



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

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BOARD RESOLUTION NO. 92
Series of 2013

SUBJECT: GRANTING EXEMPTION FROM SPECIFIC MEASURES OF REGULATORY CONTROL REQUIREMENTS TO CERTAIN FINISHED PRODUCTS OF NIKKOSHI ELECTRONICS PHILS., 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, NIKKOSHI ELECTRONICS PHILS. INC. with business address at 108 Technology Avenue, Special Export Processing Zone, Laguna Technopark, Binan, Laguna, Philippines is seeking exemption from regulatory measures for the following products that contain controlled chemicals:

- 1. MICROFAB Cu 300 MAKE UP – 18% Sulfuric Acid; <0.01% Hydrochloric Acid**
- 2. MICROFAB Cu 300 STARTER – 9.5% Sulfuric Acid**

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 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 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 **NIKKOSHI ELECTRONICS PHILS. INC.** The company started its operation on December 1996 and is engaged in the production of various electronics and semiconductor product. It is duly registered with PDEA and handler of **P5IM-01605001-N007 dated a 28 January 2013 valid until 28 January 2014**. The company is authorized to import and distribute controlled chemicals; to manufacture or recycle controlled chemicals or mixture and may conduct chemical analysis;

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

WHEREAS, after satisfying the requirements under the above mentioned regulations, **NIKKOSHI ELECTRONICS PHILS. 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.**

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

- a. **TO GRANT EXEMPTION** and the issuance of a Board Resolution for Exemption, which shall be valid for one (1) year unless revoked, to **NIKKOSHI ELECTRONICS PHILS. INC.** products that contain controlled chemical below the 30% threshold of the Table II chemicals, in accordance with the provisions of Section 4-2(d & f):
- b. That the above cited exemptions shall be subject to the following conditions:
 - (1) The NIKKOSHI ELECTRONICS PHILS. 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 the NIKKOSHI ELECTRONICS PHILS. INC. premises where the finished products are kept and/or used;
 - (4) The NIKKOSHI ELECTRONICS PHILS. INC. 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