



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 161
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF MAITLAND SMITH CEBU, 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, MAITLAND SMITH CEBU, INC. with business address at Mactan Export Processing Zone, Lapu-Lapu City, Cebu, Philippines is seeking exemption from regulatory measures of the following products listed hereunder containing controlled chemicals:

1. **White N/C Pigment Paste – 9.3% Toluene; 5.23% MEK**
2. **35 Sheen WW Vinyl Topcoat – 5-15% Toluene**
3. **Carbon Black N/C Paste – 20% Toluene; 5.33% MEK**
4. **WW Vinyl Sealer – 5-15% Toluene**
5. **20 Sheen Lacquer – 1-5% Toluene; 1-5% Acetone**
6. **Burnt Umber Paste – 6.864% Toluene**
7. **N/C Sealer – 5-15% Toluene; 1-5% Acetone**
8. **Gilsonite Solution – 25.172% Toluene**
9. **Rel Stain Binder – 5-15% Acetone**
10. **Clear Gloss Brass Lacquer – 5-15% Toluene; 5-15% 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 **Maitland-Smith Cebu, Inc** is a private company categorized under Furniture and Fixtures. For 30 years Maitland-Smith has been in the business of

creating exquisite and unique decorative accessories, lighting and accent furniture. It is a well-established company engaged in the importation of chemicals and is duly registered with PEZA and PDEA. Maitland-Smith specializes in fine home furnishings and accessories, including fine living room furniture, formal dining room furniture, dining tables, and dining room chairs. Their custom wood furniture and designer occasional tables & console tables are pieces destined to become treasured family heirlooms. From one of their round cocktail tables to custom home office furniture, Maitland-Smith brings elegance and luxury to any distinctive living space. Today Maitland-Smith is an industry leader well known for its world-class quality and innovative design is a well-established company engaged in the importation of chemicals and is duly registered with PDEA with license of **P5IM-00270001-R043 h dated 16 January 2013 and valid until 26 January 2014**. Such license authorizes them as importer and End-user of Methyl Ethyl Ketone, Toluene, Acetone, hydrochloric acid and Sulfuric Acid;

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **MAITLAND SMITH CEBU, 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, after satisfying the requirements under the above mentioned regulations, **MAITLAND SMITH CEBU, 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), of BR No.3, S. 2003.

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

- a. **TO GRANT EXEMPTION** and the issuance of Board Resolution of Exemption, which shall be valid for one (1) year unless revoked, to **MAITLAND SMITH CEBU, 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 be subject to the following conditions:
 - (1) The MAITLAND SMITH CEBU,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 MAITLAND SMITH CEBU, INC. premises where the finished products are kept and/or used;
 - (4) The MAITLAND SMITH CEBU, 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 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

