



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

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**BOARD RESOLUTION NO. 154**  
**Series of 2012**

**SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCT OF SHIMADZU PHILIPPINES MANUFACTURING, 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, SHIMADZU PHILIPPINES MANUFACTURING, INC.** with business address at Phase 111, Lot 15, Cavite EPZ, Rosario Cavite, Philippines is seeking exemption from regulatory measures for the product **DOW CORNING TORAY PELGAN Z SPRAY containing 7.4% Toluene;**

**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 product from specific measures of regulatory control requirements**”;

**WHEREAS**, it has been determined by the DDB Technical Working Group (TWG) that **SHIMADZU PHILIPPINES MANUFACTURING, INC.** was incorporated on January 11, 1996. It is engaged in the manufacture of electronic precision balance and printed circuit board assembly. The company is duly registered with PEZA. The product is used in the manufacture of printed circuit board assembly and electronic weighing scale. The company is duly registered with PEZA and handler of PDEA license **P5IM-01542001 dated 23 July 2012 and valid until 08 July 2013;**

**WHEREAS**, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **SHIMADZU PHILIPPINES MANUFACTURING, INC.** product containing controlled chemicals below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d, e & f);

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certain finished product of Shimadzu Philippines Manufacturing, Inc.

**WHEREAS**, after satisfying the requirements stipulated under the above mentioned regulations, **SHIMADZU PHILIPPINES MANUFACTURING, INC.** product 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 Certificate of Exemption, which shall be valid for one (1) year unless revoked, to **SHIMADZU PHILIPPINES MANUFACTURING, INC.'S** product containing controlled chemicals below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(e & f).
- b. **That the above cited exemptions shall still be subject to the following conditions:**
  - (1) The **Shimadzu Manufacturing Philippines, 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 **Shimadzu Philippines Manufacturing, Inc.** premises where the finished products are kept and/or used;
  - (4) The **Shimadzu Philippines Manufacturing, 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 18<sup>th</sup> 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