



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

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**BOARD RESOLUTION NO. 23**  
**Series of 2012**

**SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF NIPPON PAINT 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, NIPPON PAINT PHILIPPINES**, with address at Halogram St. Light Industry and Science park of the Philippines, Cabuyao, Laguna, Philippines is a legitimate importer of chemicals used for the manufacture and sale of automotive parts and was established on February 15, 1976. The main business of the company is importation of paints related products, marketing of paints and other technical line support for paints. It is duly registered with PEZA and handler of PDEA License No. **P5IM-01849001-R024 & P5C-01849001-R023** as Importer/ End-user/ Compounder/ Manufacturer of controlled chemicals. Licenses were issued **on 07 September 2011 and valid until 18 September 2012**;

**WHEREAS, NIPPON PAINT PHILIPPINES** is seeking exemption from regulatory measures to the following imported finished products that contain controlled chemicals, to wit:

- |   |   |
|---|---|
| 1. R-301 NH-731P (PH) – 8.7% Toluene  | 16. DISPARLON KS-281 – 20% Toluene                |
| 2. R-301 YR-574M (PH) – 6.9% Toluene  | 17. DIANAL LR-9548 – 15-20% Toluene;<br>9-19% MEK |
| 3. R-301 B-538M (PH) – 7.5% Toluene   | 18. TAKENATE D-103 – 0.5% Toluene                 |
| 4. R-301 YR-557P (PH) – 5.2% Toluene  | 19. PBC-160(KAI) 509 RED – 7.2%<br>Toluene        |
| 5. R-301 NH-585P (C/B) PH – 23.3%<br>Toluene;3.9% MEK                         | 20. PBC-160(T) 304 Blue – 21.2% Toluene           |
| 6. R-301 NH-585P(M/B) PH – 32.9%<br>Toluene                                   | 21. PBC-160(T) 305 Blue – 6.0% Toluene            |
| 7. ACRYDIC NP-591P- 45TC –<br>45%Toluene                                      | 22. PBC- 212 309 Blue – 4.8% Toluene              |
| 8. ACR-937 – 20% Toluene  | 23. DIANAL HR-2079 - 20-25% Toluene               |
| 9. DIANAL LR-9532 – 5-10% Toluene   | 24. R-288 Clear – 3.7% Toluene                    |
| 10. ACRYDIC NP-261P-37TC – 37.4%<br>Toluene                                   | 25. DIANAL LR 2590 – 38% Toluene                  |
| 11. R-1777 RESIN – 10-15% Toluene   | 26. PBC-212 516 RED - 4.8 %Toluene                |
| 12. HITALOID 1301 – 65% Toluene   | 27. PBC-212 501 RED - 4.8% Toluene                |
| 13. ACR 422-50TW – 40-50% Toluene   | 28. PBC-212 802 BROWN - 4.8% Toluene              |
| 14. DIANAL HR-2038 – 30-40% Toluene   | 29. PBC-160 (KAI) 203 BLACK - 8.7%<br>Toluene     |
| 15. SWANCEL HM-SERIES (1/2, 1/4, 1/8,<br>1/16sec, & SL type) – 26-16% Toluene | 30. PBC-212 218 BLACK - 9.3% Toluene              |
|   | 31. 20% CAB 531-1 (TNC) - 10% MEK                 |
|   | 32. PBC-212 11 WHITE - 5.4% Toluene               |

33. PBC-212 204 BLACK - 8.2% Toluene
34. R-160 HS BK32 - 12.9% Toluene
35. R-261 CLEAR -5 -10% Toluene
36. R-288 CLEAR - 3.7% Toluene
37. PBC-212 306 BLUE - 4.8% Toluene
38. R-160HS IRM (PF) - 4.7% Toluene
39. R-160HS TRM (PF) - 8.4% Toluene
40. R-160HS CLM (PF) - 7.2% Toluene
41. R-160HS VIM (PF) - 7.3% Toluene
42. R-160HS TNM (PF) - 8.1% Toluene
43. R-160HS ONM (PF) - 10.4% Toluene
44. R-160HS DMS (PF) - 3.5% Toluene;  
2.6% MEK
45. R-160HS MDM (PF) - 7.3% Toluene
46. R-160HS TSM (PF) - 9.6% Toluene
47. R-160HS PBM (PF) - 7.6% Toluene
48. AR 29-39TC - 29-39% Toluene; 9-19%  
Methyl Ethyl Ketone
49. OP-50F# WHITE -1 - 5% Toluene
50. OP-50# BLACK - 1 - 5% Toluene
51. SPM-300# DMS - 40 - 45% Toluene
52. SPM-300# PBM - 40 - 45% Toluene
53. SPM-300# MDM - 40 - 45% Toluene
54. SPM-300# TSM - 40 - 45% Toluene
55. OP-50F# WHITE -1 - 5% Toluene
56. OP-50# BLACK - 1 - 5% Toluene
57. SPM-300# DMS - 40 - 45% Toluene
58. SPM-300# PBM - 40 - 45% Toluene
59. SPM-300# MDM - 40 - 45% Toluene
60. SPM-300# TSM - 40 - 45% Toluene
61. Acrylic Paint PBC-212 (T) 535 Red -  
4.8% Toluene
62. Acrylic Paint PBC-212 Disparlon  
Paste -3. 6% Toluene
63. Acrylic Paint PBC-212 L-2800 Paste -  
5.2% Toluene
64. Acrylic Paint TAR-200 Acrylic Resin -  
12.0% Toluene
65. Acrylic Paint PBC-212(T) 101 White  
TTC - 2.5% Toluene; 4% MEK
66. Acrylic Paint PBC-212(T) 101 White  
TTC - 2.5% Toluene; 4% MEK
67. Acrylic Paint PBC-212 709 Yellow -  
4.8% Toluene
68. Acrylic Paint PBC-212 716 Yellow -  
4.8% Toluene
69. Acrylic Paint RB-116 White Paste -  
12% Toluene; 3.5% MEK
70. Acrylic Paint Resin 2005M - 28.9%  
Toluene
71. Acrylic Paint R-160HS BB53 - 10.7%  
Toluene
72. Acrylic Paint R-160HS BKYO - 16.9%  
Toluene
73. Acrylic Paint R-160HS BK55 -11.6%  
Toluene
74. Acrylic Paint R-160HS BG41 - 10.6%  
Toluene
75. Acrylic Paint RB-116 Grey Paste -  
12% Toluene; 3.5% MEK
76. Acrylic Paint R-160HS BB20 -20-25%  
Toluene
77. Acrylic Paint R-160HS BQM1 - 11.4%  
Toluene; 1.7% MEK
78. Acrylic Paint RB-116 Clear Base -  
14.7% Toluene; 4.8% MEK
79. Acrylic Paint PBC-160(T) 919 Violet -  
24.5% Toluene
80. Acrylic Paint PBC-212 919 Violet -  
4.6% Toluene
81. Acrylic Paint PBC-241(T) 919 Violet -  
26.6% Toluene
82. Acrylic Paint PBC-212 701 Yellow -  
4.8% Toluene
83. Acrylic Paint R-301 NH-578 Taffeta  
White - 3% Toluene
84. R-160 HS BB53 - 10.7% Toluene
85. R-160 HS BKYO - 16.9% Toluene
86. R-160 HS- BK55 - 11.6% Toluene
87. R-160 HS BG41 - 10.6% Toluene
88. PBC-160 204 Black - 19.9% Toluene
89. R-160 HS BK21 - 9.4% Toluene
90. R-160 HS BB20 - 20-25% Toluene
91. R-160 HS BQM1 - 11.3% Toluene;  
1.8% MEK
92. PBC-212 (T) 535 Red (NEW) - 4.8%  
Toluene
93. R-301 TR-578M - 35.8% Toluene

**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**, the Technical Working Group deliberated and recommended to the Board, issuance of appropriate Board Resolution to **NIPPON PAINT PHILIPPINES’** request for exemption from specific measures of regulatory control requirements to the **products containing controlled chemicals below the 30% threshold** and as such, subject certification shall be **valid for one (1) year unless revoked** ;

**WHEREAS**, Section 4(2-f), Article II of the same Regulation also provides that the Board may exempt from specific measures of regulatory control requirements any preparation when the Board is satisfied that the mixture is formulated in such a way that the controlled chemical or chemicals cannot be easily extracted or recovered for the illicit manufacture of dangerous drugs and that the controlled chemical or chemicals contained in the mixture cannot be readily recovered or extracted;

**WHEREAS**, the DDB Technical Working Group (TWG) opined **that products containing controlled chemicals above the 30% threshold** can be given exemption, due to having satisfied the conditions as provided for in Section 4-2(f);

**WHEREAS**, after satisfying the requirements stipulated under the above mentioned regulations, **NIPPON PAINT PHILIPPINES’ 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 **RESOLVE** and as it is **HEREBY RESOLVED**, to:

1. **To GRANT EXEMPTION** from specific measures of regulatory control requirements to **NIPPON PAINT PHILIPPINES’** above-mentioned finished products that contain controlled chemicals below and above the 30% by weight of the Table II chemical;
2. **That the above cited exemptions shall still be subject to the following conditions:**
  - a. **NIPPON PAINT PHILIPPINES** shall secure a license from PDEA and comply with the reporting requirements as provided for in Board Regulation No.3, s. 2003.
  - b. The Board shall strictly monitor subject finished products from their importation to distribution to end-users;

- c. The NIPPON PAINT PHILIPPINES shall provide free access to the DDB-PDEA Monitoring Team to gain entry to their premises where the finished products are kept and /or used;
- d. The NIPPON PAINT PHILIPPINES 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
- e. Any violation of the provisions of B.R. No.3, S. 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 21<sup>st</sup> day of February, in the year of Our Lord, 2012 in Quezon City.

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

Attested:

(Sgd) **Undersecretary JORGE G. NECESITO**  
Secretary of the Board