



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 49
Series of 2012

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF JX NIPPON MINING & METALS PHILIPPINES, INC. (FORMERLY NIKKO METALS 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, JX NIPPON MINING & METALS PHILIPPINES INC. with business address at Laguna Technopark, Binan, Philippines is seeking exemption from specific measures of regulatory control requirements for the following products containing controlled chemicals:

1. AV Adhesive 88 (low viscosity quick drying up) – 15% Methyl Ethyl Ketone (MEK)
2. AV Adhesive 62 (high viscosity slow drying up) – 10 - 20% Methyl Ethyl Ketone (MEK)
3. CPE - 900 – 20 - 30% Sulfuric Acid (H₂SO₄)
4. Tin Standard Solution (Sn 1000ppm) – 11% Hydrochloric Acid (HCL)
5. G17 Tube Type – 10 – 20% Acetone
6. Antimony Standard Solution (Sb 1,000mg/l) – 11% Hydrochloric Acid (HCL)
7. Titanium Standard Solution – 4.7% Sulfuric Acid (H₂SO₄)
8. SR 2410 RESIN – 14% Toluene
9. S-Ion Adhesive # 100 – 5 - 15% Methyl Ethyl Ketone (MEK)
10. Copper Rinsing Solution for PWB CR-1 – 5% Sulfuric Acid (H₂SO₄)
11. Molybdenum Standard Solution containing 1.44% Hydrochloric Acid

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 when the Table II chemical is a normal ingredient in consumer goods or finished products; 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 **NIKKO METALS PHILIPPINES INC.** is a wholly owned subsidiary of Nikko Materials Co. Japan that is engaged in the manufacture of Copper Foil for copper clad laminates and printed circuit boards. The products are used as an adhesive for anode cloth in anode masking for treated rolled copper foil. The company is duly registered with PDEA and handler of **P5I-00081001-R026, P6-00081001-R 038 and P3-00081001-R035 licenses dated 14 Sept.2011 and valid until 15 Oct. 2012.**

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations **NIKKO METALS 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**:

TO GRANT EXEMPTION and the issuance of a Board Resolution for Exemption, which shall be **valid for one (1) year unless revoked**, to **NIKKO METALS PHILIPPINES INC.’** products containing controlled chemical below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d).

a. That the above cited exemptions shall still be subject to the following conditions:

- (1) That **NIKKO METALS PHILIPPINES INC.** shall secure a license from 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 **NIKKO METALS PHILIPPINES INC.’** premises where the finished products are kept and/or used;
- (4) That **NIKKO METALS PHILIPPINES 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 14th day of June, 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