

SC CIRCULAR NO. 69-97, October 06, 1997

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TO

: ALL JUDGES OF THE REGIONAL TRIAL COURT

SUBJECT

: RESOLUTION NO. 2, SERIES 1997 OF THE DANGEROUS DRUGS BOARD

Quoted hereunder for the information and guidance of all concerned is Resolution No. 2, Series 1997 of the Dangerous Drugs Board, to wit:

"WHEREAS, the Philippine Government is a party to the 1961 UN Single Convention on Narcotic Drugs, the 1971 UN Convention on Psychotropic Substances, as amended by the 1972 Protocol, and lately, the 1988 UN Convention Against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances upon its ratification by the Senate on February 26 1996;

"WHEREAS, Article 39 of the 1961 UN Single Convention on Narcotic Drugs, Article 23 of the 1971 UN Convention on Psychotropic Substances, as amended, and Article 24 of the 1988 UN Convention, uniformly and consistently provided in substance that a state party may adopt more strict or severe measures than those provided by the Conventions it in its opinion, such measures are desirable or necessary for the protection of public health and welfare;

"WHEREAS, on March 17, 1988, the Dangerous Drugs Board issued Board Regulation No. 2, S. 1988 controlling all raw materials of Ephedrine, Psedoephedrine or any of their salts as well as preparations, containing any of the said drugs as "Regulated Drugs" under the general heading of Dangerous Drugs for the reasons that they are reportedly being used in the preparation of Methamphetamine Hydrochloride, known in the streets by the name "shabu". Said Board Regulation was published on March 23 and 30, 1988 in the Philippine Daily Inquirer;

"WHEREAS on May 30, 1996 the Dangerous Drugs Board promulgated Board Regulation No. 3, S. 1996 providing for Control Mechanisms for Precursors and Essential Chemicals including their salts and preparations, to implement the 1988 U.N. Convention, published on July 13 & 20, 1997 in the Today's Newspaper;

"WHEREAS, in the classification and re-classification of dangerous drugs and dangerous drug preparations, precursor chemicals including their salts as well as preparations containing any of the said drugs, the Dangerous Drugs Board considers as bases Board Regulation No. 16; S. of 1973, as amended by Board Regulation No. 2, S of 1992, as well as available medical, scientific and technical journals and materials; and

"WHEREAS, according to researches conducted by the Board, the therapeutic dose for Ephedrine and its preparations ranges from 25 to 50 milligrams, and for pseudoephedrine and its preparations, it is 15 to 120. milligrams.

NOW THEREFORE, after consultations with concerned and appropriate authorities, be it RESOLVED as it is

HEREBY RESOLVED that:

- this Resolution confirms and affirms the provisions of both Board Regulation No. 2, Series of 1988 and Board Regulation No. 3, Series of 1996;
- any weight which exceeds the doses for Ephedrine/Pseudoephedrine and their preparations mentioned above is beyond therapeutic requirements; and
- precursor chemicals brought into the country without proper documentations as prescribed in Board Regulation No. 3, Series of 1996, are considered illegal shipments.

October 6, 1997.

(SGD.)ALFREDO L. BENIPAYO
Court Administrator

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