



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

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**BOARD RESOLUTION NO. 25**  
**Series of 2013**

**SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF MITSUWA 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, MITSUWA PHILIPPINES, INC.** with address at Lot 4,6,7,8, Block 22, Phase IV, Cavite Economic Zone, Rosario, Cavite, Philippines was established on July 27, 1994. The company was established on July 27, 1994. It aims to establish an overseas production base that will respond to the usual needs of the customers for a more standardized quality of domestic and foreign products. Their products are supplied by Manza Paint Co based in Okada, Japan. The company is duly registered with PEZA and handler of **P5IM- 02493001 dated 20 September 2012 and valid until 20 October 2013 as Importer/End-user;**

**WHEREAS, MITSUWA PHILIPPINES, INC.** is seeking exemption from regulatory measures for the following imported finished products that contain controlled chemical, to wit:

1. **ECO HAIUREX P 12RSE BLACK MC(FJT) 5-10% MEK**
2. **PLANET THINNER #D722 NO. 2 – 10-15% MEK**
3. **HAIUREX P 77ON SILVER NO3 FOR LASERETCHING – 26.52%Toluene**
4. **HAIUREX P GRUNDEBONUL SILVER – 17.44% Toluene, 1-5% MEK**
5. **PLANET TC CLEAR NO.56 – 24.8% Toluene**
6. **PLANET PZ NISSAN B KAMERA YOU SILVER MCT2 – 16.7% Toluene**
7. **PLANET PZ NISSAN B CAMERA YOU GUN METALLIC MC 110112 - 21.8% Toluene**
8. **ULTRA SHINE 12M-HC (ES) – 5.38% Toluene**
9. **HARDENER (ZH-650UN) – 2.5% Toluene**
10. **HARDENER (ZH-630) – 1.5% Toluene**
11. **HAIUREX P LASER ETCHING – 25.32% 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 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 deliberation and evaluation, the TWG found it appropriate to recommend to the Board the exemption on the above-mentioned finished products of **MITSUWA PHILIPPINES, INC.** that contain controlled chemical less than the 30% threshold of the Table II chemicals, due to having satisfied the conditions as provided for in Section 4-2(c, d);

**WHEREAS**, after evaluation, the Technical Working Group (TWG) opined that the finished products mentioned above which are above the 30% threshold of Table II chemicals can be given exemption, due to having satisfied the conditions as provided for in Section 4-2(f);

**WHEREAS**, after satisfying the requirements under the above mentioned regulations, **MITSUWA PHILIPPINES, INC.** products are no longer covered by the provisions of Section 10 (Application for import, export or transit permits), and Section 11 (Grant of import, export or transit permits), of BR No.3, S. 2003;

**WHEREAS**, during the Caucus of the Board held on 12 December 2012, the matter was presented and was eventually unanimously approved in principle by those in attendance, subject to confirmation by the Board at its next regular meeting;

**WHEREAS**, in order to facilitate its confirmation, the said matter, along with the other concerns approved in principle during the Caucus, was subjected to an Ad Referendum, which was thereafter signed by at least nine (9) Members of the Board constituting a quorum on January 16, 2013.

**WHEREFORE**, be it **RESOLVE** and as it is **HEREBY RESOLVED, GRANTING EXEMPTION** from specific measures of regulatory control requirements to **MITSUWA PHILIPPINES, INC.**’ above-mentioned finished products that contain controlled chemical below and above the 30% threshold by weight of the Table II chemical;

a. **That the above cited exemptions shall still be subject to the following conditions:**

1. That **MITSUWA PHILIPPINES, INC.** shall secure a license from PDEA and comply with the reporting requirements as provided for in Board Regulation No.3, s. 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 to **MITSUWA PHILIPPINES, INC.** premises where the finished products are kept and /or used;
4. The **MITSUWA 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
5. 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 16<sup>th</sup> day of January, in the year of Our Lord, 2013 in Quezon City.

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

Attested:

(Sgd) **Assistant Secretary AMADOR S. PABUSTAN**  
OIC-Secretary of the Board