



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

3/F, DDB – PDEA Building, NIA Road, National Government Center, East Triangle, Diliman, Quezon City, Philippines
P.O Box No. 3682 Manila, Tel. No. 929-1753, Telefax 929-1546, Website: www.ddb.gov.ph, E-mail: info@ddb.gov.ph

BOARD RESOLUTION NO. 139
Series of 2012

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF API ASIA PACIFIC 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, **API ASIA PACIFIC INC.** with business address at # Lisbon-Phil Industrial Estate Bldg. 5415 CM Recto Highway Clark Freeport Zone, Pampanga, Philippines, Philippines is seeking exemption from regulatory measures for the following products containing controlled chemicals listed hereunder:

1. **SCOTHCAL BRAND EDGE SEALER 3950 – 0.1-1% Toluene**
2. **ECO-PRIME SOLVENTBORNE YELLOW - 5% Toluene; 1-10% Methyl Ethyl Ketone (MEK)**
3. **LPS (AEROSOL) – 1-5% Acetone**
4. **NSL 1422 CLASS A (PART A) – 10% Toluene**
5. **PR-1422 A-2, PART B – 5% Toluene; 1-10% Methyl Ethyl Ketone**
6. **NSL 870 CLASS B (PART A) – 5% Toluene**
7. **NSL 1422 CLASS B (PART A) – 10% Toluene; 1-10% Methyl Ethyl Ketone**
8. **MASTINOX 6856K JOINTING COMPOUND – 3-5% Toluene**
9. **PR-1422 A-2, PART B – 5% Toluene; 1-10% Methyl Ethyl Ketone**
10. **PR-1422 B1/2, PART B – 5% Toluene**
11. **PR-1422 B2, PART B – 5% Toluene**
12. **PR-1440 B2, PART B – 5% Toluene**
13. **PRO-SEAL 870 B-2 (PART B) - 5% Toluene; 5% Methyl Ethyl Ketone**
14. **PRO-SEAL 870 C-12 (PART B) – 1-10% Toluene**
15. **PRO-SEAL 890 B-2 (PART B) – 1-5% Toluene**
16. **LEAD ACID NONSPILLABLE BATTERY (TELEDYNE BATTERY, GILL AIRCRAFT BATTERY, CENTURION AND SILTRON) – 22% Sulfuric Acid (H₂SO₄)**
17. **LEAD ACID BATTERY WET, FILLED WITH ACID (TELEDYNE BATTERY, GILL AIRCRAFT BATTERY, CENTURION AND SILTRON) – 22% Sulfuric Acid (H₂SO₄)**
18. **VALVE REGULATED LEAD ACID BATTERY – 10-15% Sulfuric Acid (H₂SO₄)**
19. **EPOXY PRIMER 37002 (S15/76) YELLOW – 2.5 – 10% Toluene**
20. **AERODUR FINISH SGL ALUMINUM, SILVER – 2.5 -10% Butanone (MEK)**

21. LPS3 (aerosol) HD Rust Inhibitor – 1-5% Acetone
22. Pro-Seal 870 B-1/2 (part B Base Component) - 1-10% Toluene
23. PR-1826 B-2 Part A&B- 1- 5% Butanone (MEK)
24. PR-1826 B-1/2 Part A&B- 5% Butanone (MEK)
25. PR-1828 B1/2 Part A&B – 5% Butanone (MEK)
26. CA 8000D Desothane HS Activator Accelerator component – 0.1-1% Toluene
27. Spotcheck Developer SKD-S2 -10-30% Acetone

WHEREAS, Section 4(2-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 **API ASIA PACIFIC INC.** was established on March 1997 after the First Aviation Services acquired the assets of Aircraft Parts International Combs, Inc. and become Aerospace Products International Inc. The company is one of the leading suppliers of aircraft components to the aviation industry worldwide. It is best known for its leadership in the overhaul and repair of landing gear, hydraulic, pneumatic and electrical components as well as brakes for corporate, military and regional aircraft. The company is duly registered with PDEA to import/distribute products containing controlled chemicals. **The company is holder of PDEA License P5I-03173001-R011 dated 11 May 2012 and valid until 13 June 2013;**

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **API ASIA PACIFIC INC.** finished products 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 stipulated under the above mentioned regulations, **API ASIA PACIFIC 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.**

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

- a. **TO GRANT EXEMPTION** and the issuance of Board Resolution of Exemption, which **shall be valid for one (1) year unless revoked**, to **API ASIA PACIFIC INC’ products** containing 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:**

Bd. Res. on Granting exemption from specific measures of regulatory control requirements to 2 certain finished products of API Asia Pacific, Inc

- (1) That **API ASIA PACIFIC INC.** shall secure a license from the 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 **API ASIA PACIFIC INC.** premises where the finished products are kept and/or used;
- (4) That **API ASIA PACIFIC INC.** 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