



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 21
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCT OF PHILIPPINE EPSON OPTICAL INC. – LAGUNA BRANCH

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, PHILIPPINE EPSON OPTICAL, INC. with business address at SEPZ Lot 1, Blk 3, Phase 5, Amphere St. Bo. Diezmo, Cabuyao, Laguna, Philippines is seeking exemption from specific measures of regulatory control requirements for the product **3 mol/l Sulfuric Acid (6N) containing 25% Sulfuric acid (H₂SO₄)**;

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 **PHILIPPINE EPSON OPTICAL, INC.** is a reputable company that was established on April 1, 2005, an ISO certified and duly registered with PEZA. It is engaged in the optical device and eyeglasses business. A handler of PDEA License **P5I-00610002-R014/P3-00610002-R014 dated 11 June 2012 and valid until 28 June 2013 (Laguna Br) as** Importer/ Enduser of controlled chemicals. The company is involved in the manufacture of high index ophthalmic lens;

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of **PHILIPPINE EPSON OPTICAL, INC.** products that contained controlled chemicals less than the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d);

Bd. Res. on Granting exemption from specific measures of regulatory control requirements to 1
certain finished product of Philippine Epson Optical Inc. – Laguna Branch

WHEREAS, the DDB Technical Working Group (TWG) upon deliberation opined that **PHILIPPINE EPSON OPTICAL, INC.** product containing controlled chemical above the 30% threshold can be given exemption due to having satisfied the conditions as provided for in Section 4-2(f);

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations, **PHILIPPINE EPSON OPTICAL, INC. products is no longer covered by the provisions of Section 10 (Application for import, export or transit permits), Section 11 (Grant of import, export or transit permits), and Section 22 (end-users and retailers of such products are exempted from acquiring P License from PDEA) 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 Board Resolution of Exemption, which shall be valid for one (1) year unless revoked, to **PHILIPPINE EPSON OPTICAL, INC.** above - mentioned products that contain controlled chemicals below and above the 30% threshold of the Table II chemical, in accordance with the following provisions of Section 4-2(d & f).

- a. That the above cited exemption shall still be subject to the following conditions:
 - (1) **That PHILIPPINE EPSON OPTICAL, INC. shall secure license from 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 product/chemical from their importation to end-user;
 - (3) The DDB-PDEA Monitoring Team shall have free access to **PHILIPPINE EPSON OPTICAL, INC.** premises where the product/chemical is kept and/or used;
 - (4) That **PHILIPPINE EPSON OPTICAL, INC.** shall assume full responsibility for any misuse of the imported products/chemicals, 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 16th 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