



Republic of the Philippines  
Office of the President  
**DANGEROUS DRUGS BOARD**

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**BOARD RESOLUTION NO. 13**  
**Series of 2013**

**SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF YUTAKA MANUFACTURING 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, YUTAKA MANUFACTURING PHILIPPINES INC.** with business address at 110 North Science Ave. Laguna Technopark, Binan Laguna, Philippines is seeking exemption from specific regulatory control measures of the following products containing controlled chemicals listed hereunder:

1. **Okitsumo IP-300GM (Gray) - 2% Toluene; <2-5% MEK**
2. **Okitsumo NH-106-MF2(Non Cr) YMI-T (BLACK) - 3% Toluene**
3. **Okitsumo NH-106-MF2(Non Cr) –U (BROWN) - <1-2% Methyl Ethyl Ketone (MEK)**
4. **Pyrosin HD Black Touch Up – 20 - 25% Methyl Ethyl Ketone (MEK)**
5. **Pyrosin S-4 NH35M (1-liquid type) – 5% Methyl Ethyl Ketone (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 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 **YUTAKA MANUFACTURING PHILIPPINES INC.** is the first overseas affiliate of Yutaka Giken established in 1994 to support parts requirements of Honda factories in the Philippines and Asia. Their primary products include automobile and motorcycle parts, exhaust mufflers, brakes and pedals. It is duly registered with PEZA and holder of PDEA License **P5IM—01194001-R027 dated 13 April 2012 and valid until 31 May 2013**. These products are used to prevent rust for inside varnish of core; used as catalyst and for retouching of varnish;

**WHEREAS**, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **YUTAKA MANUFACTURING PHILIPPINES INC.** products 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 under the above mentioned regulations, **YUTAKA MANUFACTURING PHILIPPINES INC.** products are 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;

**WHEREAS**, during the Caucus of the Board held on 12 December 2012, the matter was presented and was eventually unanimously approved in principle by those in attendance, subject to confirmation by the Board at its next regular meeting;

**WHEREAS**, in order to facilitate its confirmation, the said matter, along with the other concerns approved in principle during the Caucus, was subjected to an Ad Referendum, which was thereafter signed by at least nine (9) Members of the Board constituting a quorum on January 16, 2013.

**WHEREFORE**, be it **RESOLVED**, as it is hereby **RESOLVED, GRANTING EXEMPTION** and the issuance of a Certificate of Exemption, which shall be valid for one (1) year unless revoked, to **YUTAKA MANUFACTURING PHILIPPINES INC.** products that contains controlled chemical below the 30% threshold of the Table II chemicals, in accordance with the following provisions of Section 4-2(d & f).

- a. **That the above cited exemptions shall still be subject to the following conditions:**
- (1) The **YUTAKA MANUFACTURING PHILIPPINES INC.** 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 products from their importation to distribution to end-users;
  - (3) The DDB-PDEA Monitoring Team shall have free access to **YUTAKA MANUFACTURING PHILIPPINES INC.** premises where the finished products are kept and/or used;
  - (4) The **YUTAKA MANUFACTURING PHILIPPINES INC.** 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 16<sup>th</sup> day of January, in the year of Our Lord, 2013 in Quezon City.

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

Attested:

(Sgd) **Assistant Secretary AMADOR S. PABUSTAN**  
OIC-Secretary of the Board