



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 25
Series of 2012

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF TNC EVERLIGHT PHILIPPINES, 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, **TNC EVERLIGHT PHILIPPINES, INC.** with business address at Unit 5B Country Space 1 Bldg. Sen Gil J. Puyat Ave., Salcedo Village, Makati City, Philippines is seeking exemption from regulatory measures for the following products listed hereunder:

1. **IRISpec CB – 1.6% Acetone**
2. **ZYM A - <4% Hydrochloric Acid (HCL)**
3. **JAMES Ref. 70 542 – 3.65% Hydrochloric Acid (HCL)**
4. **SOLUTION DE GABETT – 18.6% Sulfuric Acid (H₂SO₄)**
5. **EHR – 6.67% Hydrochloric Acid (HCL)**
6. **ACETONE SAFRANIN A – 20 – 25% 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 **TNC EVERLIGHT PHILIPPINES, INC** started as a small diagnostic company in June 1986. TNC is under the TNC Group Companies and is a contributors of diagnostic market development and technology awareness among paramedical and medical personnel in clinical laboratories and hospitals. It is duly registered with PDEA and handler of **P5I-03310001-N007 License as importer/distributor of PECS. License was issued on 10 October 2011 and valid until 03 October 2012;**

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **TNC EVERLIGHT PHILIPPINES, INC.** ' products containing controlled chemical less than the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d);

WHEREAS, after satisfying the requirements under the above mentioned regulations, **TNC EVERLIGHT PHILIPPINES, 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 a Board Resolution, which shall be valid for one (1) year unless revoked, to **TNC EVERLIGHT PHILIPPINES, INC.**' products that contain 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 **TNC EVERLIGHT 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 the **TNC EVERLIGHT PHILIPPINES, INC.** premises where the finished products are kept and/or used;
 - (4) The **TNC EVERLIGHT PHILIPPINES, 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 21st 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

