UNITED NATIONS

E/NL.1984/23-29
1 June 1987
ENGLISH ONLY

LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF
THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

In accordance with the relevant articles of the international treaties on narcotic drugs and psychotropic substances, the Secretary-General has the honour to communicate the following legislative texts.

PHILIPPINES

Communicated by the Government of the Philippines

NOTE BY THE SECRETARIAT

(a) Some editing of texts may be done by the Secretariat in the interest of clarity. In this connection, words in square brackets [ ] have been added or changed by the Secretariat.

(b) Only passages directly relevant to the control of narcotic drugs or psychotropic substances have been reproduced in this document. Non-relevant parts of laws and regulations have been deleted by the Secretariat; such deletions are indicated by [...] .

INDEX

| E/NL.1984/25 | Board Regulation No.3-A s.1983, 30 July 1983. Procedures to be Followed by Importers of Dangerous Drugs and Exempted Preparations Upon Arrival of the Importation in the Philippines. | 4 |
| E/NL.1984/26 | Board Regulation No.4, 11 October 1983 Amending Board Regulation No.2-A s.1981, by Reducing the Number of Marijuana Plants to be Used in the Perpetuation/Preservation of Evidence in Drug Related Cases When Such Plants are Voluminous, and to Transport them would be Expensive and Impractical. | 4 |
| E/NL.1984/27 | Board Regulation No.5 s.1983. Amendment of Board Regulation No.3 series of 1972, Prescribing Market Values of Certain Dangerous Drugs in Connection With the Grant of Rewards Pursuant to Section 36(o) of RA6425 as amended. | 5 |

v.86 62090
E/NL.1984/28  
Board Regulation No.5–A s.1983, 19 October 1983.
Amending Board Regulation No.1–A series of 1983 by Removing Certain Preparations Containing Limited Quantities of Phentermine Resin or Phentermine HCL from the List of Regulated Drugs and Placing them Under the Category of Exempt Preparations Subject to certain Conditions.

E/NL.1984/29  
Board Regulation No.5–B s.1983, 19 October 1983. 
Amendment of Board Regulation No.3 series of 1981 to Allow Certain Preparations with Propoxyphene Napsylate to be Prescribed through Ordinary Prescription Without Need of Indicating therein the S–2 Licence Number of the Prescribing Physician.
BOARD REGULATION No. 1-A s.1983, 19 JANUARY 1983
INCLUSION OF LEFETAMINE, MAZINDOL, PHENDIMETRAZINE AND PHENTERMINE IN THE LIST OF DANGEROUS DRUGS

SECTION 1. Unless specifically excepted, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers (whether optical, position, or geometric), and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation by whatever official name, common or usual name, chemical name or brand name designated, is classified as Dangerous Drugs and further categorized as Regulated Drugs:

<table>
<thead>
<tr>
<th>International name (INN) or trivial names</th>
<th>Other non-proprietary names</th>
<th>Chemical name</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEFETAMINE (-)-l-dimethylamine-l,2-diphenylethane</td>
<td>SPA</td>
<td>(-)-l-dimethylamine-1,2-diphenylethane</td>
</tr>
<tr>
<td>MAZINDOL 5-(p-chlorophenyl)-2,5-dihydro-3H-imidazo(2,1-c)-isoindol-5-ol</td>
<td></td>
<td>5-(p-chlorophenyl)-2,5-dihydro-3H-imidazo(2,1-c)-isoindol-5-ol</td>
</tr>
<tr>
<td>PHENDIMETRAZINE (+)-3,4-dimethyl-2-phenylmorpholine</td>
<td></td>
<td>(+)-3,4-dimethyl-2-phenylmorpholine</td>
</tr>
<tr>
<td>PHENTERMINE O-dimethylphenethylamine</td>
<td></td>
<td>O-dimethylphenethylamine</td>
</tr>
</tbody>
</table>

SECTION 2. This regulation shall take effect upon completion of its publication in a newspaper of general circulation once a week for two consecutive weeks.

J. C. AZURIN
Chairman

BOARD REGULATION No. 3 s.1983, 20 JULY 1983
PROCEDURAL REQUIREMENTS IN CASE OF LOSS OF DANGEROUS DRUGS

Pursuant to its powers vested under Section 36 (a) of RA 6425, as amended, the Dangerous Drugs Board hereby prescribed the following procedures in case of loss of dangerous drugs:

Section 1. General requirements: Where the dangerous drugs are lost by theft or robbery, through breakage of the container or through other accidents, the person in whom possession and responsibility for the drugs repose at that time, shall inform the Dangerous Drugs Board, by telephone or other possible means, of such loss within twenty-four (24) hours from the time the breakage or accident occurred or from the time the theft or robbery was discovered. He shall also immediately execute an affidavit in quadruplicate indicating the kinds and quantities of the dangerous drugs destroyed and the circumstances involved, which affidavit together with a copy of the invoice covering the purchase of such drugs, shall be forwarded to the Dangerous Drugs Board within seventy-two (72) hours from the date of occurrence or discovery of the breakage or other accidents, theft or robbery.

Section 2. Additional requirements in case of loss due to theft or robbery: Documentary evidence that the local police authorities were notified shall accompany the affidavit.

Section 3. Ocular inspection and investigation by Drug Regulation Officers and referral to the National Bureau of Investigation: Upon receipt of the information made through the telephone or other possible means referred to in Section 1 hereof, Drug Regulation Officers of the Board shall immediately undertake an initial ocular inspection and investigation at the site where the loss occurred to verify the reported circumstances. The results of such inspection and investigation together with the affidavit and other documentary evidences shall be referred to the National Bureau of Investigation by the Dangerous Drugs Board for investigation as to the veracity of statements and the liability, if any, of the person involved in the loss.

Section 4. Procedures in case the loss occurs outside the Metro Manila Area: The provisions of Section 1-3 hereof shall apply except that the required report by telephone or other means shall be made directly to the Regional Drug Regulation Officer of the Ministry of Health deputized as such by the Dangerous Drugs Board under Board Order No. 2, series of 1983, copy attached, and having jurisdiction in the region. The required referral for investigation shall be made by the said Drug Regulation Officer to the head of the nearest branch of the National Bureau of Investigation (NBI). The said NBI official shall thereafter cause the conduct of the necessary investigation and submit his recommendations to the Dangerous Drugs Board.

Note by the Secretariat: E/NL.1976/50.
Section 5. Records: Copies of the affidavit and the documentary evidence shall be retained and filed with the records of the Board on the person, establishment, agency or institution involved.

Section 6. Effectivity: This regulation shall take effect fifteen (15) days after its publication in the **Official Gazette** of the Philippines.

J. C. AZURIN  
(Minister of Health)  
Chairman

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**PROCEDURES TO BE FOLLOWED BY IMPORTERS OF DANGEROUS DRUGS AND EXEMPTED PREPARATIONS UPON ARRIVAL OF THE IMPORTATION IN THE PHILIPPINES**

Pursuant to the powers vested in the Dangerous Drugs Board under Section 36 (a) and (1) of RA 6425, as amended, the following procedures governing importation of dangerous drugs and/or exempt preparations are hereby prescribed:

Section 1. Arrival of the importation. When any importation of dangerous drugs and/or exempt preparations reaches a Port of Entry under Philippine Customs control, it shall be the duty of the importer to: (1) notify the Dangerous Drugs Board of such arrival within three (3) working days from receipt of the Notice of Arrival thereof issued by Philippine Customs authorities and (2) furnish the Customs Narcotic Office with a copy of the said Notice of Arrival, a copy of the certificate of importation covering the shipment, a copy of the export permit issued by the government of the country of origin, and proof of payment of the S-7 Tax required by law.

Section 2. Release and transfer of importation from the warehouse, office, or laboratory of the importer. Upon clearance of the importation by the Customs authorities and upon completion of the transfer of the drugs or preparations to the importer's laboratory, office or warehouse, the importer shall accordingly notify the Dangerous Drugs Board by telephone within 24 hours. The telephoned notification should be confirmed immediately thereafter by letter accompanied by a photocopy of the export permit issued by the government of the country of origin if no such copy was submitted as required in Section 1 hereof. When the Board is so notified, Drug Regulation Officers of the said Body shall proceed with the checking and verification of the shipment.

Section 3. Forms to be utilized. For the purposes of Sections 1 and 2 hereof, importer shall utilize DDB Form No. a sample copy of which is hereto attached as "Annex A".

Section 4. Safety of the dangerous drugs and/or exempt preparations. The importer shall take all precautionary measures for the safe transportation of the dangerous drugs from the customs house to the importer's premises.

Section 5. This Regulation shall take effect immediately.

J. C. AZURIN  
(Minister of Health)  
Chairman

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**PROCEDURES TO BE FOLLOWED BY IMPORTERS OF DANGEROUS DRUGS AND EXEMPTED PREPARATIONS UPON ARRIVAL OF THE IMPORTATION IN THE PHILIPPINES**

Pursuant to the powers vested in the Dangerous Drugs Board under Section 36 (a) of Republic Act No. 6425, as amended, otherwise known as the Dangerous Drugs Act of 1972 and in accordance with the decision arrived at by the said Body in its meeting of 29 September 1983, Section 1-A(1) of Board Regulation No. 2-A, s.1981 is hereby amended to read as follows:

"1. There shall be a Field Inventory Committee which shall inventory and photograph the seized plants after these are uprooted, segregate some TWENTY (20) full grown plants to be used as evidence, and burn the rest in the presence of the apprehended person by pouring gasoline or crude oil and igniting them until only the ashes thereof remain."

This Regulation shall take effect after fifteen (15) days following the completion of its publication in the **Official Gazette**.

J. C. AZURIN  
Chairman
BOARD REGULATION No. 5 s.1983. AMENDMENT OF BOARD REGULATION No. 3 SERIES OF 1972, PRESCRIBING MARKET VALUES OF CERTAIN DANGEROUS DRUGS IN CONNECTION WITH THE GRANT OF REWARDS PURSUANT TO SECTION 36 (o) OF RA 6425 AS AMENDED

WHEREAS, rewards now being given by the Board to informers who are instrumental in the discovery and seizure of dangerous drugs pursuant to the provision of Section 36 (o) of RA 6425, as amended, have contributed to the efficacy of the rewards system and ultimately to the national efforts at reducing the illicit supply of dangerous drugs;

WHEREAS, the Dangerous Drugs Board in implementing the mandate in the said provision of the Law and noting the increasing number of Heroin seizures, decided in its meeting of 9 March 1977 to raise the market value of Heroin from P70.00 per gram of 15 per cent purity to P150.00 per gram of the same purity, for purposes of rewards to informers;

WHEREAS, consistent with the said decision, the Board issued Board Regulation No. 4, series of 1977 on the same date;

WHEREAS, since then up to the present, no circumstances have occurred which would have warranted a decrease in the prescribed market value for the said drug and therefore, the Board would have no reason to reduce at any time thereafter such market value for Heroin;

WHEREAS, it has come to the attention of the Board that a typographical error occurred in typing Board Regulation No. 1, series of 1981, which Regulation was, as reflected in the Minutes of the Meeting of the Board on 12 May 1981, issued only for the purpose of reducing the market value of Marijuana plants, Marijuana dried leaves, Marijuana stick (cigarette), Marijuana seeds and seedlings, and certainly not that of Heroin;

WHEREAS, such typographical error emanated from the fact that the typist inadvertently failed to take into consideration Board Regulation No. 4, series of 1977 which raised, effective 26 April 1977, the market value of Heroin to P150.00 per gram of 15 per cent purity;

WHEREAS, the said omission is evident from the fact that in Board Regulation No. 1, series of 1981, the statement of the subject thereof does not indicate Board Regulation No. 4, series of 1977 although all other Regulations previously amending it are stated therein;

WHEREAS, the typographical error resulted in erroneously indicating in said Regulation No. 1, series of 1981, the market value of Heroin as P70.00 per gram of 15 per cent purity instead of P150.00 for the same purity, which is the correct and reasonable market value considering the number of Heroin seizures noted;

WHEREAS, it is in the interest of public welfare that such rewards as have been given and are being given under the powers of the Board above-mentioned, continue to be reasonable taking into account the risks to life and limb to which informers are exposed after giving the information;

WHEREAS, it now becomes a matter of urgency that the error be corrected to ensure the continued success of the reward system established in accordance with the mandate in Section 36 (o) of RA 6425, as amended;

WHEREAS, the deputy Minister of Justice in a letter addressed to the Honorable Chairman of the Dangerous Drugs Board dated 19 October 1983, has opined that his Office sees no legal obstacle to the amendment of Board Regulation No. 1, series of 1981 and giving the same retroactive effect in order to correct the error of indicating the market value of Heroin as P70.00 per gram of 15 per cent purity instead of P150.00;

NOW, THEREFORE, the Dangerous Drugs Board, pursuant to its powers under Section 36 (o) of RA 6425, as amended, and in accordance with its decision arrived at in its meeting of 19 October, 1983, after considering the above premises, hereby amends Paragraph 1 of Board Regulation No. 1, series of 1981 to read as follows:

"Pursuant to the powers vested in the Dangerous Drugs Board, under Section 36 (o) of RA 6425, as amended, and to the decision of the Board arrived at in its meeting of 12 May 1981, Section III of Board Regulation No. 3, series of 1972, as amended is hereby further amended to read as follows:

"Section III. The following are hereby prescribed as market value of dangerous drugs for the purpose of determining the amount of reward to be given in accordance with Section 36 (o) of RA 6425, as amended."
(1) Opium Crude or Raw - P20.00 per gram 5 per cent purity
(2) Morphine - P120.00 per gram of 24 per cent purity
(3) Heroin - P150.00 per gram of 15 per cent purity
(4) Opium in tins of 35 grams net - P600.00 per tin of 5 per cent purity
(5) Value of other Opium derivatives of different percentages of purities will be computed by using above values
(6) Marijuana plants - P50.00 per full grown plant
(7) Marijuana leaves (dried) - P3,000.00 per kilo
(8) Marijuana stick (cigarette) - P2.50 per stick (cigarette stick 8.7 cm long, 59 mm. diameter, containing 0.3 grams of ground dried leaves)
(9) Marijuana seedlings, less than 12 inches high - P10.00 per seedling
(10) Marijuana seeds - P3,000.00 per kilo
(11) Hashish - P6.00 per gram x 10
(12) Liquid Hashish - P60.00 per gram x 6
(13) Regulated drugs - P2.00 per tablet/capsule 3 grams weight each
                   P20.00 per 60 cc. bottle
                   P40.00 per 120 cc. bottle
(14) Others - as determined by the Dangerous Drugs Board.

This Regulation shall take effect 4 August 1981.

J. C. AZURIN
(Minister of Health)
Chairman

BOARD REGULATION No. 5-A s.1983, 19 OCTOBER 1983
AMENDING BOARD REGULATION No. 1-A SERIES OF 1983 BY
REMOVING CERTAIN PREPARATIONS CONTAINING LIMITED QUANTITIES
OF PHENTERMINE RESIN OR PHENTERMINE HCL FROM THE LIST OF
REGULATED DRUGS AND PLACING THEM UNDER THE CATEGORY OF
EXEMPT PREPARATIONS SUBJECT TO CERTAIN CONDITIONS

Pursuant to the powers vested in the Dangerous Drugs Board under Section 36 (a) of RA 6425, as amended, and in conformity with the decision of the said Body arrived at in its meeting of 19 October 1983, Board Regulation No. 1-A, series of 1983 is hereby amended by removing from the list of Regulated Drugs certain preparations containing not more than 30 mg. of Phentermine Resin or not more than 15 mg. of Phentermine HCL and placing them in the category of exempt preparations as follows:

Section 1. All preparations containing not more than 30 mg. of Phentermine Resin are hereby removed from the list of Regulated Drugs and placed under the category of exempt preparations which may be prescribed through ordinary prescription without indicating therein the S-2 licence of the prescribing physician. The prescription shall, however, indicate the name and address of the prescribing physician as well as the name and address of the patient.

Section 2. All combination preparations containing not more than 15 mg. of Phentermine HCL are hereby removed from the list of Regulated Drugs and categorized as exempt preparations which may be prescribed through ordinary prescription wherein shall be indicated the name and address of the prescribing physician, his name and address as well as the name and address of the patient.

Section 3. The products herein classified as exempt preparations shall remain subject to the following requirements:

1. Registration: In all cases, the products shall be subject to registration with the Bureau of Food and Drugs. In the case of exempt preparations subject to ordinary prescription in which shall be indicated the S-2 licence of the prescribing physician, the retailers dealing in preparations of this category shall secure an S-1 licence from the Dangerous Drugs Board if they do not as yet possess an S-3 licence.

2. Records-keeping:
   (a) If classified as an exempt preparation subject to ordinary prescription without need of indicating the S-2 licence of the prescribing physician, each sale thereof shall be recorded by the retail drug establishment in the ordinary prescription book.
   (b) If classified as exempt preparation subject to ordinary prescription which shall indicate the S-2 licence of the prescribing physician, each sale thereof shall be recorded by the retail drug establishment in the additional opium book.
3. Inspection of wholesale and retail trade: All products falling within the classification herein made are subject to inspection by the authorized officers of the Bureau of Food and Drugs and the Dangerous Drugs Board insofar as regards the purposes and functions of each of the said officers.

4. Limitations of imports and exports.

5. Reports to be furnished by the importers/manufacturers.

Section 4. This Regulation shall take effect fifteen (15) days after completion of its publication in a newspaper of general circulation once a week for two consecutive weeks.

J. C. AZURIN
(Minister of Health)
Chairman

BOARD REGULATION No. 5-B s.1983, 19 OCTOBER 1983
AMENDMENT OF BOARD REGULATION No. 3 SERIES OF 1981
TO ALLOW CERTAIN PREPARATIONS WITH PROPOXYPHENE NAPSYLATE TO BE PRESCRIBED THROUGH ORDINARY PRESCRIPTION WITHOUT NEED OF INDICATING THEREIN THE S-2 LICENCE NUMBER OF THE PRESCRIBING PHYSICIAN

Pursuant to the powers vested in it under Section 36 (a) of RA 6425, as amended, and following its decision arrived at in a meeting of 19 October 1983, the Dangerous Drugs Board hereby amends Board Regulation No. 3, series of 1981 such that the second paragraph thereof shall read as follows:

"As exempt preparations, these combination products shall be prescribed through the ordinary prescription form which need not indicate therein the S-2 licence number of the prescribing physician but which shall contain the name and address of the physician and the patient. These products shall, however, continue to be subject to the following requirements:

1. Registration (with the Bureau of Food and Drugs).
3. Inspection of wholesale and retail trade: All products falling within the classification herein made are subject to inspection by the authorized officers of the Bureau of Food and Drugs and functions of each of the said officers.
4. Limitations of imports and exports.
5. Reports to be furnished by the importers/manufacturers."

This amendment shall take effect upon completion of its publication in a newspaper of general circulation once a week for two consecutive weeks.

J. C. AZURIN
(Minister of Health)
Chairman