



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 156
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCT OF HBC, 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, HBC, INC. with business address at HBC Corporate center, 548 Mindanao Avenue, Novaliches, Quezon City, Philippines is seeking exemption from specific measures of regulatory control requirements of their product **HORTALEZA PROFESSIONAL NAIL POLISH REMOVER** containing **22.8% 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 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, after satisfying the requirements stipulated under the above mentioned regulations, **HBC, INC.’S product is no longer covered by the Section 22 (Licensed operators NOT to deal with unlicensed operators), of BR No.3, S. 2003.**

WHEREAS, it has been determined by the DDB Technical Working Group (TWG) that **HBC, INC.** started their business as beauty products and salon supply chain of stores on January 1993; a first retail; company to be ISO9002 certified. The company is duly registered with PDEA and a holder of **P4-02139001-R038 dated 8/6/2012 and valid until 9/26/2013** that authorizes the said company to distribute/wholesale of products containing controlled chemicals , and also as retailer of finished product;

WHEREAS, after deliberation and evaluation, the TWG found it appropriate to recommend to the Board the exemption of **HBC, INC.** product **HORTALEZA PROFESSIONAL NAIL POLISH REMOVER** that contains controlled chemical below the 30% threshold of the Table II chemicals, due to having satisfied the conditions as provided for in Section 4-2(c & d);

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 **HBC, INC.** product **HORTALEZA PROFESSIONAL NAIL POLISH REMOVER** that contains controlled chemical, in accordance with the provisions of Section 4-2(C & D).
- b. That the above cited exemption shall be subject to the following conditions:
 - (1) That **HBC, 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 products from the manufacture to distribution to end-user;
 - (3) The DDB-PDEA Monitoring Team shall have free access to HBC, INC.' premises where the product is kept and/or used;
 - (4) That HBC, INC. 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 11th day of July, in the year of Our Lord, 2013 in Quezon City.

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

Attested:

(Sgd) **JOSE MARLOWE S. PEDREGOSA**
UNDERSECRETARY-Executive Director
Secretary of the Board