



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

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**BOARD RESOLUTION NO. 112**  
**Series of 2012**

**SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF COMARK INTERNATIONAL CORPORATION**

**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, COMARK INTERNATIONAL CORPORATION** with business address at First Avenue, Sta Maria Industrial Subd., Bagumbayan, Taguig City, Philippines is seeking exemption from some specific measures of regulatory control requirements for the following products, to wit:

1. **NAILS Nail Polish Remover with Acetone – 18.5% Acetone**
2. **MY NAILS Nail Polish Remover– 28.5% Acetone**
3. **CL Muriatic Acid Concentrated – 28.40% Hydrochloric Acid (HCL)**
4. **CL Muriatic Acid Commercial Grade – 18.97% Hydrochloric Acid (HCL)**
5. **Right Choice Muriatic Acid –Commercial Grade – 18.98% Hydrochloric Acid (HCL)**
6. **Tincture of Benzalkonium Chloride – 5.03% Acetone**

**WHEREAS**, Section 4(2-c, d, e & f), Article III 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 **COMARK INTERNATIONAL CORPORATION** is a well-established company that started their business in 1970 focusing on galenical products and later expanded to house care products and allied pharmaceuticals. The company is duly registered with PDEA and handler of **P4-00221001-R032 dated 07 March 2012 and valid until 06 March 2013 (wholesaler/distributor)** that authorizes the company to sell, procure, acquire, dealing in or with specified controlled chemical except drugs containing controlled chemicals for wholesale distribution to license holder;

**WHEREAS**, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **COMARK INTERNATIONAL CORPORATION** products containing controlled chemicals less than the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(c, & d);

**WHEREAS**, after satisfying the requirements stipulated under the above mentioned regulations, **Comark International Corporation are no longer covered by the provisions of Section 22 (Licensed operators NOT to deal with unlicensed operators), of BR No.3, S. 2003.**

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

- a. **TO GRANT EXEMPTION** and the issuance of Board Resolution on Exemption, which shall be valid for one (1) year unless revoked, to **Comark International Corporation** products that contain controlled chemicals below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(c & d).
- b. That the above cited exemptions shall still be subject to the following conditions:
  - (1) **That Comark International Corporation 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 finished products from distribution to end-users;
  - (3) The DDB-PDEA Monitoring Team shall have free access to Comark International Corporation premises where the finished products are kept and/or used;
  - (4) The Comark International Corporation 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 23<sup>rd</sup> day of August, in the year of Our Lord, 2012 in Quezon City.

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

Attested:

(Sgd.) **Assistant Secretary BENJAMIN P. REYES**  
OIC-Secretary of the Board