



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 2
Series of 2016

SUBJECT: EXTENSION OF MORATORIUM FOR DISPOSAL OF SPRAY PAINTS AND GLUES WITH TOLUENE CONCENTRATIONS EQUAL TO OR HIGHER THAN 0.1% BY WEIGHT THAT ARE INTENDED FOR SALE TO THE GENERAL PUBLIC UNTIL SEPTEMBER 30, 2016

WHEREAS, Board Regulation No. 1, Series of 2014 (“Revised Comprehensive Guidelines on Importation, Distribution, Manufacture, Prescription, Dispensing and Sale of, and Other Lawful Acts in Connection with Any Dangerous Drugs, Controlled Precursors, Essential Chemicals and Other Similar or Analogous Substances”) took effect on March 13, 2015;

WHEREAS, Section 4 (6) (a) of said Regulation provides that Toluene is banned in spray paints and glues at concentrations equal to or higher than 0.1% by weight that are intended for sale to the general public;

WHEREAS, concerns on disposal of stocks of spray paints and glues affected by the aforesaid ban and other provisions of the Regulation were raised by companies engaged in the importation of paint products;

WHEREAS, to address such concern, Board Resolution No. 64, Series of 2015 provided for a matrix that would better explain the provisions of Board Regulation No. 1, Series of 2014 and for a moratorium on the ban of paint and glue products with toluene concentrations equal to or higher than 0.1% by weight that are intended for sale to the general public until March 12, 2016;

WHEREAS, on January 7, 2016, representatives from Nippon Paints, Inc. articulated their request to extend the moratorium before the Technical Working Group (TWG) on Exemption, which is headed by the DDB Executive Director with representatives from the Board Secretariat, Philippine Drug Enforcement Agency, Philippine National Police and National Bureau of Investigation as members;

WHEREAS, the TWG for Exemption invited representatives from the Department of Justice, Department of Trade and Industry, Department of Environment and Natural Resources, Philippine Export Zone Authority and Samahan sa Pilipinas ng Industryang Kemika as resource persons for the discussion, and they manifested their concurrence to the proposal of Nippon Paints, Inc. for the need to extend the moratorium due to the fact that many companies engaged in the importation of paints and adhesives have not fully disposed of their stock and information dissemination is still needed regarding the provisions of the Board Regulation;



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Bd. Res. Extension of Moratorium for disposal of spray paints and glues with Toluene concentrations equal to or higher than 0.1% by weight that are intended for sale to the general public until September 30, 2016

WHEREAS, the TWG for Exemption, after evaluation, presented to the Board during its 168th regular Meeting On 13 April 2016 its position that the moratorium should be extended, also taking into consideration the collective observation of the invited resource persons and the principle that regulations should not hamper the operations of legitimate industries;

WHEREAS, after due deliberation and consideration, the Board unanimously agreed to uphold the aforecited position of the TWG for Exemption.


WHEREFORE, be it **RESOLVED**, as it is hereby **RESOLVED**, to extend the moratorium for disposal of spray paints and glues with toluene concentrations equal to or higher than 0.1% by weight that are intended for sale to the general public until September 30, 2016

RESOLVED FURTHER, that after the expiration of the moratorium, Section 4 (6) (a) of Board Regulation No. 1, Series of 2014, in relation to Section 51 (Liability for Violation of Regulation) of the same Regulation, shall have full force and effect.

APPROVED and ADOPTED this 13th day of April, in the year of Our Lord, 2016 in Quezon City.


Secretary FELIPE L. ROJAS, JR., CEO VI
Chairman, Dangerous Drugs Board

Attested:


JOSE MARLOWE S. PEDREGOSA
UNDERSECRETARY-Executive Director
Secretary of the Board