



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 80
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS TEXAS INSTRUMENTS

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, TEXAS INSTRUMENTS, with business address at SEZ Clark, Angeles Pampanga, Philippines, is seeking exemption from regulatory measures to the following products, to wit;

1. **MICROFAB SC 32 MAKEUP – 10-20% Sulfuric Acid (H₂SO₄)**
2. **MICROFAB SC COPPER SULFATE – 0.1-1% Sulfuric Acid (H₂SO₄)**
3. **MICROFAB SC LO-PM – 0.1-1% Sulfuric Acid (H₂SO₄)**
4. **MICROFAB SC MD – 1-5% Sulfuric Acid (H₂SO₄)**
5. **CUBATH® SC LO 70/30 – 0.1-1% Sulfuric Acid (H₂SO₄)**
6. **CUBATH SC REPLENISHER - < 5% Sulfuric Acid (H₂SO₄)**
7. **SULFURIC ACID – 2-10% Sulfuric Acid (H₂SO₄)**
8. **MULTI-ELEMENT STANDARD 1000 MG/l Cu Pb Zn Ni Co Fe Mn – 8% Hydrochloric Acid (HCL)**
9. **TIN 1000 PPM A/S STANDARD – 10-25% Hydrochloric Acid (HCL)**
10. **ALUMINUM 1000 UG/ mL or 10,000 ug/mL – <2% Hydrochloric Acid (HCL)**
11. **Iron Standard Solution, 50 ug/mL (50 ppm) – 0.05% Sulfuric Acid (H₂SO₄)**
12. **Electrode Inner Solution - Sulfuric Acid , <10% (H₂SO₄)**
13. **ECOSHIELD® RVS – 10 - 25% Toluene**
14. **Palladium, 1000 ug/mL or 10,000 ug/mL - <7% Hydrogen Chloride (HCL)**

WHEREAS, Section 4(2-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 with 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 **TEXAS INSTRUMENTS**, is a well-established reputable company that is engaged as a Importer of products/chemicals used as reagent in laboratory and waste water analysis in the country, and is duly registered with the PDEA and handler of **5IM – 00314002-R032 (License to import/ end-user CPECS), and P5E- 00314002-R011 (as exporter). Licenses were issued on 22 August 2012 and valid until 18 July 2013;**

WHEREAS, after due deliberation and evaluation, the TWG decided to recommend to the Board the exemption of the products that contained controlled chemicals below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d, e & f);

WHEREAS, after satisfying the requirements under the above mentioned regulations, **Texas Instruments (TI) Philippines’ 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.**

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

- a. **TO GRANT EXEMPTION** and the issuance of a Certificate of Exemption, which shall be valid for one (1) year unless revoked, to **TEXAS INSTRUMENTS** above-mentioned finished products containing controlled chemicals below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d & e, & f):
- b. **That the above cited exemptions shall still be subject to the following conditions:**
 - (1) The Texas Instruments 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 to the Texas Instruments premises where the finished products are kept and/or used;
 - (4) That Texas Instruments shall assume full responsibility for any misuse of the imported finished products, 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