Floor, Agape Center, 7033 Kabilanman Road  
Brgy. San Domingo, Parangue City

Doc. No. 418,  
Page No. 43,  
Book No. 10,  
Series of 2019.

NOTWITHSTANDING, respondent LAIZA T. BARRIENTOS is hereby summoned pursuant to Section 6 of A.M. No. 02-11-10-SC, and required to file with the Regional Trial Court Branch 22, City of Irosin, Caraga his Answer to the Petition within thirty (30) days from the date of last publication of this Summons furnishing a copy thereof upon petitioner's demand, DE LEON & REYES LAW OFFICES, with address at Unit 12, 2nd floor, Agape Center, 7033 Kabilanman Road, Brgy. San Domingo, Parangue City 1700.

No motion to dismiss the petition shall be allowed except on the ground of lack of jurisdiction over the subject matter or over the parties, provided however, that any other ground that might warrant a dismissal of the case may be raised as an affirmative defense in an Answer (Sec. 7, A.M. No. 02-11-10-SC) If you fail to file an answer, the Court shall not declare you in default and shall order the public prosecutor to investigate whether collusion exists between the parties. (Sec. 8, A.M. No. 02-11-10-SC)

WITNESS THE HONORABLE MARY CHARLENE V. HERNANDEZ-AZURA, Presiding Judge of this Court, this 29 June 2021 at the City of Irosin, Caraga.

(Sgd.) DIVINA R. BERNARDEZ  
Court Legal Researcher II &  
CR-Designate

Publication: DIYARYO KABITENYO  
Date: September 8 & 13, 2021

Republic of the Philippines  
Local Civil Registry Office  
Province: CAGAI  
City/Municipality: Rosario

#### NOTICE FOR PUBLICATION

In compliance with Section 5 of Republic Act No. 9648, a notice is hereby served to the public that **MS. VICTORIA HONORADA JAVIER** has filed with this Office a petition for change of last name from **VICTORIA** to **MS. VICTORIA** in the birth certificate of **VICTORIA ARAGA HONORADA** who was born on **18 December 1978** at **ROSARIO, CAGAI** and whose parents are **FELICIANO S. PRUDENTE** and whose parents are **MARCEL R. HONORADA** and **CLARITA A. ARAGA**.

Any person adversely affected by and petition may file his written opposition with this Office not later than **27 September 2021**.

(Sgd.) **MARILYN ROSARIO C. SORIANO**  
Municipal Civil Registrar

DIYARYO KABITENYO - September (1 & 20, 2021)

## Metabolic changes in plasma and immune cells associated with COVID-19 severity, can predict patient survival

COVID-19 patients have differing immune responses that lead to the outcomes ranging from asymptomatic to death. After examining the blood samples from nearly 200 COVID-19 patients, researchers have uncovered underlying metabolic changes that regulate how immune cells react to the disease. These changes are associated with disease severity and could be used to predict patient survival. The findings were published in the journal *Nature Biotechnology*. "We know that there are a range of immune responses to COVID-19, and the biological processes underlying these responses are not well understood," said co-first author Jihoun Lee, a graduate student at Fred Hutchinson Cancer Research Center.

EXTRAJUDICIAL SETTLEMENT OF ESTATE WITH ABSOLUTE SALE

NOTICE is hereby given that the estate of the late JUSTO M. DOMINGUEZ who died intestate on December 21, 2005 at Toledo, Ohio, USA and EDITH M. DOMINGUEZ who died intestate on June 21, 1993 at Jacksonville, Florida, consisting of a Four Hundred (400) sq.m. parcel of land JUSTO M. DOMINGUEZ is the registered owner and Three Hundred (300) sq.m. parcel of land EDITH M. DOMINGUEZ is the registered owner, of the parcel of land with a total area of One Thousand Three Hundred Twenty (1320) sq.m. all covered by Transfer Certificate of Title No. T-57140 of the Registry of Deeds for the Province of Cavite, situated in the Barrio de Salinas, Municipality of Bacoor, Province of Cavite, of which MARIANITO M. DOMINGUEZ is the registered owner of Four Hundred (400) sq.m. parcel of land and LOLITA D. BARRERA is the registered owner of Two Hundred Twenty (220) sq.m. parcel of land, has been adjudicated and extrajudicially settled by and among their heirs (Party 1) is the following manner:

PHILAR G. DOMINGUEZ does hereby adjudicate unto himself the Four Hundred (400) sq.m. parcel of land described above.

MARIANITO M. DOMINGUEZ AND LOLITA D. BARRERA do hereby adjudicate unto themselves the three hundred (300) sq.m. parcel of land described above.

And, for and in consideration of the sum of FIVE MILLION TWO HUNDRED EIGHTY THOUSAND PESOS ONLY (PHP 5,280,000.00), they do hereby sell, cede, transfer, and convey by way of absolute sale the entire parcel of land unto Grace Marcial, married to Crisostomo Marcial, Leovides Amacion, married to Rosara Amacion, Justelina Amacion, married to Manuel Amacion and Cesar Amacion, married to Mercedes Amacion (Party 2), their heirs and assigns, and the parties herein further hereby agree as follows:

1. PARTY 1 hereby warrants a legal and valid title to the property and all real property taxes (000/yr) are currently paid and up to date, as provided by law, free from and clear of any and all liens, charges and encumbrances.

2. PARTY 1 shall defend the title to the real property subject of this Agreement against all claims of all persons or entities. The PARTY 1 also guarantees the right of PARTY 2 to take possession of the property subject of this Agreement upon signing and execution of this Agreement and will defend the PARTY 2 against all judicial or administrative actions for eviction.

3. PARTY 2 shall pay ALL taxes including capital gains tax, transfer tax, documentary stamp tax and any value added tax (VAT) applicable, if any, as well as all fees and expenses for the transfer and registration of the new title to PARTY 2.

on September 7, 2021 at Imus City, Cavite before Notary Public Atty. Carlos Emmanuel C. Montoya and entered in his Notarial Register as Doc. No. 151, Page No. 11, Book No. XII, Series of 2021.

(Sgd) Heirs with marital consent and buyers

Publication: DIYAKYO KABITENYO Date: September 13, 20 & 27, 2021

EXTRAJUDICIAL SETTLEMENT OF ESTATE WITH ABSOLUTE SALE

NOTICE is hereby given that the estate of the late LYDIA M. DOMINGUEZ who died intestate on March 8, 2013 at Jacksonville, Florida, USA married to EFREN GARCIA who died intestate on November 27, 1996 at Jacksonville, Florida, USA, consisting of a parcel of land LYDIA M. DOMINGUEZ is the absolute and registered owner, covered by Transfer Certificate of Title No. T-57344 of the Registry of Deeds for the Province of Cavite, situated in the Barrio de Salinas, Municipality of Bacoor, Province of Cavite, Island of Luzon, containing an area of Three Hundred Fifty Three (353) square meters, more or less, has been adjudicated and extrajudicially settled by and among her heirs (Party 1) in equal shares, and for in consideration of the sum of ONE MILLION FOUR HUNDRED TWELVE THOUSAND PESOS ONLY (PHP 1,412,000.00), they do sell, cede, transfer and convey by way of Absolute Sale unto Grace Marcial, married to Crisostomo Marcial, Leovides Amacion, married to Rosara Amacion, Justelina Amacion, married to Manuel Amacion and Cesar Amacion, married to Mercedes Amacion (Party 2), their heirs and assigns, the abovesaid parcel of land and the parties hereto further hereby agree as follows:

1. PARTY 1 hereby warrants a legal and valid title to the property and all real property taxes ("000/yr) are currently paid and up to date, as provided by law, free from and clear of any and all liens, charges and encumbrances.

2. PARTY 1 shall defend the title to the real property subject of this Agreement against all claims of all persons or entities. PARTY 1 also guarantees the right of PARTY 2 to take possession of the property subject of this Agreement upon signing and execution of this Agreement and will defend PARTY 2 against all judicial or administrative actions for eviction.

3. PARTY 2 shall pay ALL taxes including capital gains tax, transfer tax, documentary stamp tax and any value added tax (VAT) applicable, if any, as well as all fees and expenses for the transfer and registration of the new title to PARTY 2.

on September 7, 2021 at Imus City, Cavite before Notary Public Atty. Carlos Emmanuel C. Montoya and entered in his Notarial Register as Doc. No. 152, Page No. 11, Book No. XIII, Series of 2021.

(Sgd) Heirs with marital consent and buyers

Publication: DIYAKYO KABITENYO Date: September 13, 20 & 27, 2021

Study illuminates origins of lung cancer in never smokers

A genomic analysis international team led by researchers at the National Cancer Institute (NCI), part of the National Institutes of Health (NIH), and describes for the first time three mutations caused by natural selection in people who have never smoked.

AUCTION SALE

By the 23rd of FEBRUARY 2021 or immediately thereafter unless otherwise provided in this notice.

JARO PAWNSHOP AUCTION SALE

- Lot 17, Emilio Aguinaldo Highway, Tandang Lora 2, City of Imus, Cavite (000/yr)
Pangasinan, Palapan 1, City of Davao City, Cotabato, Cotabato (000/yr)
Lot 25, Lot 7 Golden Mile High, Salawing, City of Zamboanga, Cotabato (000/yr)
Lot 10, Marikina, Marikina City, City of Imus, Cavite (000/yr)
Lot 11, Marikina, Marikina City, City of Imus, Cavite (000/yr)
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## New study puts focus on early symptoms of Huntington's disease

Psychiatric and cognitive symptoms emerge at an early stage in Huntington's disease. However, research so far has mainly focused on movement impairment, a symptom associated with the more advanced stages of the disease. A new study from Lund University in Sweden now shows that the emotional brain – the limbic system – is affected earlier in the course of the disease, and should therefore be given more attention in the development of new treatments.

Huntington's is a fatal illness with no

treatment to slow its course. The new research findings provide knowledge about where the early changes take place in the brain. This is important for the development of new treatments which, according to the researchers, should target the earliest disease-related changes.

"Our results show that the emotional brain is affected at an early stage, and that this can contribute to the development of psychiatric and cognitive symptoms, which are the most difficult for the patients and their relatives. It is not only

nerve cells that are affected, but also other cells, oligodendrocytes, which enable communication between different parts of the brain, that are affected early in the course of the disease," explains Åsa Petersén, professor of neuroscience at Lund University and senior consultant in psychiatry at the Huntington Centre in Lund.

Huntington's disease is caused by a known genetic mutation that results in the production of a protein known as mutant huntingtin in all the cells of the body.

## Drug cocktail reduces aging-associated disc degeneration

Chronic back pain affects upwards of 15 million adults in the US, racking up billions in healthcare costs and lost work days. Degeneration of the discs that cushion and support vertebrae, a common occurrence of aging, is a major contributor to low back pain. Although a widespread condition, few treatments are available. Now Jefferson's Makarand

Risbud, PhD, James J. Maguire Jr. Professor of Spine Research in orthopedic surgery, division director of orthopedic research and co-director of the cell biology and regenerative medicine graduate program, and colleagues have shown that treating mice with a drug cocktail that removes aging cells reduces disc degeneration. The findings, reported in *Nature Communications* on September 3rd, show

how a novel approach to preventing age-related disc degeneration may pave the way for treating chronic back pain. "Once intervertebral discs start to degenerate, there is very little regeneration that happens," says Dr. Risbud. "But our results show that it is possible to mitigate the disc degeneration that happens with aging."

Surgery or steroid injections are options to treat low back pain from disc degeneration, but the vast majority of patients do not meet criteria for surgery and epidural steroid injections do not work well most of the time. Prolonged use of strong painkillers prescribed for back pain, such as opioids, carry the risk of addiction.

In collaboration with Brian Dickman, PhD, an assistant professor of biomedical

engineering at the University of North Carolina in Chapel Hill, Dr. Risbud and his team were looking for an effective and non-invasive way to treat back pain from disc degeneration that did not involve painkillers like opioids. Instead, they turned to a class of small molecules known as senolytics. These drugs target cells in the body that are in a process of

age-related deterioration called senescence. With age, every tissue in the body accumulates senescent cells. Senescent cells secrete destructive enzymes and inflammatory proteins that affect nearby healthy cells. Senolytic drugs remove these deteriorating cells, leaving room for new cells to replace them. The idea is that removing senescent cells from a tissue will improve the tissue's function.

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