



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 69
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF JX NIPPON MINING & METALS PHILIPPINES INC. (FORMERLY NIKKO METALS PHILIPPINES)

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, JX NIPPON MINING & METALS PHILIPPINES INC. with business address at 117 East Science Avenue, Laguna Technopark, Binan, Philippines is seeking exemption from specific measures of regulatory control requirements for the following products containing controlled chemicals:

1. **Copper Rinsing Solution for PWB CR-1 - <5% Sulfuric Acid (H₂SO₄)**
2. **ThreeBond 1215 - <1% Toluene**
3. **G17 Tube Type - 10 - 20% Acetone**
4. **CPE-900 - 20 - 30% Sulfuric Acid (H₂SO₄)**
5. **Tin Standard Solution (Sn 1000ppm) - 11% (3mol/L) Hydrochloric Acid (HCL)**
6. **AV ADHESIVE 62 (high viscosity slow drying up) - 10 - 20% Methyl Ethyl Ketone (MEK)**
7. **Antimony Standard Solution (Sb 1000mg/1) – 11% Hydrochloric Acid (HCL)**
8. **Titanium Standard Solution – 4.7% Sulfuric Acid (H₂SO₄)**
9. **Molybdenum Standard Solution (Mo 1000ppm) – 1.44% Hydrochloric Acid (HCL)**
10. **SE-07 - <10% Sulfuric Acid (H₂SO₄)**
11. **Q-PACK-B - 35 - 45% Toluene**
12. **S-ION ADHESIVE # 100 - 5 - 15% Methyl Ethyl Ketone (MEK)**
13. **AV ADHESIVE 88 (Low Viscosity Quick Drying Up) - <15% Methyl Ethyl Ketone (MEK)**
14. **SR 2410 RESIN - 14% Toluene**
15. **AV ADHESIVE 32 (Low Viscosity Quick Drying Up) - <50% Methyl Ethyl Ketone (MEK) and <20% Acetone**

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 when the Table II chemical is a normal ingredient in consumer goods or finished products; 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 **JX NIPPON MINING & METALS PHILIPPINES** is a wholly owned subsidiary of Nikko Materials Co. Japan engaged in the manufacture of Copper Foil for copper clad laminates and printed circuit boards. The products are used as an adhesive for anode cloth in anode masking for treated rolled copper foil. The company is duly registered with PDEA and handler of **P5I-00081001-R037, P6-00081-R040 and P3-00081001-R046 licenses dated 10 August 2012 and valid until 15 October 2013.**

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations **JX NIPPON MINING & METALS PHILIPPINES**’ products are 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 (Licensed operators NOT to deal with unlicensed operators), of BR No.3, S. 2003.

WHEREAS, after due deliberation and evaluation, the TWG opined that products of **JX NIPPON MINING & METALS PHILIPPINES** containing controlled chemicals above the 30% threshold can be given exemption considering these products were previously granted Exemption by the Board; and have satisfied the conditions provided for in Section 4-2(f);

WHEREFORE, be it **RESOLVED**, as it is hereby **RESOLVED**:

TO GRANT EXEMPTION and the issuance of a Board Resolution for Exemption, which shall be **valid for one (1) year unless revoked**, to **JX NIPPON MINING & METALS PHILIPPINES** products containing controlled chemical below and above the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d).

a. That the above cited exemptions shall still be subject to the following conditions:

- (1) That **JX NIPPON MINING & METALS PHILIPPINES** shall secure a 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 finished products from their importation to distribution to end-users;
- (3) The DDB-PDEA Monitoring Team shall have free access **JX NIPPON MINING & METALS PHILIPPINES**’ premises where the finished products are kept and/or used;

- (4) That **JX NIPPON MINING & METALS PHILIPPINES** 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