



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 94
Series of 2012

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF DUPONT FAR EAST 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, DUPONT FAR EAST INC. with business address at PISCOR Compound, Amang Rodriguez Avenue, Manggahan, Pasig City, Philippines is seeking exemption from specific measures of regulatory control requirements on the following products containing controlled chemicals:

1. 1025R HS BSLT Primer Thinner – 20 - 25% Toluene
2. 3920S Degreaser – 5 – 7% Toluene
3. AK350C C5LT Fade Out Thinner – 20 – 25% Toluene
4. QM101 TEAU WAX – 10 – 12.50% Toluene
5. QM103 TCNQT POLISH – 7 – 10% Toluene
6. DX46C CILT Clear for A/P – 5 – 7% Toluene; 2 - 2.50% Butanone (MEK)
7. G2-7600SX Clear – 3 - 5% Butanone (MEK); 7 – 10% Toluene
8. HCC-6240 ACN905 Molten Orange – 25 – 35% Butanone (MEK)
9. G2-4700S C4LT 2-Gen-4700S – 5 – 7% Butanone (MEK); 1 – 2% Acetone
10. 175K CAN 249 Binder Chromabase – 25 – 35% Toluene; 12.50 – 15% Acetone;
11. KK700FX NCN 320 True Blasberry Prizm BC – 7 – 10% Acetone
12. KK720FX NCN320 Pure Fire Prizm BC – 7 – 10% Acetone
13. KK740FX CCN311 Perfect Jade BC – 7 – 10% Acetone
14. KK760FX NCN311 Absolute Purpleen Prizm B/C – 7 – 10% Acetone
15. KK730FX NCN320 Butter Green Prizm Tone – 7 – 10% Acetone
16. KK710FX NCN320 Majestic Royal Prizm BC – 7 – 10% Acetone
17. 02080124 C4LT Standocryl 2K Rapid Clear – 3 – 5% Butanone (MEK)

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 **DUPONT FAR EAST INC.** is a subsidiary of EI Dupont USA. Its main business includes automotive refinish products, architectural laminating sheets, advance fiber system etc. It also repackages crop production products, and hybrid corn seeds. The company is importing automotive paint products for distribution. It is duly registered with PEZA and PDEA. The company is duly PDEA registered and handler of : **P5I-01364001 dated 22 May 2012 and valid until 21 May 2013** such license authorized to import, and distribute controlled chemicals;

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **DUPONT FAR EAST INC.** finished products that contain controlled chemicals below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d, e & f);

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, after satisfying the requirements under the above mentioned regulations, **DUPONT FAR EAST INCS'** 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;

WHEREAS, the Technical Working Group deliberated and recommended to the Board, issuance of appropriate **Certificate of Exemption** to **DUPONT FAR EAST INC** request for exemption from specific measures of regulatory control requirements for the above-mentioned imported finished products and as such, subject certification shall be valid for one (1) year unless revoked;

WHEREFORE, be it **RESOLVED**, as it is hereby **RESOLVED**:

- a. **TO GRANT EXEMPTION** and the issuance of a Board Resolution for Exemption, which shall be valid for one (1) year unless revoked, to the following **DUPONT FAR EAST INC.** products that contain controlled chemicals below and above the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(f):
- b. That the above cited exemption shall still be subject to the following conditions:
 - (1) That **DUPONT FAR EAST INC.** shall comply with the reporting requirements as provided for in Board Regulation No. 3, Series of 2003;

- (2) The Board shall strictly monitor subject products/chemicals from their importation to end-user;
- (3) The DDB-PDEA Monitoring Team shall have free access to **DUPONT FAR EAST INC.** premises where the products/chemicals are kept and/or used;
- (4) That **DUPONT FAR EAST INC.** shall assume full responsibility for any misuse of the imported products/chemicals, 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 Board Resolution on exemption at anytime and would be dealt with severely.

APPROVED and ADOPTED this 23rd day of August, 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