

GUIDELINES ON THE PROCESSING OF REQUEST FOR LABORATORY EXAMINATION ON SEIZED/CONFISCATED DANGEROUS DRUGS CONTROLLED PRECURSORS AND ESSENTIAL CHEMICALS INSTRUMENTS/PARAPHERNALIA,...

PNP MEMORANDUM CIRCULAR NO. 2009-007, May 18, 2009

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/e3c60d57ce60/>

1. REFERENCES

- a. LOI Kontra Droga Bravo dtd February 18, 2009;
- b. RA 9165 (The Comprehensive Drugs Act of 2002);
- c. PNP Anti-Corruption Plan; and
- d. LOI Patnubay II

2. BACKGROUND/R ATIONALE

PNP records show an alarming number of unclaimed laboratory reports of drug cases in different PNP Crime Laboratory Offices for the period CY 2005-2008.

In the investigation of cases involving violation of the anti-drug law, laboratory reports are substantial documents for the filing of criminal charges in court as these scientifically prove the presence of dangerous drugs on seized/confiscated items or on the specimen from the arrested suspects.

Aside from the wasted efforts and resources for laboratory examination, these unclaimed laboratory reports create a negative impression on the part of the concerned PNP personnel in pursuing criminal cases against drug suspects, which is contrary to the internal cleansing effort of the PNP to prevent irregularities and ensure transparent anti-drug operations.

There is therefore a need to prescribe guidelines in the submission of request for the conduct of laboratory examination on seized drugs and drug testing on arrested suspects from the PNPCL to ensure accountability from the requesting party.

3. DEFINITION OF TERMS

- a. Dangerous Drugs - Includes those listed in the Schedules annexed to the Single Convention of Narcotics drugs, as amended by the 1972 protocol, and in the schedules annexed to the 1971 Single Convention on Psychotropic Substances as enumerated in the annex which is an integral part of RA 9165 otherwise known as the "Comprehensive Drugs Act of 2002."
- b. Drug-related Arrest - Apprehension made for violation of RA 9165 and other pertinent drug laws as well as other crimes committed under the influence of dangerous drugs.
- c. Clandestine Laboratory - Any facility used for the illegal manufacture of any dangerous and/or controlled precursors and essential chemicals.
- d. Controlled Precursor and Essential Chemicals (CPECs) - Includes those listed in the Tables I and II of the

1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances as enumerated in the annex which is an integral part of RA 9165 otherwise known as the “Comprehensive Drugs Act of 2002”.

e. Drug Abuser - A person who uses or administers to himself or allows others to administer dangerous drugs to himself without medical approval.

f. Mandatory Drug Test - Compulsory submission of a suspect for drug testing as required by RA 9165.

g. Screening Test - A rapid drug test performed to establish potential or presumptive positive result.

h. Confirmatory Test - An analytical test using a device, tool or equipment with a different chemical or physical principle that is more specific which will validate and confirm the result of the screening test.

i. Specimen - Refers to the sample that is submitted for laboratory examination.

j. Crime Laboratory - Provides scientific investigation services and other technical support to the PNP offices and other agencies through fieldwork, scene of crime operations, forensic laboratory service, criminalistics training and research.

k. Laboratory Equipment - The paraphernalia, apparatus, materials or appliances when used, intended for use or designed for use in the manufacture of any dangerous drug and/or controlled precursor and essential chemical, such as reaction vessels, preparative/purifying equipment, fermentors, separatory funnels, flasks, heating mantles, gas generators, or their substitutes.

l. Laboratory Report - Refers to the result of the test conducted by CL which determines the presence or absence of dangerous drugs in a specimen.

m. Instrument - Any thing that is used in or intended to be used in any manner in the commission of illegal drug trafficking or related offenses.

4. PURPOSE AND OBJECTIVE

a. To provide systems and procedures on the following:

1) Submission of request to CL for the conduct of laboratory examination on seized/confiscated dangerous drugs, controlled precursors and essential chemicals, instruments/paraphernalia, laboratory equipment and drug testing of arrested suspect; and

2) Issuance and/or release of results of the laboratory examination to the requesting party.

b. To promote and ensure full accountability to PNP personnel who shall fail to claim laboratory reports on a specified period or shall engage in improper and unlawful practices.

5. IMPLEMENTING GUIDELINES & POLICIES

a. When submitting a request to CL for laboratory examination on seized/confiscated drugs, other substances and related items; and conduct of drug testing on arrested suspect, the following information shall be indicated: (See attached formats as Annexes A & B[*])

1) Name/s and other personal circumstances of the suspect/s;

2) Purpose of examination;

3) Type of operation conducted;

4) Date, time & place of arrest;

5) Name and contact number of the requesting party;

6) Type & quantity of seized evidence; and

7) Other relevant information

b. The requesting party shall claim the certification of laboratory examination results from CL within the following period reckoned from the time of the submission of request for examination:

- 1) Within 24 hours for the seized/confiscated drugs, other substances and related items. However, if the volume of seized/confiscated drugs does not allow the completion of laboratory examination within this time frame, a partial laboratory report shall be provisionally issued stating therein the quantities of the dangerous drugs still to be examined by the forensic laboratory; provided, however, that a final certification be issued on the completed laboratory examination on the same within the next 24 hours;
- 2) Within 24 hours for the result of the screening test on the specimen of apprehended/arrested offenders;
- 3) Within 1 week for the result of the confirmatory test on the specimen of apprehended/arrested offenders upon the issuance of the result of screening test subject to the availability of equipment, chemical reagents and standards; and
- 4) Within 30 days in case of unknown chemicals and/or substances.

c. In case of non-retrieval of laboratory results within the prescribed period, the chief of the concerned CL Office shall immediately notify the following in writing, through telephone and other practical means of communication, viz:

- 1) COP/Station Commander and/or next higher level commander in case the requesting party is/are member/s of a municipal/component city police station;
- 2) District Director, Provincial Director or City Director in case the requesting party is/are member/s of NCRPO District, Provincial Police Office or Highly Urbanized City Police Office.
- 3) Regional Director in case the requesting party is/are member/s of offices under the Police Regional Headquarters and NSUs that are under the operational control of the RD; and
- 4) Task Force Commander, AIDSOTF copy furnished DIDM (Attn: PCID) in case the requesting party is/are members of NHQ-based operating units or task forces.

d. Upon receipt of the report from CL, if it is positive, the respondent personnel must be required by the unit commander concerned to submit an Inquest Recommendation on the case. In case of non-compliance, the disciplinary authority shall immediately conduct administrative investigation on the failure of the personnel who requested the laboratory examination pursuant to NAPOLCOM MC 2007-001, RA 9165 and other existing rules and regulations.

e. The immediate superior of the respondent personnel shall likewise be subjected to investigation to determine his liability under the principle of command responsibility; and

f. The conduct of administrative aspect of the case is without prejudice to the filing of criminal case under RA 9165 and other criminal laws against the respondent personnel and his superior officer if they are found to have been engaged in improper or unlawful activities (i.e. Bungling of drug cases).

6. SUPERVISION AND REPORTING REQUIREMENTS

a. The Task Force Commander, AIDSOTF shall be the overall supervisor in the implementation of this circular while RDs/ Task Group Commander, RAIDSOTGs shall be the supervisor in their respective areas.

b. For purposes of validation and monitoring, the NHQCL and RCLOs shall submit to AIDSOTF and RAIDSOTGs respectively a consolidated monthly report on all unclaimed laboratory report every 5th day of

the month starting June 2009.

c. The conduct of pre-charge evaluation or summary dismissal proceedings on cases regarding failure to claim laboratory reports on a specified period and/or other related misconduct shall be conducted and supervised by DIDM and DPRM respectively and equivalent offices in the PROs & NSUs.

d. The DIDM and DPRM shall submit monthly progress of the resolution of cases to Task Force Commander, AIDSOTF every 5th day of the month starting June 2009 for monitoring, consolidation and subsequent submission of report to C, PNP.

7. EFFECTIVITY

This circular shall effect upon its approval. All existing circulars, directives, and other issuances whose provisions are contrary to or inconsistent with this circular are hereby rescinded or modified accordingly, but all other circulars and directives not in conflict with this circular are still in effect.

Adopted: 18 May 2009

(SGD.) JESUS A VERZOSA, CEO VI
Police Director General Chief, PNP

[*] Not Filed with ONAR.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.