



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 181
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF SPARKO SURFACE COATING

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, SPARKO SURFACE COATING with business address at A.C. Cortes Avenue, Mandaue City, Cebu, Philippines is seeking exemption from specific measures of regulatory control requirements to the following products listed hereunder:

1. **430x 0025 Crackle Clear – 9% Toluene; 10% Acetone**
2. **430-0024-0 Crackle White Lacquer – 5% Toluene; 4% Acetone**
3. **440-0004-NC Edge Sealer – 8% Toluene**
4. **461-0035-0 Vinyl Sealer Clear – 5% Toluene; 4% MEK**
5. **42X-1635-0 Vinyl Clear Topcoat – 4% MEK; 5% Toluene**
6. **33X-0182 – PU Clear Topcoat – 8% Toluene**
7. **262-05140 AC Sealer – 10% Toluene**
8. **510-XXXX0 DYE Stains – 8% Acetone; 5% Toluene**
9. **23X-05140-AC Topcoat Clear – 10% Toluene**
10. **620-6020 NC Basecoat Clear – 8% Toluene; 5% 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 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 **SPARKO SURFACE COATING** is one of the leading providers of surface coating solutions in Asia and Pacific Region. It is engaged in the manufacture and distribution of solvent and water based surface coatings for wood based industry and other surfaces like metals, glass, leather, abaca and other indigenous substrates. The company is duly registered with PEZA and PDEA and handler of PDEA License **P5I-01330001-R046 dated 1/08/2012 and valid until 12/12/2013**;

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **SPARKO SURFACE COATING** products containing 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, **SPARKO SURFACE COATING** 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 **SPARKO SURFACE COATING'** above mentioned products **containing Toluene and Methyl Ethyl Ketone**, both a controlled chemical that are below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(f).

- a. That the above cited exemptions shall be subject to the following conditions:
 - (1) The SPARKO SURFACE COATING 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 SPARKO SURFACE COATING' premises where the finished products are kept and/or used;
 - (4) The SPARKO SURFACE COATING 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 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

