



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 221
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF SUCERE FOODS CORPORATION

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, SUCERE FOODS CORPORATION with business address at No.7 Mc Adams Road, Sumulong Highway, Antipolo City, Philippines is seeking exemption from specific measures of regulatory control requirements for the product **ARMORPOXY II EPOXY COATING PART A and PART B containing 0.02% 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 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 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 **SUCERE FOODS CORPORATION** is a leading manufacturer of chocolates and confectioneries since 1993. The company is exporting chocolates and marshmallows in Hongkong, China, Taiwan, Saudi Arabia and in other countries in the Asian and Middle Eastern Regions. It is duly registered with PDEA and handler of **P5IM 00598001-N0008 dated 28 January 2013 and valid until 18 Feb 2014;**

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption to the product of **SUCERE FOODS CORPORATION** that contains controlled chemical 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 stipulated under the above mentioned regulations **SUCERE FOODS CORPORATION'S** 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 Board Resolution for Exemption, which shall be **valid for one (1) year unless** revoked, **SUCERE FOODS CORPORATION** 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 exemptions shall still be subject to the following conditions:**
 - (1) The **SUCERE FOODS CORPORATION** shall secure a license from PDEA and shall comply with the reporting requirements as provided for in Board Regulation No. 3, Series of 2003;
 - (2) The Board shall strictly monitor subject finished product from their importation to distribution to end-users;
 - (3) The DDB-PDEA Monitoring Team shall have free access to **SUCERE FOODS CORPORATION** premises where the finished product is kept and/or used;
 - (4) The **SUCERE FOODS CORPORATION** 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 12th day of September, 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

