



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 150
Series of 2012

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF DAVIES PAINTS 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 DAVIES PAINTS PHILIPPINES, with business address at 1387 Mercedes Ave, San Miguel Pasig City, Philippines is seeking exemption from regulatory measures to the following products containing controlled chemicals, to wit:

1. **HCC-6240 ACN905 MOLTEN ORANGE – 25 - <35% Butanone**
2. **175K ACN249 Binder CHROMABASE – 25 - <35% Toluene;
12.50 - 15% Acetone; 3 - <5% Butanone**

WHEREAS, Section 4(2c,-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 with 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 **DAVIES PAINTS PHILIPPINES** is a dynamic manufacturer and supplier of paints, chemicals and coatings. They also provide training programs for painters so that they can maximize profits thru different painting techniques, proper and safe use of different coatings and in depth knowledge of paint technology. **It is duly registered with PDEA and handler of P5I-03209001-R011/P5C-0329001-R014/P5E-03209001-R016 issued on 06 June 2012 and valid until 06 June 2013.**

WHEREAS, after satisfying the requirements under the above mentioned regulations, that **DAVIES PAINTS PHILIPPINES** products are 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.

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of that **DAVIES PAINTS PHILIPPINES products** that are below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d & f);

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, to that **DAVIES PAINTS PHILIPPINES products** that contain controlled chemical below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d & f):
- b. **That the above cited exemptions shall be subject to the following conditions:**
 - (1) The, **DAVIES PAINTS PHILIPPINES** shall secure a license from the PDEA and comply with the reporting requirements for the raw materials used in the manufacture of the products, as provided for in Board Regulation No. 3, Series of 2003;
 - (2) The Board shall strictly monitor subject finished products from their importation to distribution to end-users;
 - (3) The DDB-PDEA Monitoring Team shall have free access to the that **DAVIES PAINTS PHILIPPINES** premises where the finished products are kept and/or used;
 - (4) The **DAVIES PAINTS 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 18th 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

Bd. Res. on Granting exemption from specific measures of regulatory control requirements to 2
certain finished products of Davies Paints Philippines