



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 54
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF TAMIYA PHILIPPINES

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, TAMIYA PHILIPPINES with business address at MEPZ II , Basak, Lapu-Lapu City , Philippines is seeking exemption from specific measures of regulatory control requirements to the following products containing controlled chemicals, to wit:

1. Tamiya STN-29 Semi Gloss Black – 3.5% Acetone
2. Tamiya STN-STN-30 Silver Leaf – 7% Acetone
3. Tamiya STN-31 Bright Orange – 3% Acetone
4. Tamiya STN-84 Canel Yellow – 3% Acetone
5. Tamiya STN-35 Park Green – 3% Acetone
6. Tamiya STN-36 Flourescent Red – 7% Acetone
7. Tamiya STN-38 Gun Metallic – 5% Acetone
8. Tamiya STN-42 Light Gunmetal – 4.5% Acetone
9. Tamiya STN-51 Telephonica Blue – 5% Acetone
10. Tamiya STN-53 Deep Metallic Blue – 3% Acetone
11. Tamiya STN-56 Brilliant Orange – <5% Acetone
12. Tamiya STN-58 Pearl Light Blue – <5% Acetone
13. Tamiya STN-59 Pearl Light Red – <5% Acetone
14. Tamiya STN-64 Dark Mica Blue – <5% Acetone
15. Tamiya STN-75 CHAMPAGNE GOLD – 5-10% Acetone
16. Tamiya STN-76 MICA SILVER – 5-10% Acetone
17. Tamiya STN-84 METALLIC GOLD – 5-10% Acetone
18. Tamiya 87AT TITANIUM GOLD – 10-20% Acetone
19. Tamiya 88AT TITANIUM SILVER– 10-20% Acetone
20. Tamiya Flourescent RED UN – 5-10% Acetone
21. Tamiya GOLD (TITAN) – 5-10% Acetone
22. PC PAINT METALLIC SCOTCH BLUE – 5-10% Acetone
23. Tamiya PS SEMI-GLOSS CLEAR – 10-20% Acetone
24. Tamiya Color Spray AS-16 (Non-Phthalated) – 1-5% Acetone
25. Tamiya Color Spray AS-25, AS-26, AS-30, AS-32,(Non-Phthalated) – 1-5% Acetone
26. Tamiya Color Spray TS METALLIC ORANGE (Non-Phthalated) – 1-5% Acetone
27. Tamiya Color Spray TS-4 (Non-Phthalated) – 1% Acetone
28. Tamiya Color Spray TS-20 (Non-Phthalated) – 1-5% Acetone

29. Tamiya Color Spray TS-24, TS-25 (Non-Phthalated) – <1% Acetone
30. Tamiya Color Spray TS-43, TS-53, TS-69, TS-77-78, (Non-Phthalated)
– 1-5% Acetone
31. Tamiya Color Spray TS-83 – 1-5% Acetone
32. T-5 Top Coat Paint – 16% Toluene
33. TOP COATING PAINT T560M RED and GREEN No. 705 – 16.7% Toluene;
5> MEK
34. BS-421 A – 3% Toluene
35. BS-421 B – 9.5% Toluene
36. Z-H-440 HARDENER – 20% Toluene
37. Tamiya Color Spray TS-83 – 1-5% Acetone; 5-15% MEK
38. Tamiya STN-84 METALLIC GOLD – 5-10% 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, it has been determined by the DDB Technical Working Group (TWG) that **TAMIYA PHILIPPINES** is a reputable company that was established on 15 Sept. 1994. It is engaged in the manufacture of precise plastic model kits, radio controlled cars, printed packaging materials and manuals and metal moulds. The company is duly registered with PEZA and handler of **PDEA P5IM-025925001-R035H** License as importer and end-user which was issued **on 11/12/2012 and valid until 11/24/2013**;

WHEREAS, after deliberation and evaluation, the TWG found it appropriate to recommend to the Board the exemption of the above-mentioned products that contain controlled chemical below 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 satisfying the requirements stipulated under the above mentioned regulations, **TAMIYA PHILIPPINES’ 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.**

WHEREFORE, be it **RESOLVED**, as it is hereby **RESOLVED**:

- a. **TO GRANT EXEMPTION** and the issuance of a Board Resolution on Exemption, which shall be **valid for one (1) year unless** revoked, to **TAMIYA PHILIPPINES** products containing controlled chemical, in accordance with the provisions of Section 4-2(C & D).

b. That the above cited exemption shall still be subject to the following conditions:

- (1) That **TAMIYA PHILIPPINES** 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 products from the compounding/manufacturing to distribution to end-user;
- (3) The DDB-PDEA Monitoring Team shall have free access to **TAMIYA PHILIPPINES** premises where the products are kept and/or used;
- (4) That **TAMIYA PHILIPPINES** shall assume full responsibility for any misuse of the 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 Board Resolution on exemption at anytime and would be dealt with severely.

APPROVED and ADOPTED this 17th 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