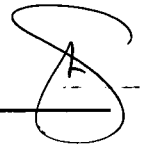


SENATE
P.S. RES. No. 1232



Introduced by Senator Raffy T. Tulfo

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE IRREGULAR SALE OF VAPES AND OTHER REGULATED GOODS IN VARIOUS E-MARKETPLACES AND THE PROLIFERATION OF FAKE ITEMS ONLINE, IN VIOLATION OF REPUBLIC ACT 11967, OTHERWISE KNOWN AS THE "INTERNET TRANSACTIONS ACT OF 2023"

1 WHEREAS, Republic Act 11967, otherwise known as the "Internet Transactions
2 Act of 2023" (ITA) is a new law that aims to protect online consumers and sellers alike
3 by setting clear rules for online transactions, including the sale, distribution and
4 advertisement of goods and services;

5 WHEREAS, the ITA mandates that the State shall guarantee, among others, the
6 effective regulation of e-commerce to protect consumer rights and data privacy,
7 secure internet transactions, promote intellectual property rights, ensure product
8 standards and safety compliance;

9 WHEREAS, on July 16, 2024, the Department of Trade (DTI) issued
10 Administrative Order No. 24-03, Series of 2024, suspending the online selling,
11 distribution and advertising of vape products and devices, unless the seller complies
12 with the 'PROOF-OF-AGE' verification and other requirements under the ITA;

13 WHEREAS, despite DTI Admin. Order No. 24-03, vape products and devices are
14 still being sold online through e-commerce platforms such as Lazada and Shopee.
15 While some sellers have the "verification" feature, this process can easily be
16 circumvented and bypassed, making these regulated products readily accessible even
17 to minors;

18 WHEREAS, on Tiktok, another online platform, no such verification feature is
19 installed in various sellers' account, and some bypass the verification process by

posting the instruction: "ORDER VIA: PRIVATE MESSAGE", rendering the directive of DTI useless and futile;

WHEREAS, in addition to the irregular sale of vapes, several online sellers are also actively violating community guidelines and policies by selling adult and explicit items using offensive images. These products, for lack of sufficient disclaimers and erroneous labels, can be easily accessed by children or individuals below 18 years old;

WHEREAS, apart from regulated items being sold in violation of DTI regulations and online platform community guidelines, the sale of fake, copycat or substandard products continue to proliferate across online selling platforms;

WHEREAS, the Philippines has in fact been labeled as Asia's epicenter for online shopping scams and these illegal activities distinctly rise during Christmas season where scammers take advantage of people's increased spending, generosity, and holiday-related stress to trick them into falling for various fraudulent schemes;


WHEREAS, there has been a surge in the online selling of toy products, such as the viral "LABUBU" doll craze where sellers have been offering both original and knock-off versions at prices which are shocking to the senses;

WHEREAS, the sale of these exorbitant items is especially reinforced by false and deceptive advertising, in blatant violation of the provisions of Republic Act 7394, otherwise known as the "Consumer Act of the Philippines.";

WHEREAS, the Philippine government, through the Department of Trade and Industry (DTI) and other relevant agencies, has the responsibility to protect consumers from fraudulent practices and ensure that all products sold online comply with pertinent laws and regulations;

NOW THEREFORE BE IT RESOLVED, as it is hereby resolved, to direct the appropriate Senate Committee to conduct an inquiry, in aid of legislation on the irregular sale of vapes and other regulated goods in various e-marketplaces and the proliferation of fake items online, in violation of Republic Act 11967, otherwise known as the "Internet Transactions Act of 2023."

Adopted,



Raffy T. Tulfo