



Republic of the Philippines  
Office of the President  
**DANGEROUS DRUGS BOARD**

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**BOARD RESOLUTION NO. 242**  
**Series of 2013**

**SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCT OF PENTAX CEBU 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 CEBU PHILIPPINES CORPORATION** with business address at 5th St. Blk.B6, 1st Avenue Ext. Mactan Economic Zone 1, Lapu Lapu City, Cebu, Philippines is seeking exemption from specific measures of regulatory control requirements for the product **LUBER U AK-1-76070 METALLIC SILVER A containing 7% Toluene**;

**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 CEBU 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 a **P5I-02879001-R031 dated 2/8/2013 and valid until 1/25/2014** as Importer of controlled chemicals;

**WHEREAS**, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **PENTAX CEBU 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, e & f);

**WHEREAS**, after satisfying the requirements under the above mentioned regulations, **PENTAX CEBU PHILIPPINES CORPORATION** products are 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 **PENTAX CEBU PHILIPPINES CORPORATION** above mentioned products containing controlled chemicals 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 CEBU PHILIPPINES 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 their importation to distribution to end-users;
- (3) The DDB-PDEA Monitoring Team shall have free access PENTAX CEBU PHILIPPINES CORPORATION'S premises where the finished products are kept and/or used;
- (4) The PENTAX CEBU 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 12<sup>th</sup> day of September, 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





