



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 33
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF PPG INDUSTRIES SALES, 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, **PPG INDUSTRIES SALES INC.** with business address at 3/F First Life Center, 174 Salcedo St. Legaspi Village, Makati City Philippines is seeking exemption from regulatory measures on the following products that contain controlled chemicals:

1. **BC Pearl Gold – 5 – 7% Butanone (MEK)**
2. **BC FROST - 3 – 5% Butanone or MEK**
3. **BC BLUE BLACK - 5 – 7% Butanone or MEK**
4. **BC BRIGHT YELLOW – 3 – 5% Butanone (MEK)**
5. **BC JET BLACK – 1 – 2% Butanone or MEK**
6. **BC GRAPHITE – 5 – 7% Butanone MEK**
7. **BC TRANS YELLOW – 3 - 5% Butanone or MEK**
8. **BC Maroon 35 – 3 – 5% Butanone or MEK**
9. **BC TRANS Red – 3 – 5% Butanone or MEK**
10. **BC G Yellow - 3 – 5% Butanone MEK**
11. **BC BROWN – 2 - 3% Butanone MEK**
12. **BC CYAN BLUE – 5 – 7% Butanone MEK**
13. **BC G Blue – 5 - 7% Butanone or MEK**
14. **BC Black – 3 – 5% Butanone or MEK**
15. **BC Red Blue – 1-2% MEK**

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 with 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 **PPG Industries Sales Inc.** is one of the world's leading producers of advanced automotive paint systems. A leading global manufacturer of coatings, glass & chemicals of consumer products worldwide; founded in 1883 in 33 countries. The company is duly registered with PDEA and handler of **P5I-00215001as Importer of controlled chemicals. License was issued on 14 January 2013 and valid until 03 February 2014;**

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption to the finished products of **PPG Industries Sales Inc.** that contain 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, **PPG Industries Sales 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;**

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 **RESOLVED**, as it is hereby **RESOLVED, GRANTING EXEMPTION** and the issuance of a Board Resolution of Exemption, which **shall be valid for one (1) year** unless revoked, to **PPG Industries Sales Inc.’**, finished products that contain controlled chemicals below the 30% threshold of the Table II chemicals, in accordance with the following provisions of Section 4-2(d & f):

- a. That the above cited exemptions shall still be subject to the following conditions:
 - (1) **That PPG INDUSTRIES SALES, INC. shall secure a P5I 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 to PPG Industries Sales Inc. premises where the finished products are kept and/or used;
 - (4) That PPG Industries Sales 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 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 16th 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