



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 43
Series of 2012

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF PENTAX PHILIPPINES CORPORATION

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, PENTAX PHILIPPINES CORPORATION with business address at 4th St., Blk C4 Mactan Economic Zone1, 6015 Lapu-Lapu City, Cebu, Philippines is seeking exemption from specific measures of regulatory control requirements to the following products:

1. Origplate Z Matted White G25 – 20-25% Toluene
2. Luber U Black DCU18 – 1-5% Toluene
3. Luber C Metallic Silver P-3 CS –20 - 25% Toluene
4. Origin LUBER C SILVER KX-1106 No. 2B - 20-25% Toluene
5. THINNER NO.6400 -10.2% Methyl Ethyl ketone (MEK)
6. LUBER U TAURUS BLACK – 1-5% Toluene
7. DRILUBE M-211 – 5-10% Acetone; 11% Toluene
8. POLYNAL No. 800 (HN) 28 RE No. 1413 – 28.4% Toluene
9. POLYNAL NO. 800 (HN) 42 SI No. 1412 – 26.4% Toluene
10. POLYNAL No. 800 (HN) 28 RED No. 1414 - 6.8% Toluene
11. POLYNAL No. 800 (HN) 28 Pink No. 1537 – 27.4% Toluene
12. Luber C Silver GB 095 – 20 – 25% Toluene
13. Metallic No. 140(N)(X) Silver No.-9416 – 1.1%MEK
14. DRILUBE LF-1 – 20-30% Acetone; 25% Toluene; 10-20% MEK
15. DRILUBE M-2A – 20-30% Acetone;20-30% MEK
16. Origin Luber C-5010580 x Silver No. 2 – 20-25% Toluene
17. Luber C Silver Capricorn B – 23.6% Toluene
18. Luber U AK-176070 Metallic Silver A – 7% Toluene
19. Luber U Capricorn Red No. 3 – 2.6% Toluene
20. Luber U GB109 Blue – 3.3% Toluene
21. Luber U GB109 Gold – 3.3% Toluene
22. Luber U GB109 Magenta – 3.3% Toluene
23. NeoPhantomirror (P-8HN) NO. 13 Gold No. 7780 – 11% Toluene
24. Ofron (F-4) Black No. 7468 – 2.5% MEK
25. Pearl No. 140 (N)(X) Re No. 7539 – 1.1% MEK
26. Polyhard US – 25-30% Toluene
27. THINNER NO.6500 -10.2% Methyl Ethyl ketone (MEK)
28. THINNER NO.2300A -20% Toluene
29. Phantomirror (F-4) NO. 8 Silver 5011100 No.7775 – 4.8% Toluene;14.6% MEK

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 when the Table II chemical is a normal ingredient in consumer goods or finished products; 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 **PENTAX PHILIPPINES CORPORATION** is duly registered with PEZA as manufacturer of various camera models, production of plastic camera components, manufacture and assembly of digital camera and repair endoscope and endoscope system. The products containing controlled chemicals are used for painting and printing processes, bonding and as cleaning agents and are used for production purposes. The company is a handler of PDEA license **P5IM-02879001-R020** as Importer/End-user of controlled chemicals. The license was issued on **13 January 2012 and valid until 25 January 2013**;

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **PENTAX PHILIPPINES CORPORATION’S** products containing controlled chemicals below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d, e & f);

WHEREAS, after satisfying the requirements under the above mentioned regulations, **PENTAX PHILIPPINES CORPORATION’S** products are 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**:

TO GRANT EXEMPTION and the issuance of a Board Resolution for Exemption, which **shall be valid for one (1) year** unless revoked, to **PENTAX PHILIPPINES CORPORATION’** above mentioned products containing Toluene a controlled chemical below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(f).

- a. That the above cited exemptions shall still be subject to the following conditions:
 - (1) **The PENTAX PHILIPPINES CORPORATION shall secure a P5IM 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 products from their importation to distribution to end-users;

- (3) The DDB-PDEA Monitoring Team shall have free access PENTAX PHILIPPINES CORPORATION premises where the finished products are kept and/or used;
- (4) The PENTAX PHILIPPINES CORPORATION shall assume full responsibility for any misuse of the imported finished product, 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 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