



Republic of the Philippines  
Ministry of Health  
Office of the Minister  
Manila

January 24, 1984

ADMINISTRATIVE ORDER  
NO. 76 s. 1984

Subject : **Guidelines to be observed by FDA (BFAD) in clearance of name relative to food, drugs and cosmetics.**

R.A. 3720 considered a food, drug or cosmetic as misbranded if its labeling is false or misleading in any particular.

For purposes of implementing the misbranding provisions of the "Food, Drug and Cosmetic Act," the following guidelines with respect to clearance of business name, trade name, brand name, partnership or corporate name or any other **similar name or mark appearing in the label of food, drugs and cosmetics shall be observed by the Food and Drug Administration.** (Bureau of Food and Drugs)

Section 1. As a general rule, any name which is not yet exclusively appropriated by other person is registrable with FDA (BFAD).

Section 2. The following names cannot be registered with FDA (BFAD):

- a) Deceptive name;
- b) One resembling another name registered in FDA (BFAD) or previously cleared by it and not abandoned, and likely to cause confusion or mistake or to deceive consumers;
- c) One deceptively descriptive, such as most outstanding, the best drug and the like;
- d) One geographically descriptive, such as Canadian Food products. This type of name give false impression as to the country of origin of the products.
- e) In general rule, one which would confuse the public and unwary consumers and deceive them into believing that the articles bearing one label are similar or produced by the same manufacturer as those carrying the other label.

Section 3. No license to operate a food, drug and cosmetic establishment shall be issued by FDA (BFAD) unless the applied or proposed name is acceptable to FDA (BFAD).

Section 4. No commodity clearance or products registration shall likewise be issued by FDA (BFAD) if the proposed name is one that fall within any of the prohibitions mentioned in Section 2 hereof.

This regulation shall take effect immediately.

**(Sgd) CATALINA C. SANCHEZ**  
Director

Approved:

**(Sgd) J.C. AZURIN**  
Minister of Health