



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 127
Series of 2012

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCT OF EXAL INDUSTRIES 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, EXAL INDUSTRIES CORPORATION with business address at 8 Eleventh St. Golden Mile Business Park, Carmona, Cavite Philippines is seeking exemption from regulatory measures for their product **HAPPY QUEEN TILES & BOWL CLEANER containing 8 -16% Hydrochloric Acid (HCL)**;

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 **EXAL INDUSTRIES CORPORATION** was established on 08 July 1996. It is duly registered with PDEA and handler of a license to compound/manufacture products containing controlled chemicals. It is engaged in manufacturing toothpaste, mouthwash, lotion, hand sanitizers, dishwashing liquid/paste, fabric softeners, laundry detergents and aluminum collapsible tubes and other personal care and household products. It is duly registered with FDA and handler of PDEA License of **P5C-03314001-R011 dated 16 July 2012 and valid until 10 October 2013** as compounder/manufacturer of PECS;

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **EXAL INDUSTRIES CORPORATION**

product containing controlled chemicals below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(c, d, e & f);

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations, **EXAL INDUSTRIES CORPORATION'S** product is no longer covered by the provision of Section 22 (Licensed operators NOT to deal with unlicensed operators) and Section 39 (Controlled Chemical Registers) of BR No.3, S. 2003.

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

- a. **TO GRANT EXEMPTION** and the issuance of a Certificate of Exemption, which shall be valid for one (1) year unless revoked, **EXAL INDUSTRIES CORPORATION'S** product that contains controlled chemicals below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d & f).
- b. **That the above cited exemptions shall still be subject to the following conditions:**
 - (1) **The EXAL INDUSTRIES CORPORATION shall secure a license from the PDEA and comply with the reporting requirements for the raw materials used in the manufacture of the products containing controlled chemicals as provided for in Board Regulation No. 3, Series of 2003;**
 - (2) The Board shall strictly monitor subject finished product from their manufacture/compounding to distribution to end-users;
 - (3) The DDB-PDEA Monitoring Team shall have free access to **EXAL INDUSTRIES CORPORATION** premises where the finished product is kept and/or used;
 - (4) The **EXAL INDUSTRIES CORPORATION** shall assume full responsibility for any misuse of the imported finished product, 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 18th day of October, 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

Bd. Res. on Granting exemption from specific measures of regulatory control requirements to 2
certain finished product of Exal Industries Corporation