



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 144
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF TMX (TIMEX) 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, TMX (TIMEX) PHILIPPINES, INC, with business address at PEZA Mactan, Lapu-Lapu City, Philippines is seeking exemption from specific measures of regulatory control requirements to the following products, to wit:

1. **ERLAC DYESTUFF SOLUTION BLUE (089.647.000) containing 2.5 – 10% Butanone (Methyl Ethyl Ketone)**
2. **PU TWO PACK POLYURETHANE COATING containing 3.2% Methyl Ethyl Ketone (MEK)**
3. **STRATCH RESISTANT COATING containing 12% (Methyl Ethyl Ketone (MEK).**
4. **ELASTIC POLYURETHANE COATING containing 5.3% Methyl Ethyl Ketone (MEK)**
5. **000-434 THINNER containing 2-5% Phenylmethane (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 TMX Phils is a result of far east expansion program of Timex Corporation. It was established on 15 April 1979 and begun its full operations in 1980. Timex manufacture wrist instruments and wristwatches and other world class brands. The most famous brand of TIMEX is INDIGLO. **TIMEX (TMX) PHILIPPINES, INC.** is a reputable company that duly registered with PEZA; a handler of several PDEA Licenses such as a **P5I-0019191001 R-041 dated 20 Feb. 2013 and valid 2/22/2014 as Importer/End-user, Distributor of controlled chemicals;**

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **TIMEX (TMX) PHILIPPINES, INC' products** that contain 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 stipulated under the above mentioned regulations, **TIMEX (TMX) PHILIPPINES, INC' products are no longer covered by the provisions of Section 10 (Application for import, export or transit permits), and Section 11 (Grant of import, export or transit permits), and Section 22 (end-users and retailers of such products are exempted from acquiring P License from PDEA) 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 of Exemption, which shall be valid for one (1) year unless revoked, to **TIMEX (TMX) PHILIPPINES, INC.** above -mentioned products that contain controlled chemical below the 30% threshold of the Table II chemical, in accordance with the provisions of Section 4-2(d & f).

- a. **That the above cited exemption shall still be subject to the following conditions:**
- (1) That **TIMEX (TMX) PHILIPPINES, INC.** shall secure license with 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 products/chemicals from their importation to end-user;
 - (3) The DDB-PDEA Monitoring Team shall have free access to **TIMEX (TMX) PHILIPPINES, INC.** premises where the products/chemicals are kept and/or used;
 - (4) That **TIMEX (TMX) PHILIPPINES, 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 11th day of July, in the year of Our Lord, 2013 in Quezon City.

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

Attested:

(Sgd) **JOSE MARLOWE S. PEDREGOSA**
UNDERSECRETARY-Executive Director
Secretary of the Board