

Title: People of the Philippines vs. Nena Tanalega Raymundo

Facts:

This case revolves around the incident that occurred on February 18, 1941, in San Pablo City, Laguna, Philippines. The complainant, Silvino Belarmino, sought to purchase a prescribed medication from Escudero Drug Store. The prescription included sparteine sulfate, phenobarbital, and carbromal for his ailment. Dr. Leon Castillo, the manager of the drug store, affirmed their capability to prepare the medication. However, due to a mistake by pharmacy clerk Nena Tanalega Raymundo, strychnine sulfate—a toxic substance—was used instead of the prescribed sparteine sulfate. Belarmino experienced severe poisoning symptoms after consuming the capsule but survived.

The case journeyed through the judicial system, beginning at the Court of First Instance of Laguna, where Raymundo was found guilty of frustrated homicide through reckless imprudence and acquitted her co-accused Dr. Leon Castillo. Raymundo then appealed to the Court of Appeals of Southern Luzon, which modified the conviction to slight physical injuries through reckless imprudence, imposing a fine of P200. Dissatisfied, Raymundo sought reconsideration, challenging the conclusion of correctional offense and the application of prescription laws.

Issues:

1. Whether a frustrated felony can be committed through reckless imprudence.
2. The applicability of felony committed through reckless imprudence when no material damage has been caused.
3. The establishment of proximate cause to effect.
4. The correctness of the finding that strychnine sulfate was dispensed and ingested by the complainant.
5. Prescription of the offense due to time elapsed between the incident and the filing of the information.

Court's Decision:

The Supreme Court found Raymundo guilty of a violation of the provisions contained in section 751 of the Revised Administrative Code, regarding the responsibility for the quality of drugs dispensed, and in connection with section 2676 for general violation of Pharmacy Law. It emphasized that pharmacists and their clerks must exercise the highest degree of care and vigilance in preparing medication. The Court modified the earlier rulings and upheld the fine of P200 with subsidiary imprisonment in case of insolvency, dismissing the

issues raised about the violation or application of the Penal Code due to the standpoint of public health safety being paramount.

Doctrine:

The case reiterated the professional and legal standards required in the dispensation of medications, emphasizing the criminal liability for negligence leading to harm due to the incorrect fulfillment of prescriptions. It highlighted the adherence to drugs' quality standards as stipulated in the Revised Administrative Code and the strict observance required by pharmacists and pharmacy clerks to avoid fatal errors.

Class Notes:

- Professional Responsibility: Pharmacists and pharmacy clerks are legally accountable for ensuring the accurate compounding and dispensation of medications, with the highest degree of care to prevent harm.
- Criminal Negligence: Mistakenly dispensing a harmful substance constitutes negligence subject to criminal liability, especially when it results in potential or actual harm.
- Legal Statutes: Section 751 (Revised Administrative Code) focuses on the quality of drugs and the legal consequences of dispensing medication under a fraudulent or mistaken identity.

Historical Background:

This case underscored the stringency of the legal and professional obligations of individuals in the pharmaceutical industry in the Philippines during the early 20th century. It highlighted the judicial system's role in addressing and penalizing negligence contributing to medical hazards, reflecting a longstanding commitment to public health and safety.