



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 38
Series of 2012

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCT OF SANYO DENKI 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, SANYO DENKI PHILIPPINES, INC. with business address at Block F-1 Subic Techno Park, Argonaut H-way , Boton Area, SBFZ, Philippines is seeking exemption from specific measures of regulatory control requirements for the product **DOW CORNING TORAY PELGAN Z containing 22% Toluene**;

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 **SANYO DENKI PHILIPPINES, INC.** is a manufacturing subsidiary of Sanyo Denki Co. Ltd. established in 2000. It is engaged in the manufacture of DC cooling fans, UP’s and stepping motors. The company is duly registered with PDEA and handler of **P5IM-0915001-R027 as importer/end-user of PECS issued on July 1, 2011 and valid until 07 August 2012**;

WHEREAS, after deliberation and evaluation, the TWG found it appropriate to recommend to the Board the exemption of **SANYO DENKI PHILIPPINES, INC.** products that contain controlled chemical below and above the 30% threshold of the Table II chemicals, due to having satisfied the conditions as provided for in Section 4-2(c, d & f);

Bd. Res. Granting exemption from specific measures of regulatory control requirements to certain finished product of Sanyo Denki Philippines, Inc. 1

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations, SANYO DENKI PHILIPPINES, INC.'S product is no longer covered by the provisions of Section 10 (Application for import, export or transit permits), and Section 11 (Grant of import, export or transit permits), of BR No.3, S. 2003.

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

- a. **TO GRANT EXEMPTION** and the issuance of a Board Resolution on Exemption, which shall be valid for one (1) year unless revoked, to **SANYO DENKI PHILIPPINES, INC'S** product that contain controlled chemicals, in accordance with the provisions of Section 4-2(D&F).
- b. That the above cited exemption shall still be subject to the following conditions:
 - (1) That **SANYO DENKI PHILIPPINES, INC.** shall comply with the reporting requirements as provided for in Board Regulation No. 3, Series of 2003;
 - (2) The Board shall strictly monitor subject product from the manufacture to distribution to end-user;
 - (3) The DDB-PDEA Monitoring Team shall have free access to **SANYO DENKI PHILIPPINES, INC.** premises where the product is kept and/or used;
 - (4) That **SANYO DENKI PHILIPPINES, INC.** shall assume full responsibility for any misuse of the 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 Board Resolution on exemption at anytime and would be dealt with severely.

APPROVED and ADOPTED this 14th day of June, in the year of Our Lord, 2012 in Quezon City.

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

Attested:

(Sgd) **Undersecretary JORGE G. NECESITO**
Secretary of the Board