



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 125
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF TNC EVERLIGHT PHILIPPINES, 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, **TNC EVERLIGHT PHILIPPINES, INC.** with address at First Philippine Industrial Park, brgy. Sta Anastacia, Sto. Tomas, Batangas, Philippines is a legitimate importer of chemicals used for the manufacture of flip chip ball grid array that is exported to Malaysia, Japan and Taiwan. The company is duly registered with PEZA and handler of PDEA License No. **P5I-03310001-R013 dated 28 September 2012 and valid until 03 October 2013 as importer /distributor of controlled chemicals.**

WHEREAS, **TNC EVERLIGHT PHILIPPINES, INC.** is seeking exemption from regulatory measures to the following imported finished products that contain controlled chemicals, to wit:

1. **EHR – 6.67% Hydrochloric Acid (HCL)**
2. **JAMES Ref. 70 542 – 3.65% Hydrochloric Acid (HCL)**
3. **ZYM A - <4% Hydrochloric Acid (HCL)**
4. **Gabett Solution – 18.6% Sulfuric Acid (H₂SO₄)**
5. **API 20E Reagent Kit - <4% Hydrochloric Acid (HCL)**
6. **ACETONE SAFRANIN A – 20 – 25% Acetone**
7. **IRISpec CB – 1.6% 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, the Technical Working Group deliberated and recommended to the Board, issuance of appropriate Board Resolution to **TNC EVERLIGHT PHILIPPINES, INC.**’ request for exemption from specific measures of regulatory control requirements to the products containing controlled chemicals below the 30% threshold and as such, subject certification shall be **valid for one (1) year unless revoked**;

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations, **TNC EVERLIGHT PHILIPPINES, INC. 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 **RESOLVE** and as it is **HEREBY RESOLVED**, to:

1. **To GRANT EXEMPTION** from specific measures of regulatory control requirements to **TNC EVERLIGHT PHILIPPINES, INC.**’ above-mentioned finished products that contain controlled chemicals below the 30% by weight of the Table II chemical;
2. **That the above cited exemptions shall still be subject to the following conditions:**
 - a. **TNC EVERLIGHT PHILIPPINES, INC.** shall secure a license from PDEA and comply with the reporting requirements as provided for in Board Regulation No.3, s. 2003.
 - b. The Board shall strictly monitor subject finished products from their importation to distribution to end-users;
 - c. The **TNC EVERLIGHT PHILIPPINES, INC.** shall provide free access to the DDB-PDEA Monitoring Team to gain entry to their premises where the finished products are kept and /or used;
 - d. The **TNC EVERLIGHT PHILIPPINES, INC.** shall assume full responsibility for any misuse of the imported finished products, caused either by its own negligence or by negligence of all persons acting under their name or control and supervision; and

- e. Any violation of the provisions of B.R. No.3, S. 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 6th day of May, in the year of Our Lord, 2013 in Pampanga.

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

Attested:

(Sgd.) **Undersecretary JOSE MARLOWE S. PEDREGOSA**
Secretary of the Board