

REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

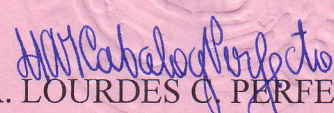
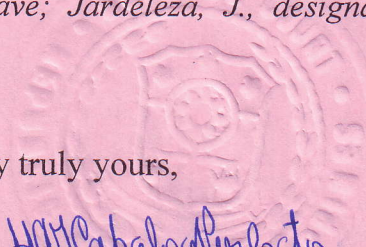
NOTICE

Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated 17 June 2015 which reads as follows:

“G.R. No. 217872 (Alliance For The Family Foundation Philippines, Inc. [ALFI] and Atty. Maria Concepcion S. Noche, in her own behalf and as President of ALFI, et al. vs. Dr. Janette L. Garin, Secretary-Designate of the Department of Health, et al.)- After deliberating on the petition for certiorari, prohibition/mandamus assailing the manner of implementation of Republic Act No. 10354 (RH Law) by the responsible officers of the Department of Health (DOH) and Food and Drug Administration (FDA) and all persons acting for and on their behalf, as being contrary to the RH Law and the Judgment of the Supreme Court and carried out without observance of due process and with grave abuse of discretion amounting to lack or excess of jurisdiction, with prayer for the urgent issuance of a temporary restraining order and/or writ of preliminary prohibitory and mandatory injunction, seeking among others: [1] to enjoin the respondent public officers, and all persons acting for and on their behalf from procuring, selling, distributing, dispensing or administering and/or allowing or pursuing the procurement, sale, distribution dispensation or administration of reproductive products and supplies, including contraceptive drugs and devices, and [2] to cancel and withdraw any and all registrations or re-certifications made of reproductive products and supplies, including contraceptive drugs and devices, and to prohibit the sale, distribution, administration and use of the same, and it appearing that the FDA had already certified two (2) types of Implanon known to have abortifacient character, and registered and/or re-certified other contraceptive drugs and devices without holding any hearing or consultation; with further prayer that this Court annul and nullify the certifications, orders, resolutions for the registration and/or re-certification of contraceptive drugs and devices by the FDA and the DOH for having been issued without or in excess of jurisdiction or with grave abuse of discretion amounting to lack or excess of jurisdiction, the Court resolves to **REQUIRE** respondents to file **COMMENT** on the petition, not a motion to dismiss, within ten (10) days from notice, and to **ISSUE**, effective immediately and continuing until further orders from this Court a **TEMPORARY RESTRAINING ORDER** enjoining the respondents, their representatives, agents or other persons acting on their behalf from: [1] granting any and all pending applications for registration and/or recertification for reproductive products and supplies including contraceptive drugs and devices; and [2] procuring, selling, distributing, dispensing or administering, advertising and promoting the hormonal contraceptive “Implanon” and “Implanon NXT.” *Leonen, J., on official leave; Jardeleza, J., designated acting member per S.O. No. 2056.*”

Very truly yours,


MA. LOURDES C. PERFECTO
Division Clerk of Court 

DR. JANETTE L. GARIN (x)

Secretary-Designate
Department of Health
Sta. Cruz, Manila

ATTY. NICOLAS B. LUTERO III (x)

Assistant Secretary Department of Health
Officer-in-Charge, Food and Drug Administration
Civic Drive, Filinvest Corporate City
Alabang, Muntinlupa City

MARIA LOURDES C. SANTIAGO (x)

Office-in-Charge, Center for Drug Regulation and Research
Food and Drug Administration
Civic Drive, Filinvest Corporation City
Alabang, Muntinlupa City

OFFICE OF THE SOLICITOR GENERAL(x)

134 Amorsolo Street
1229 Legaspi Village
Makati City

ATTY. MARIA CONCEPCION S. NOCHE (x)

Counsel for Petitioner
91 Melchor Street, Loyola Heights
1108 Quezon City

ALLIANCE FOR THE FAMILY FOUNDATION PHILS.,
INC. (ALFI) (x)

Unit 530, Richville Corporate Tower, Madrigal Business Park
1107 Alabang-Zapote Road
Muntinlupa City

PUBLIC INFORMATION OFFICE (x)

Supreme Court, Manila

Please notify the Court of any change in your address.

GR217872. 06/17/15(327)adv *mbp 6/19*



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

ALLIANCE FOR THE FAMILY
FOUNDATION PHILIPPINES, INC. (ALFI)
AND ATTY. MARIA CONCEPCION S. NOCHE,
IN HER OWN BEHALF AND AS PRESIDENT
OF ALFI, ET AL.,

G.R. No. 217872

Petitioners,

- versus -

TEMPORARY RESTRAINING ORDER

DR. JANETTE L. GARIN, SECRETARY-
DESIGNATE OF THE DEPARTMENT OF
HEALTH, ET AL.,

Respondents.

X -----X

TO: **DR. JANETTE L. GARIN** (x)
Secretary-Designate
Department of Health
Sta Cruz, Manila

ATTY. NICOLAS B. LUTERO III (x)
Asst. Secretary, Department of Health
Officer-in-Charge, Food and Drug Administration
MARIA LOURDES C. SANTIAGO (x)
Officer-in-Charge, Center for Drug Regulation and Research
Food and Drug Administration
Civic Drive, Filinvest Corporate City
Alabang, Muntinlupa City

THE SOLICITOR GENERAL (x)
134 Amorsolo Street
1229 Legaspi Village, Makati City

GREETINGS :

WHEREAS, the Supreme Court on 17 June 2015 promulgated a resolution in the above-entitled case, the dispositive of which reads:

“G.R. No. 217872 (Alliance For The Family Foundation Philippines, Inc. [ALFI] and Atty. Maria Concepcion S. Noche, in her own behalf and as President of ALFI, et al. vs. Dr. Janette L. Garin, Secretary-Designate of the Department of Health, et al.).- After deliberating on the petition for certiorari, prohibition/mandamus assailing the manner of implementation of Republic Act No. 10354 (RH Law) by the responsible officers of the Department of Health (DOH) and FDA (Food and Drug Administration) and all persons acting for and on their behalf, as being contrary to the RH Law and the Judgment of the Supreme Court and carried out without observance of due process and with grave abuse of discretion amounting to lack or excess of jurisdiction, with prayer for the urgent issuance of a temporary restraining order and/or writ of preliminary

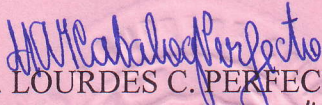
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prohibitory and mandatory injunction seeking among others: [1] to enjoin the respondent public officers, and all persons acting for and on their behalf from procuring, selling, distributing, dispensing or administering and/or allowing or pursuing the procurement, sale, distribution dispensation or administration of reproductive products and supplies, including contraceptive drugs and devices, and [2] to cancel and withdraw any and all registrations or re-certifications made of reproductive products and supplies, including contraceptive drugs and devices, and to prohibit the sale, distribution, administration and use of the same, and it appearing that the FDA had already certified two (2) types of Implanon known to have abortifacient character, and registered and/or re-certified other contraceptive drugs and devices without holding any hearing or consultation; with further prayer that this Court annul and nullify the certifications, orders, resolutions for the registration and/or re-certification of contraceptive drugs and devices by the FDA and the DOH for having been issued without or in excess of jurisdiction or with grave abuse of discretion amounting to lack or excess of jurisdiction, the Court resolves to **REQUIRE** respondents to file **COMMENT** on the petition, not a motion to dismiss, within ten (10) days from notice, and to **ISSUE**, effective immediately and continuing until further orders from this Court a **TEMPORARY RESTRAINING ORDER** enjoining the respondents, their representatives, agents or other persons acting on their behalf from: [1] granting any and all pending applications for registration and/or recertification for reproductive products and supplies including contraceptive drugs and devices; and [2] procuring, selling, distributing, dispensing or administering, advertising and promoting the hormonal contraceptive "Implanon" and "Implanon NXT." *Leonen, J., on official leave; Jardeleza, J., designated acting member per S.O. No. 2056.*"

NOW, THEREFORE, effective immediately and continuing until further orders from this Court, You, the respondents, your agents, representatives, and all other persons acting on your behalf are hereby **RESTRAINED** from: [1] granting any and all pending application for reproductive products and supplies, including contraceptive drugs and devices; and [2] procuring, selling, distributing, dispensing or administering, advertising and promoting the hormonal contraceptive "Implanon" and "Implanon NXT."

GIVEN by the **HONORABLE SENIOR ASSOCIATE JUSTICE ANTONIO T. CARPIO**, Chairperson of the Second Division of the Supreme Court of the Philippines, on 17 June 2015.

Very truly yours,


MA. LOURDES C. PERFECTO
Division Clerk of Court *4/29*

Copy furnished:

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