



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 238
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCT OF FAIRCHILD SEMICONDUCTOR

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, FAIRCHILD SEMICONDUCTOR with business address at Lapu-Lapu City, Cebu, Mactan Economic Zone, Cebu City, Philippines is seeking exemption from regulatory measures of the product **CERIUM (IV) SULFATE SOLUTION 0.1N AND CONCENTRATE containing 4.8% Sulfuric Acid**;

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 **FAIRCHILD SEMICONDUCTOR** was established on 20 Sept. 1979, and is 31 years of existence in the Philippines. The company is a global supplier of power analog, power discrete and optoelectronic components that optimized system power. It is duly registered with PDEA and handler of **P5IM – 02146001-R033H** License as importer of CPECS to end-use. These license was issued on **28 Sept. 2012 and valid until 20 Sept. 2013**;

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **FAIRCHILD SEMICONDUCTOR**’ finished product 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 under the above mentioned regulations, **FAIRCHILD SEMICONDUCTOR'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 of Exemption, which shall be valid for one (1) year unless revoked, to **FAIRCHILD SEMICONDUCTOR'S product CERIUM (IV) SULFATE SOLUTION 0.1N AND CONCENTRATE** containing 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 **FAIRCHILD SEMICONDUCTOR** 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 product from their importation to distribution to end-users;
 - (3) The DDB-PDEA Monitoring Team shall have free access to **FAIRCHILD SEMICONDUCTOR** premises where the finished product is kept and/or used;
 - (4) The **FAIRCHILD SEMICONDUCTOR** 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 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

