



Republic of the Philippines  
Office of the President  
**DANGEROUS DRUGS BOARD**

3/F, DDB – PDEA Building, NIA Road, National Government Center, East Triangle, Diliman, Quezon City, Philippines  
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**BOARD RESOLUTION NO. 146**  
**Series of 2012**

**SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF ECOLAB PHILIPPINES, INC.**

**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, Ecolab Philippines Inc.** with business address at 27Th Flr. Insular Life Corporate Center Tower, Filinvest Corporate City, Alabang, Muntinlupa City Philippines is seeking exemption from regulatory measures of their product **BIO-SOFT S-101 – 1-2.5% Sulfuric Acid (Surfactant)**.

**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 **Ecolab Philippines Inc.** was founded in 1923 as the leading global developer and marketer of premium cleaning, sanitizing, maintenance and pest elimination products and services for the hospitality, institutional and industrial markets which includes hotels, restaurants, foodservice, healthcare and educational facilities, laundries, dairy plants and farms and food and beverage processors. Ecolab provides customized products, equipment and programs, backed by the industry’s largest and best trained sales and service force. It is duly registered with PDEA and handler of : **P5I-03496001-N004/ and P5C-03496001-N007 dated 29 May 2012 and valid until 11 May 2013;**

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certain finished product of Ecolab Philippines, Inc.

**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**, after satisfying the requirements stipulated under the above mentioned regulations, **Ecolab Philippines Inc.'s 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), Section 22 (Licensed operators NOT to deal with unlicensed operators), and Section 39 (Controlled Chemical Registers) 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, **Ecolab Philippines Inc'** product that contains controlled chemical below 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 **Ecolab Philippines Inc.** shall secure a license from PDEA and comply with the reporting requirements for the raw materials used in the manufacturing 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 **Ecolab Philippines Inc.** premises where the finished product is kept and/or used;
  - (4) The **Ecolab Philippines Inc.** 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 18<sup>th</sup> day of October, 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

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