



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 77
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS SUMITOMO CORPORATION OF THE 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, SUMITOMO CORPORATION OF THE PHILIPPINES with business address at First Philippine Industrial Park (FPIP) Bldg.HI Lot 4E Brgy. Sta Anastasia Sto Tomas, Philippines is seeking exemption from specific measures of regulatory control requirements for the following products containing controlled chemicals:

- 1. Polyimide Ink for Screen Printing - < 1% Toluene**
- 2. PSR9000FLX04G-<1% Acetone**
- 3. MQ-400 - 10 - 20% 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 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 SUMITOMO CORPORATION OF THE PHILIPPINES (SCOP) was incorporated on March 4, 2009. It has the largest Sulfuric Acid sales channel in the world and looking forward to make Philippines as the supply and trading center in the Eastern Asia through new joint ventures with local company for Sulfuric acid production. The company shall also facilitate dealing H₂SO₄ for local PEZA enterprises and for export abroad. In addition, it also conducts research on sulfur rock, phosphate rock and others. It is duly registered with PEZA and handler of PDEA License **P5I- 02623002-R022** as importer/distributor of controlled chemicals. The license was issued on **24 October 2012 and valid until 08 November 2013**;

WHEREAS, after satisfying the requirements stipulated under the above mentioned regulations **SUMITOMO CORPORATION OF THE 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.

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 **SUMITOMO CORPORATION OF THE PHILIPPINES** products containing controlled chemical below 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 **SUMITOMO CORPORATION OF THE 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 **SUMITOMO CORPORATION OF THE PHILIPPINES'** premises where the finished products are kept and/or used;
- (4) That **SUMITOMO CORPORATION OF THE 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