



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 64
Series of 2012

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCT OF MACONDRAY PHILIPPINES CO., 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, MACONDRAY PHILIPPINES CO., INC. with business address at Lapanday Center, 2263 Pasong Tamo Ext. Makati City, Philippines is seeking exemption from regulatory measures of their product **FB 209 BT-57 containing 1 - 12.5% 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, it has been determined by the DDB Technical Working Group (TWG) that **MACONDRAY PHILIPPINES CO., INC.** has been recognized in the industry since 1898 in San Francisco USA and has been involved in various and diverse industries and investments such as Del Monte pacific Ltd, Mindanao Corrugated fibreboard Corp. and among others. It has established a stellar track record on credit performance, business operations and strong business management. The company is a holder of PDEA Licenses such as **P5I-03472001 as importer/distributor and P5WD-03472001 issued on 4/11/2012**;

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

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations, **MACONDRAY PHILIPPINES CO., INC.'S** product is no longer covered by the provisions of Section 10 and 11 (product is exempted for applying import, export and transport permits), and Section 22 (end-users/retailers of such product is exempted from acquiring P-License from PDEA) 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, **MACONDRAY PHILIPPINES CO., INC.'S** product that contains 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 MACONDRAY PHILIPPINES CO., 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 product from their importation to distribution to end-users;
 - (3) The DDB-PDEA Monitoring Team shall have free access to **MACONDRAY PHILIPPINES CO., INC.' premises** where the finished product is kept and/or used;
 - (4) The **MACONDRAY PHILIPPINES CO., 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