



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 209
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCT OF ENKEI 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, ENKEI PHILIPPINES, INC. with business address at 0104 Industry Drive, Carmelray Industrial Park, Canlubang, Calamba City, Laguna Philippines is seeking exemption from specific measures of regulatory control requirements to their product **EPO # 800 PRIMER THINNER containing 4% Acetone**;

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 **ENKEI PHILIPPINES, INC** was incorporated on June 6, 1995 and started their operation on Sept. 1996. It is engaged in the business of mold assembly, aluminium ingots and wheel accessories. The company is duly registered with PDEA and handler of **P5IM-00080001-N003 dated 3/26/2013 and valid until 1/13/2014 as importer/ end-user of controlled chemicals**;

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of product that contains 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, **ENKEI PHILIPPINES, INC. product is 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 a Board Resolution on Exemption, which shall be **valid for one (1) year** unless revoked, to ENKEI PHILIPPINES, INC. product that contains controlled chemical 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 exemption shall still be subject to the following conditions:**
 - (1) That ENKEI PHILIPPINES, INC. shall secure a license from PDEA and comply with the reporting requirements for the raw materials as provided for in Board Regulation No. 3, Series of 2003;
 - (2) The Board shall strictly monitor subject product from their importation to distribution to end-user;
 - (3) The DDB-PDEA Monitoring Team shall have free access to ENKEI PHILIPPINES, INC. premises where the product is kept and/or used;
 - (4) That ENKEI PHILIPPINES, INC. shall assume full responsibility for any misuse of the imported 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 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

