



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 68
Series of 2012

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF PHILUSA 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, PHILUSA CORPORATION with business address at # 28 Shaw Blvd., Pasig City, Philippines is seeking exemption from some specific measures of regulatory control requirements for their products, **GLEAM HOUSEHOLD MURIATIC ACID that contains 15-17% Hydrochloric Acid (HCL), APOLLO MURIATIC ACID containing 28.57% Hydrochloric Acid (HCL) and ALBATROSS TOILET BOWL CLEANER containing 10% Hydrochloric Acid (HCL) respectively;**

WHEREAS, Section 4(2-c, d, e & f), Article III 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 **PHILUSA CORPORATION** is already 41 years in the business and belong to the top 500 corporations in the Phils. Philusa Corporation is a marketer and distributor for in-house or branded products and exclusive distributor for select third party principals. Their principal products are Rhea generics, Cleene Absorbent Cotton and Paper Products, Cleene Toothbrush, Babyflo, Mediplast Plastic Strips, Albatross & Gleam Household products and Apollo Repacked Chemicals. The company is duly registered with PDEA and holder of **P4-00356001-R021 as wholesaler/ distributor of controlled chemicals issued on 13 December 2011 and valid until 23 January 2013;**

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption to **PHILUSA CORPORATION'** products that contain controlled chemical less than the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(c, & d);

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations, **PHILUSA CORPORATION's** products, **GLEAM HOUSEHOLD MURIATIC ACID, APOLLO MURIATIC ACID, and ALBATROSS TOILET BOWL CLEANER** are no longer covered by the provisions of Section 22 (end-users/retailers of such products are exempted from acquiring P-License from PDEA), of BR No.3, S. 2003.

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

- a. **TO GRANT EXEMPTION** and the issuance of Board Resolution of Exemption, **which shall be valid for one (1) year** unless revoked, to **Philusa Corporation's** products **Gleam Household Muriatic Acid, Albatross Toilet Bowl Cleaner and Apollo Muriatic Acid** that contain controlled chemical below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(c & d).
- b. **That the above cited exemptions shall still be subject to the following conditions:**
 - (1) That Philusa Corporation 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 products from compounding/manufacturing to distribution to end-users;
 - (3) The DDB-PDEA Monitoring Team shall have free access to Philusa Corporation premises where the finished products are kept and/or used;
 - (4) The Philusa Corporation shall assume full responsibility for any misuse of the 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 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