



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 90
Series of 2012

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCT OF NITTO DENKO (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, NITTO DENKO (PHILIPPINES) CORPORATION with business address at Lot 5, Block 7, Greenfield Auto Park Inc., Sta Rosa, Laguna 4026, Philippines is seeking exemption from specific measures of regulatory control requirements to the product **EPOXY MOLDING COMPOUND for Optical Semiconductor (NT-306H-11000) containing 0.01 – 1.0% Acetone;**

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, NITTO DENKO (PHILIPPINES) CORPORATION was first established in Japan on Oct. 25, 1918. On May 2001, Nitto Denko Japan branched out in the Philippines. It is engaged in the importation, storage, processing, sales and after sales servicing of various Nitto products and machineries for the semiconductor, electronics, computer peripherals, and automotive industries. The company is ISO certified and is duly registered with PEZA and PDEA. This makes Emerald sanitary pipes and fittings. It is duly registered with PDEA and handler of **P5I-02948001-R011 dated 30 January 2012 and valid until 31 January 2013 as** Importer/distributor of controlled chemicals;

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **NITTO DENKO (PHILIPPINES)**

CORPORATION product that contain controlled chemicals, in accordance with the provisions of Section 4-2(d, e & f);

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations, **NITTO DENKO (PHILIPPINES) CORPORATIONS'** 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), and Section 22 (Licensed operators NOT to deal with unlicensed operators)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 **NITTO DENKO (PHILIPPINES) CORPORATION** product containing controlled chemicals below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d);

a. That the above cited exemptions shall still be subject to the following conditions:

- (1) The NITTO DENKO (PHILIPPINES) CORPORATION shall secure a license from PDEA and comply with the reporting requirements for the raw materials used in the manufacture of products containing controlled chemicals 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 NITTO DENKO (PHILIPPINES) CORPORATION product where the finished product is kept and/or used;
- (4) The NITTO DENKO (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 23rd day of August, 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