



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 117
Series of 2012

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCT OF ASTEC INTERNATIONAL LIMITED PHILIPPINES

WHEREAS, under Section 81 (b) and (r) of Article IX of RA 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, the Board issued Board Regulation No. 3, Series of 2003 which provides for the “Comprehensive Guidelines on Importation, Distribution, Manufacture, Prescription, Dispensing and Sale of, and Other Lawful Acts in Connection with any Dangerous Drugs, Controlled Precursors and Essential Chemicals and other Similar or Analogous Substances”;

WHEREAS, ASTEC INTERNATIONAL LIMITED PHILIPPINES with business address at 3/4F Techno Plaza One Bldg., Orchard road, Eastwood City Cyberpark, Libis, Quezon City, Philippines is seeking exemption from regulatory measures of their product **VALVE REGULATED LEAD ACID BATTERY that contains 25-45% Sulfuric Acid (H₂SO₄)**;

WHEREAS, Section 4(2-c, d, e & f), Article II of the same Regulation also provides that the Board may exempt from specific measures of regulatory control requirements any preparation containing a controlled chemical mixture, when the Table II chemical is a normal ingredient in consumer goods or finished products that were packaged for retail sale for personal use, such as epoxies, vinyl lacquer, contact cements, plastic adhesives, waxes, cleaning agents; or liquid chemical mixture containing less than 30% by weight of the Table II chemical; or solid, semisolid and highly viscous chemical mixture containing Table II chemical; or when the Board is satisfied that the mixture is formulated in such a way that the controlled chemical cannot be easily used for the illicit manufacture of a dangerous drug and that the controlled chemical or chemicals contained in the mixture cannot be readily recovered;

WHEREAS, to assist the Board in evaluating requests for exemption, it promulgated Board Resolution No.1 Series of 2008 entitled “**Creating a Technical Working Group (TWG) to assist the Board in considering request of Manufacturers and Importers of finished products from specific measures of regulatory control requirements**”;

WHEREAS, it has been determined by the DDB Technical Working Group (TWG) that **ASTEC INTERNATIONAL LIMITED PHILIPPINES** is a well-established reputable company that is engaged as Importer of finished products/chemicals used in the manufacture of standard and custom power supplies to PC, mobile electronics and telecommunication industries and is duly registered with PDEA and handler of **P5I-00880001-R035/P5E-00880001-R020/P3-00880001-R033 dated 27February 2012** and valid until 15 March 2013;

WHEREAS, Section 4(2-f), Art.II of the same regulation also provides that the Board may exempt from specific measures of regulatory control requirements when the Board is satisfied that the mixture is formulated in such a way that the controlled chemical or chemicals cannot be easily extracted or recovered for the illicit manufacture of dangerous drugs and that the controlled chemical or chemicals contained in the mixture cannot be readily recovered;

WHEREAS, the DDB Technical Working Group (TWG) opined that **VALVE REGULATED LEAD ACID BATTERY** that contains controlled chemical above the 30% threshold of the Table II chemicals conforms to the provision of Section 4-(2-f), may also be granted exemption;

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations, **ASTEC INTERNATIONAL LIMITED PHILIPPINES** product is no longer covered by the provisions of Section 10 (Application for import, export or transit permits), Section 11 (Grant of import, export or transit permits), and Section 22 (Licensed operators NOT to deal with unlicensed operators), of BR No.3, S. 2003.

WHEREFORE, be it **RESOLVED**, as it is hereby **RESOLVED**:

- a. **TO GRANT EXEMPTION** and the issuance of a Certificate of Exemption, which shall be valid for one (1) year unless revoked, **ASTEC INTERNATIONAL LIMITED PHILIPPINES'** product **VALVE REGULATED LEAD ACID BATTERY** that contains controlled chemical above the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(f).
- b. That the above cited exemptions shall be subject to the following conditions:
 - (1) The Astec International Limited Philippines shall secure a license from PDEA and comply with the reporting requirements as provided for in Board Regulation No. 3, Series of 2003;
 - (2) The Board shall strictly monitor subject finished product from their importation to distribution to end-users;
 - (3) The DDB-PDEA Monitoring Team shall have free access to Astec International Limited Philippines premises where the finished product is kept and/or used;
 - (4) The Astec International Limited Philippines shall assume full responsibility for any misuse of the imported finished products, caused either by its own negligence or by negligence of all persons acting under their name or control and supervision; and
 - (5) Any violation of the provisions of Board Regulation No. 3, Series of 2003, shall be a ground for the revocation of the certificate of exemption at anytime and would be dealt with severely.

APPROVED and ADOPTED this 23rd day of August, in the year of Our Lord, 2012 in Quezon City.

(Sgd.) **Secretary ANTONIO A. VILLAR, JR.**
Chairman, Dangerous Drugs Board

Attested:

(Sgd.) **Assistant Secretary BENJAMIN P. REYES**
OIC-Secretary of the Board