



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

3/F, DDB – PDEA Building, NIA Road, National Government Center, East Triangle, Diliman, Quezon City, Philippines
P.O Box No. 3682 Manila, Tel. No. 929-1753, Telefax 929-1546, Website: www.ddb.gov.ph, E-mail: info@ddb.gov.ph

BOARD RESOLUTION NO. 128
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCT OF EXCELITAS TECHNOLOGIES

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, EXCELITAS TECHNOLOGIES with business address at Phase 4, Block 18, Lots 1& 3, Cavite Economic Zone, Rosario, Cavite, Philippines is seeking exemption from specific regulatory control measures of the product **SCR 1016-A containing 0.5% 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 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 **Excelitas Technologies** is a global technology leader focused on delivering innovative, customized optoelectronics and advanced electronic systems to a global customer base of leading OEM seeking high performance, market driven technologies. The company is duly registered with PEZA and handler of **P5IM-00952001-R041 dated 18 March 2013 and valid until 07 April 2014 as Importer/End-user of controlled;**

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **EXCELITAS TECHNOLOGIES**” product containing controlled chemicals less than the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d & f);

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations, **EXCELITAS TECHNOLOGIES** 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**:

TO GRANT EXEMPTION and the issuance of a Certificate of Exemption, which shall be valid for one (1) year unless revoked, to **EXCELITAS TECHNOLOGIES** 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).

- a. That the above cited exemptions shall still be subject to the following conditions:
- (1) The **EXCELITAS TECHNOLOGIES** 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 **EXCELITAS TECHNOLOGIES** premises where the finished product is kept and/or used;
 - (4) The **EXCELITAS TECHNOLOGIES** 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 6th day of May, in the year of Our Lord, 2013 in Pampanga.

(Sgd.) **Secretary ANTONIO A. VILLAR, JR.**
Chairman, Dangerous Drugs Board

Attested:

(Sgd.) **Undersecretary JOSE MARLOWE S. PEDREGOSA**
Secretary of the Board