

Philippine's Department of Trade and Industry (DTI) issues Five (5) Consumer Responsibilities

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1. Five (5) Consumer Responsibilities

Consumer reviews and feedbacks are essential in improving the quality of goods and services in the market. Recognizing the importance of providing consumers with complete and accurate guidance regarding their obligations arising from their rights, the DTI issued DTI Policy Advisory No. 23-01, s. 2023 – Re: Five (5) Consumer Responsibilities, on July 13, 2023.

The items summarized below are some of the laws with pertinent corresponding obligations on the part of suppliers, as business enterprises.



2. DTI Policy Advisory No. 23-01, series of 2023 - Re: Five (5) Consumer Responsibilities, issued July 13, 2023

1. Critical Awareness – the responsibility to be more alert and questioning about the use and the price and quality of goods and services used.
 - a. RA No. 7394 or the “Consumer Act of the Philippines”
Title III. – Protection Against Deceptive, Unfair, and Unconscionable Sales.
Chapter IV. Labeling and Fair Packaging
Article 74. Declaration of Policy. – The state shall enforce compulsory labeling and fair packaging to enable the consumer to obtain accurate information as to the nature, quality and quantity of the contents of consumer products and to facilitate the comparison of the value of such products.
Article 81. Price Tag Requirement. – it shall be unlawful to offer any consumer product for retail sale to the public without an appropriate price tag, label or marking publicly displayed to indicate the price of each article and said products shall not be sold at a price higher than that stated therein and without discrimination to buyers.
 - b. RA No. 7581 or the “Price Act”, as amended
Section 5. Illegal acts of Price Manipulation. – Without prejudice to the provisions of existing laws on goods not covered by this act, it shall be unlawful for any person habitually engaged in the production, manufacture, importation, storage, transport, distribution, sale or other methods of disposition of goods to engage in the following acts of price manipulation of the price of any basic necessity or prime commodity:
 - 1) Hoarding, which is the undue accumulation by a person or combination of persons of any basic commodity beyond his or their normal inventory levels or the unreasonable limitation or refusal to dispose of, sell or distribute the stocks of any basic necessity of prime

commodity to the general public or the unjustified taking out of any basic necessity or prime commodity from the channels of reproduction, trade, commerce and industry. There shall be prima facie evidence of hoarding when a person has stocks of any basic necessity or prime commodity fifty percent (50%) higher than his usual inventory and unreasonably limits, refuses or fails to sell the same to the general public at the time of discovery of the excess. The determination of a person's usual inventory shall be reckoned from the third month immediately preceding before the discovery of the stocks in case the person has been engaged in the business for at least three (3) months; otherwise, it shall be reckoned from the time he started his business.

- 2) Profiteering, which is the sale or offering for sale of any basic necessity or prime commodity at a price grossly in excess of its true worth. There shall be prima facie evidence of profiteering whenever a basic necessity or prime commodity being sold: (a) has no price tag; (b) is misrepresented as to its weight or measurement; (c) is adulterated or diluted; or (d) whenever a person raises the price of any basic necessity or prime commodity he sells or offers for sale to the general public by more than ten percent (10%) of its price in the immediately preceding month.
 - 3) Cartel, which is any combination of or agreement between two (2) or more persons engaged in the production, manufacture, processing, storage, supply, distribution, marketing, sale or disposition of any basic necessity or prime commodity designed to artificially and unreasonably increase or manipulate its price. There shall be prima facie evidence of engaging in a cartel whenever two (2) or more persons or business enterprises competing for the same market and dealing in the same basic necessity or prime commodity, perform uniform or complementary acts among themselves which tend to bring about artificial and unreasonable increase in the price of any basic necessity or prime commodity or when they simultaneously and unreasonably increase prices on their competing products thereby lessening competition among themselves.
- c. RA No. 9711 or the "Food and Drug Administration Act (FDA)"
 - d. RA No. 10642 or the "Philippine Lemon Law"
 - e. RA No. 10909 or the "No Shortchanging Act of 2016" IRR
Rule IV, Section 2.1. It shall be the duty of the consumers to ensure exact amount of change is received immediately after every transaction.
2. Action - the responsibility to assert and act to ensure that the consumer get a fair deal.
- a. The 1987 Philippine Constitution
Art. XII, Section 19 – The State shall regulate or prohibit monopolies when the public interest so requires. No combinations in restraint to trade or unfair competition shall be allowed.
 - b. RA No. 7394 or the "Consumer Act of the Philippines"
 - c. RA No. 7581 or the "Price Act", as amended
Section 5 – Illegal Acts of Price Manipulation
 - d. RA No. 7925 or the "Public Telecommunications Policy Act of the Philippines"
Section 20. Rights of End-Users. – The user of telecommunications service shall have the following basic rights:
Thorough and prompt investigation of, and action upon complaints. The utility shall endeavor to allow complaints to be received over the telephone and shall keep a record of all written or phoned-in complaints.

- e. RA No. 8293 or “The Intellectual Property Code” as amended
 - f. DTI Department Administrative Order No. 08, Series of 2002, or “Prohibiting Chain Distribution Plans or Pyramid Sales Schemes in the Sale of Consumer Products”
 - g. RA No. 10642 or the “Philippine Lemon Law”
 - h. RA No. 10667 or the “Philippine Competition Act”
 - i. RA No. 10909 or “No Shortchanging Act of 2016” IRR
Rule IV, Section 2.2. The consumer may report to the business establishment’s consumer welfare desk all instances of shortchanging for immediate action/remedy or write and submit a letter of complaint to the DTI not later than ten (10) working days after a violation has been committed.
 - j. RA No. 8749 or the “Philippine Clean Air Act of 1999”
Section 41. Citizen Suits. – For purposes of enforcing the provisions of this Act or its implementing rules and regulations, any citizen may file an appropriate civil, criminal or administrative action in the proper courts against:
 - a) Any person who violates or fails to comply with the provisions of this Act or its implementing rules and regulations; or
 - b) The department or other implementing agencies with respect to orders, rules and regulations issued inconsistent with this Act; and/or
 - c) Any public officer who willfully or grossly neglects the performance of an act specifically enjoined as a duty by this Act or its implementing rules and regulations; or abuses his authority in the performance of his duty; or, in any manner, improperly performs his duties under this Act or its implementing rules and regulations.
3. Social Concern – the responsibility to be aware of the impact of consumption on other citizens, especially the poor, exploited, disadvantaged, or powerless sector, whether in the local, national or international community.
- a. RA No. 7394 or the “Consumer Act of the Philippines”
 - b. RA No. 7581 or the “Price Act”, as amended
 - c. RA No. 10642 or the “Philippine Lemon Law”
 - d. RA No. 11900 or the “Vaporized Nicotine and Non-Nicotine Products Regulation Act Implementing Rules and Regulations” (IRR)
Rule XV – Roles and Responsibilities of Consumers
Section 2. Consumers
 - a. To exercise consumer rights and perform consumer responsibilities. Buy Vaporized Nicotine and Non-Nicotine products and Novel Tobacco Products only from reputable and legitimate sellers that sell duly registered Vaporized Nicotine and Non-Nicotine Products or Novel Tobacco Products;
 - b. To always present any valid government-issued ID exhibiting the consumer’s photograph and age or date of birth when required upon purchase of Vaporized Nicotine and Non-Nicotine Products, their devices, or Novel Tobacco Products for proper age verification;
 - c. To only use Vaporized Nicotine and Non-Nicotine Products according to the manufacturer’s instructions and, where applicable, only in Designated Vaping Areas (DVAs);
 - d. To store Vaporized Nicotine and Non-Nicotine Products properly away from minors; and
 - e. To report sellers who are in violation of any of the provisions of RA No. 11900 or its IRR.
4. Environmental Awareness – the responsibility to understand the environmental consequences of consumption. Recognizing individual and social responsibility to conserve natural resources and protect the earth for future generations.
- a. The 1987 Philippine Constitution

- b. RA No. 7394 or the “Consumer Act of the Philippines”
 - c. RA No. 8749 or the “Philippine Clean Air Act of 1999”
 - d. RA No. 9211 or the “Tobacco Regulation Act of 2003” and its IRR
 - e. RA No. 9003 or the “Ecological Solid Waste Management Act of 2000”
5. Solidarity – the responsibility to organize together as consumers to develop the strength and influence to promote and protect consumer interest.
- a. The 1987 Philippine Constitution
 - b. RA No. 6938 or the “Cooperative Code of 1990”
 - c. RA No. 7394 or the “Consumer Act of the Philippines”

3. What should companies do?

DTI Policy Advisory No. 23-01, s. 2023 ensures that consumers are well-informed about their responsibilities in light of the existing laws and regulations. It encourages consumers to be proactive in seeking redress, participate in resolving disputes and to provide feedback to improve the quality of goods and services. As such, corporations and entities operating in the Philippines are advised of their corresponding obligations and responsibilities under the existing laws enumerated in DTI Policy Advisory No. 23-01, s. 2023 among others to avoid penalties and prosecutions. For more information, you may contact us on the details provided below.




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