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SENATE
P.S. Res. No. 259

RECEIVED BY: 

Introduced by Senator Maria Lourdes Nancy S. Binay

RESOLUTION

**DIRECTING THE PROPER SENATE COMMITTEES TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE REPORTED WARNING ISSUED BY THE
WORLD HEALTH ORGANIZATION (WHO) OVER INDIA-MADE COUGH SYRUPS
AFTER DEATHS IN THE GAMBIA WITH THE OBJECTIVE OF REVIEWING THE
EXISTING MEASURES ON THE PROCUREMENT OF MEDICINES IN THE
COUNTRY**

WHEREAS, Article XIII, Section 12 of the Constitution of the Republic of the Philippines provides that the State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health, manpower development, and research, responsive to the country's health needs and problems;

WHEREAS, Article II, Section 15 of the Constitution of the Republic of the Philippines provides that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, Republic Act No. 9711, otherwise known as the Food and Drug Administration (FDA) of 2009 is mandated to ensure the safety, efficacy or quality of health products which include foods, drugs, cosmetics, devices, biological, vaccines, in-vitro diagnostics reagents, radiation-emitting devices or equipment, and household/urban hazardous substances, including pesticides and toys, or consumer products that may have an effect on health which require regulations as determined by the FDA¹;

WHEREAS, various news media sources reported that the police in The Gambia are investigating the deaths of sixty-six (66) children, which have been linked to four (4) brands of imported Indian cough syrup²;

WHEREAS, bereaved parents said that their children stopped being able to pass urine after being given the syrups and that their children's condition worsened³;

WHEREAS, the World Health Organization (WHO) has issued a global alert over the four (4) cough syrups - Promethazine Oral Solution, Kofexmalin Baby Cough Syrup, Makoff Baby Cough Syrup and Magrip N Cold Syrup manufactured by the Indian company, Maiden Pharmaceuticals that have been potentially linked to the acute kidney

¹ Republic Act 9711 otherwise known as the Food and Drug Administration of 2009.

² Gambia cough syrup scandal: Police investigate deaths linked to Indian medicine. Available at <https://www.bbc.com/news/world-africa-63191406>

³ Ibid.

injuries of the children due to the diethylene glycol poisoning discovered and which had failed to provide guarantees about their safety⁴;

WHEREAS, as a result of the global alert, the Gambian authorities were able to confiscate over sixteen thousand (16,000) recalled doses of medication including paracetamol and cough syrup made by manufacturer Maiden⁵;

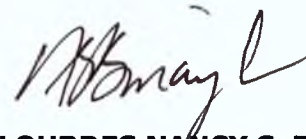
WHEREAS, in 2014, Maiden Pharmaceuticals was one of the thirty nine (39) Indian drug companies blacklisted by Vietnam for quality issues. In 2015, its product was found to be substandard in Gujarat and in 2017, the company was penalized in Kerala. However, it continued to supply drugs in the state, as is evident from the fact that its products were found substandard at least five times in 2021 and 2022 in Kerala⁶. The company has also faced queries about the poor-quality medicines they produced in Jammu, Kashmir, and Bihar⁷;

WHEREAS, in addition, WHO said that global exposure was possible as the manufacturer may have used the same contaminated material in other products and distributed them locally or exported ⁸;

WHEREAS, the presence and proliferation of substandard or contaminated medicines in the country is a major public health concern and thus needs a proactive approach from the Philippine government to prevent the occurrence of adverse events that can negatively impact the health of individuals, especially children;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Senate directs the proper Senate committee to conduct an inquiry, in aid of legislation, on the reported warning by the World Health Organization (WHO) over the India-made cough syrups after deaths in the Gambia with the objective of reviewing the existing measures on the procurement of medicines in the country.

Adopted,



MARIA LOURDES NANCY S. BINAY

⁴ WHO alert over India-made cough syrups after deaths in The Gambia. Available at <https://www.bbc.com/news/world-africa-63150950>

⁵The Gambia demands justice for cough-syrup related deaths. Available at <https://news.abs-cbn.com/overseas/10/11/22/the-gambia-demands-justice-for-cough-syrup-related-deaths>

⁶Firm behind Gambia child deaths a repeat offender in India. Available at <https://timesofindia.indiatimes.com/india/firm-behind-gambia-child-deaths-a-repeat-offender-in-india/articleshow/94713737.cms>

⁷ Ibid

⁸ Ibid.