



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 183
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF FLUID SOLUTIONS, 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, FLUID SOLUTIONS, INC., with office address at Unit 812, AIC Burgundy Empire Tower, ADB Avenue Cor. Sapphire and garnet Sts., Ortigas Center, Pasig City, Philippines, a legitimate company engaged as Importer and Manufacturer/Compounder of consumer goods for industrial use, is seeking exemption from regulatory measures for the following products that contain controlled chemicals:

1. **TUFGEAR SPRAY – 1 - 10% Acetone**
2. **DRY PTFE SPRAY – 10 – 30% Acetone**
3. **DRY MOLY SPRAY – 10 – 30% Acetone**
4. **MOISTURE GUARD CLEAR SPRAY – 1 - 10% Acetone**
5. **PR SPRAY – 1 -10% 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, it has been determined by the DDB Technical Working Group (TWG) that **FLUID SOLUTIONS, INC. is the leading supplier of lubricating products, metalworking fluids, and adhesives** and sealants in the automotive parts manufacture and computer parts forming industries. The founders of the company have 30 years experience in the importation and distribution business of industrial products. The company is duly registered with PDEA and handler of **P5I-0366001-N006 dated 31**

Oct. 2012 and valid until 10/25/2013 License as importer/distributor of controlled chemicals;

WHEREAS, the Technical Working Group (TWG) deliberated and recommended to the Board, issuance of appropriate **Certificate of Exemption to FLUID SOLUTIONS, INC.'S** request for exemption from specific measures of regulatory control requirements of the above-mentioned 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); and as such, subject certification shall be valid for one (1) year unless revoked;

WHEREAS, the DDB Technical Working Group (TWG) opined that the products containing controlled chemicals above the 30% threshold of the Table II chemicals conforms to the provision of Section 4-(2-f), may also be granted exemption;

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations, **FLUID SOLUTIONS, INC. products are no longer covered by the provisions of 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**:

1. **TO GRANT EXEMPTION** and the issuance of a Board Resolution for Exemption, which shall be valid for one (1) year unless revoked, to FLUID SOLUTIONS, INC. finished products that contain less than the 30% threshold of the Table II chemicals in accordance with the provisions of Section 4-2(e & f);
2. **GRANTING OF EXEMPTION to FLUID SOLUTIONS, INC. shall be still be subject to the following conditions:**
 - (1) The FLUID SOLUTIONS, INC. 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 their importation to distribution to end-users;
 - (3) The DDB-PDEA Monitoring Team shall have free access FLUID SOLUTIONS, INC. premises where the finished products are kept and/or used;
 - (4) The FLUID SOLUTIONS, INC. 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 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

