

DEPARTMENT ADMINISTRATIVE ORDER NO. _____
Series of 2025

Subject : **MANDATORY REGISTRATION OF DISTRIBUTORS, RETAILERS, AND WAREHOUSES OF VAPORIZED NICOTINE AND NON-NICOTINE PRODUCTS, THEIR DEVICES, AND NOVEL TOBACCO PRODUCTS, AND THE CREATION OF AN ONLINE DATABASE THEREOF**

WHEREAS, it is the declared policy of the State through Republic Act No. 11900 (RA11900), or the Vaporized Nicotine and Non-Nicotine Products Regulation Act, to regulate the sale and distribution of Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products in order to promote a healthy environment, protect the citizens from any potential hazards of these novel consumer products, reduce the harm caused by smoking, and ensure that the sale to minors and the illicit trade of Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products in the country are prevented;

WHEREAS, RA11900 provides that the sale or distribution of Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products through internet websites or via e-commerce and/or other similar media platforms shall only be made by online sellers or distributors registered with the Department of Trade and Industry (DTI);

WHEREAS, it is further mandated by RA11900 that the DTI and the Bureau of Internal Revenue (BIR) shall maintain a monthly-updated online list of registered brands of Vaporized Nicotine and Non-Nicotine Products and Novel Tobacco Products that are eligible to be sold online;

WHEREAS, Rule V, Section 3(a), of Department Administrative Order No. 22-16 (DAO22-16) (2022), or the Implementing Rules and Regulations of RA11900, provides that only DTI and BIR duly-registered distributors, merchants and retailers of Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products shall be allowed to sell in e-marketplaces, e-commerce platforms, selling facilities embedded in social media websites/application and/or other similar selling platforms;

WHEREAS, Rule V, Section 3(b) of DAO22-16 (2022) provides that duly-registered distributors, merchants or retailers of Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products shall conspicuously post in their brick-and-mortar stores the required government certificates and approvals of the products;

WHEREAS, Section 6 of Republic Act No. 11967, or the Internet Transactions Act of 2023, ensures that those who engage in e-commerce shall not enjoy any beneficial treatment that is more favorable, nor be placed at a disadvantage, in relation to other enterprises that offer goods and services offline in the Philippines;

OFFICE OF THE SECRETARY

WHEREAS, Department Order No. 24-154 (DO24-154) (2024), as amended, created the DTI Office for the Special Mandate on Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products (OSMV) to centralize the coordination of enforcement actions in relation to RA11900;

WHEREAS, DO24-154 (2024), as amended, authorizes the DTI OSMV to exercise any and all powers and authority of the DTI, including promulgating and implementing policies and procedures for the proper implementation of RA11900;

NOW THEREFORE, foregoing premises considered, this Order is hereby issued for the guidance of all concerned:

Rule 1 SCOPE

Section 1. This Order shall apply to all distributors, retailers, and warehouse owners or operators engaged in the sale, distribution, or storage of Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products, whether imported or locally manufactured; whether physical or online in nature.

Rule 2 DEFINITION OF TERMS

Section 1. The following terms shall be defined as follows:

- a. **Certificate of Registration (COR)** – A certificate issued by the DTI OSMV evidencing that the retailer, distributor, or warehouse owner/operator is duly registered to retail, distribute, or store Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products in the Philippines, whether online or through brick-and-mortar stores;
- b. **Distributor** – Any entity to whom Vaporized Nicotine and Non-Nicotine Products, their Devices, or Novel Tobacco Products is delivered or sold for purposes of distribution in commerce, except that such term does not include a manufacturer, retailer, or common carrier of such product;
- c. **Retailer** – Any establishment that sells or offers to sell any Vaporized Nicotine and Non-Nicotine Products, their Devices, or Novel Tobacco Products directly to an individual, group, or the general public;
- d. **Warehouse Owner/Operator** – Any person or entity engaged in the storage, safekeeping, or handling of products and devices, whether for its own account or on behalf of manufacturers, importers, distributors, or retailers, regardless of whether the facility is owned, leased, or contracted.
- e. **Point-of-Sale** – Any location, physical or online, where Vaporized Nicotine and Non-Nicotine Products, their Devices, or Novel Tobacco Products can be purchased. The location may include a product testing area;

- f. **Store** – The brick-and-mortar establishment, or the website, application, or webpage where Vaporized Nicotine and Non-Nicotine Products, their Devices, or Novel Tobacco Products are sold or offered for sale;
- g. **Movement Log** – A daily record maintained by a warehouse owner or operator that tracks the inward and outward movement of Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products.

Rule 3

MANDATORY REGISTRATION

Section 1. All distributors, retailers, and warehouse owners or operators must register with the DTI OSMV prior to engaging in any business activity involving sale, distribution, or storage of Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products.

No person or entity shall operate or represent itself as such without a valid COR issued by the DTI OSMV.

Section 2. All applications for registration under this Order shall be filed online with the DTI OSMV.

Section 3. The application for registration shall be supported by the following documents:

- a. Duly accomplished and notarized Application Form;
- b. An “Undertaking to Abide by the Terms and Conditions of the Certificate of Registration” which, among others, grants the DTI OSMV, or its duly authorized representatives, full and unrestricted access to the premises where Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products are assembled or stored; and to relevant equipment, records, personnel, and subcontractors for purposes of investigating complaints or evaluating the consistency of compliance with the requirements of technical regulation;
- c. DTI Business Registration Certificate for sole proprietorships; Securities and Exchange Commission (SEC) Certificate of Incorporation for Corporations or Partnerships; or Cooperative Development Authority (CDA) Certificate of Registration for Cooperatives;
- d. List of Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products to be distributed, retailed or stored;
- e. For brick-and-mortar stores, a barangay certification evidencing that the store is not located within 100-meters walkable distance from any point of the perimeter of a school, playground, or other facility frequented by minors, or that the advertising or marketing materials of the store relating to Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Product are not within a 100-meter

visible distance from any point of the perimeter of a school, playground, or other facility frequented by minors subject to verification during the registration process, *Provided*, that, if upon verification it is determined that the store is located within 100-meters of the prohibited area, then the barangay official who issued the certification shall be required to explain the discrepancy in the findings;

f. For online stores with:

1. Website, application, or webpage: Uniform Resource Locator (URL) of the website, application, or webpage;
2. Mobile application: application name with logo for each mobile operating system available.

Rule 4 **CERTIFICATE OF REGISTRATION (COR)**

Section 1. A COR shall be issued by the DTI OSMV upon satisfactory result of the evaluation of the documentary requirements submitted by the applicant.

Section 2. All CORs shall be site-, location-, web application-, webpage- or mobile application-specific. A distributor, retailer or warehouse owner/operator may be a holder of multiple CORs depending on the number of stores applied for and registered with the DTI OSMV.

Section 3. The COR shall be valid for three (3) years from the date of issuance subject to the holder's continuing compliance to RA11900, its Implementing Rules and Regulations, applicable regulations, and the Undertaking.

Section 4. The COR may be transferable subject to the approval of the DTI OSMV.

Section 5. The COR issued under this Order is separate and distinct from other government-mandated or issued certifications.

Rule 5 **RENEWAL OR AMENDMENT**

Section 1. Applications for renewal of the COR may be applied online with the DTI OSMV within ninety (90) calendar days prior to the COR's expiration. Late renewal may be subject to penalties including, but not limited to, suspension, or revocation of the COR, and may subject the entity to enforcement actions as determined by the DTI OSMV.

Section 2. Applications for renewal shall be accompanied by the same documentary requirements as the application for COR.

Section 3. An amendment to the COR must be filed online with the DTI OSMV on any of the following grounds:

- a. Any change in the business name, ownership, location, or address of the COR holder, its store, or warehouse; or
- b. Any addition to brands or variants carried by the COR holder.

Rule 6

ONLINE DATABASE OF REGISTERED COR HOLDERS

Section 1. An online and publicly accessible list of duly registered COR holders shall be maintained by the DTI OSMV.

Section 2. The online database shall display the following information of the COR holder:

- a. Company Name;
- b. Trade Name;
- c. Classification (distributor/retailer/warehouse owner/operator);
- d. Address;
- e. Contact Details;
- f. COR Number;
- g. COR Date of Issuance;
- h. COR Date of Expiration; and
- i. Brands or variants allowed to be sold/distributed/stored.

Rule 7

RECORDS AND LOGS

Section 1. The following records and logs shall be maintained, organized, and preserved for a minimum of five (5) years:

- a. Sales and purchase invoices;
- b. Inventory logs;
- c. Movement logs; and
- d. Any other relevant records or supporting documents as may be required by the DTI OSMV from time to time.

Section 2. Distributors, retailers, and warehouse owners or operators shall maintain a daily Movement Log containing:

- a. Description and quantity of goods received or dispatched;
- b. Source or destination;
- c. Reference document numbers;
- d. Date and time of movement;
- e. Mode of transport or delivery; and
- f. Any other information as may be required by DTI OSMV.

Section 3. No product or inventory record shall be destroyed or disposed of:

- a. Within the five (5)-year retention period; or
- b. While under investigation, audit or inspection by any regulatory agency.

Rule 8

SCHEDULE OF FEES AND CHARGES

Section 1. The COR applicant shall pay the corresponding fees for the COR application, its renewal, or amendment.

PARTICULARS	FEE (PhP)	PAYABLE TO
Application Fee	5,000.00	DTI Cashier
Renewal Fee	5,000.00	DTI Cashier
Amendment Fee	5,000.00	DTI Cashier
Late Renewal Surcharge	10,000.00	DTI Cashier

Section 2. Other statutory or regulatory fees or charges may be applicable in addition to the fees provided in the next preceding section.

Rule 9

REVOCATION AND PENALTIES

Section 1. An existing or current COR is deemed immediately revoked, without notice and hearing, upon any of the following grounds:

- a. Expiration of the existing or current COR;
- b. Issuance of a Renewal or Amended COR;
- c. The COR holder or applicant made false statements in connection with its application for issuance, renewal, or amendment of its COR;

- d. Refusal for any reason to provide the full and unrestricted access to the premises provided herein;
- e. Destruction of records and/or sealed products while under investigation by any regulatory agency;
- f. Receiving Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products from manufacturers or importers that are not holders of valid Philippine Standard (PS) Licenses for Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products;
- g. Distribution, sale or storage of Vaporized Nicotine and Non-Nicotine Products, their Devices, or Novel Tobacco Products outside the coverage of an existing COR;
- h. The COR holder is issued an Order of Execution vis-à-vis a Decision or Resolution finding the COR holder liable for violation of any trade and industry law, rules, or regulation; or
- i. The DTI OSMV is directed by any lawful authority to revoke the COR;

Section 2. The COR may be revoked, after due notice and hearing, upon any ground not provided in the next preceding section.

Section 3. The applicable penalties of RA11900 shall be imposed upon the COR holder for any violation of this Order. This is without prejudice to the imposition of applicable penalties under Republic Act No. 4109, or commonly known as the Standards Law; Republic Act No. 7394, or the Consumer Act of the Philippines; RA11967; or any trade and industry law.

Section 4. Any violation of Republic Act No. 8424 (RA8424), or the National Internal Revenue Code of 1997, as amended, shall be prosecuted and penalized by the BIR which has the exclusive jurisdiction on matters pertaining to RA8424.

Rule 10 FINAL PROVISIONS

Section 1. Transitory Period. Effective six (6) months from its publication date, distributors, retailers, and warehouse owners or operators without any valid COR under this Order shall not be allowed to engage in the sale, distribution, or storage of Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products, whether imported or locally manufactured; whether physical or online in nature.

Section 2. Repeal. All inconsistent provisions of DAO 22-06 (2022), as supplemented, and all other Orders, issuances or parts thereof that are inconsistent with this Order are repealed or amended accordingly.

Section 3. Separability. Should any provision of this Order or any part thereof be declared invalid, the other provisions shall remain in force and effect to the extent that they are separable from the invalid ones.

Section 4. Effectivity. This Order shall take effect immediately after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Issued this _____ in the City of Makati, Philippines.

APPROVED BY:

MA. CRISTINA ALDEGUER-ROQUE
Secretary

RECOMMENDED BY:

ATTY. M. MARCUS N. VALDEZ II
Assistant Secretary and Supervising Head
Office for the Special Mandate
on Vaporized Nicotine and Non-Nicotine Products,
their Devices, and Novel Tobacco Products