

**MEMORANDUM**

TO : ALL DISTRICT and SUB-PORT COLLECTORS
ALL CHIEFS, FORMAL ENTRY DIVISION
AND FORMAL ENTRY DIVISION PERSONNEL

FROM : ATTY. EDWARD JAMES A. DY BUCO
Deputy Commissioner, AOCG

SUBJECT : TARIFF COMMISSION CIRCULARS/ADVANCE RULINGS
(TCC/AR)

DATE : 05 April 2021

Pursuant to the provisions of Section 1603 (f) of the Customs Modernization and Tariff Act (Republic Act 10863) and Section 4.9 of Commission Order No. 2017-1 (Procedure on Application for an Advance Ruling on Tariff Classification related to Importation of Goods), the Tariff Commission furnished copies of the Advance Ruling (AR) on Tariff Classification with Tariff Classification Circulars (TCC/AR) issued on 29 March 2021 and the same having been reviewed and summarized as follows:

| TCC. NO. | DESCRIPTION OF ARTICLES | 2017 AHTN CODE | 2021 RATES OF DUTY |
|----------|--|----------------|--------------------------------------|
| 21-013 | "COOPER POWER SYSTEMS STEP VOLTAGE REGULATOR, Model: VR-32 (25 kVA~576 kVA)" | 8504.21.19 | MFN – 1% Ad Valorem |
| 21-018 | "ENGINE CONTROL UNIT, MODEL: 30400-K81-N621-M1" | 8537.10.99C | MFN – 5% Ad Valorem ATIGA – Zero* |
| 21-033 | "ZHIABET" | 2106.90.72 | MFN – 7% Ad Valorem ATIGA – Zero* |

***Subject to submission of their corresponding CERTIFICATE OF ORIGIN (CO).**

For your information, guidance and strict compliance.

CC: COMMISSIONER OF CUSTOMS

AOCG Memo No. 168-2021 p. 2

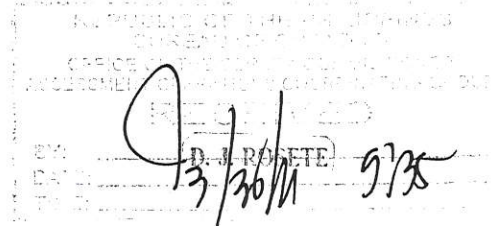


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REPUBLIC OF THE PHILIPPINES
TARIFF COMMISSION

TCOC Ref. No. 21-023

29 March 2021



COMMISSIONER REY LEONARDO GUERRERO
Bureau of Customs
Port Area, Manila



Dear Commissioner Guerrero:

Pursuant to the provisions of Section 1603(f) of the Customs Modernization and Tariff Act (Republic Act No. 10863) and Section 4.9 of Commission Order No. 2017-1 (Procedure on Application for an Advance Ruling on Tariff Classification Related to Importation of Goods), this Commission is pleased to furnish your good Office with PDF copies of three (3) Advance Rulings on Tariff Classification, with TCC (AR) Nos. 21-013, 21-018 and 21-033, issued by this Commission on 29 March 2021. These Advance Rulings have also been posted on the Commission's website www.tariffcommission.gov.ph.

Thank you.

Very truly yours,

MariLou P. Mendoza
Digitally signed

MARILOU P. MENDOZA
Chairperson



Encl: As stated

cc: The Secretary
Department of Finance
Manila



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AOCG Memo No. 168-2021 p.3


REPUBLIC OF THE PHILIPPINES

TARIFF COMMISSION

ADVANCE RULING ON TARIFF CLASSIFICATION

Pursuant to Section 1100 of RA 10863 (CMTA)

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| <p>1 AHTN 2017 CODE AND 2021 RATE/S OF IMPORT DUTY</p> <p style="text-align: center;">AHTN 8504.21.19 MFN - 1% ad valorem</p> | <p>2 TCC (AR) NO.</p> <p style="text-align: center;">21-013</p> <p>3 DATE ISSUED</p> <p style="text-align: center;">29 March 2021</p> |
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| <p>4 DESCRIPTION OF GOOD</p> <p style="text-align: center;">“COOPER POWER SYSTEMS STEP VOLTAGE REGULATOR, Model: VR-32 (25 kVA~576 kVA)”</p> <p>Based on the product brochure submitted, subject article is an oil-filled single-phase tap-changing autotransformer with power handling capacity ranging from 25 kVA~576 kVA. Its standard features include a CL-7 control, tap changer with motor and power supply, oil drain valve and sampling device, laser-etched nameplates, oil sight gauge, high-creep bushings with clamp-type connectors, external series arrester, and automatic pressure relief device, among others. Designed to regulate line voltages in steps, subject article is generally used by power distribution companies and for other industrial applications.</p>  |
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| <p>5 REASONS FOR CLASSIFICATION</p> <p>Heading 85.04 of the ASEAN Harmonized Tariff Nomenclature (AHTN) 2017 covers electrical transformers, static converters (for example, rectifiers) and inductors. The pertinent Harmonized System (HS) Explanatory Notes (EN) state that electrical transformers are apparatus which, without having any moving parts, transform, by means of induction and using a preset or adjustable system, an alternating current into another alternating current of different voltage, impedance, etc. These usually consist of two or more coils of insulated wire wound in various configurations on laminated iron cores, although in some cases (e.g., radio-frequency transformers) there may be no magnetic core, or the core may be of agglomerated iron dust, ferrite, etc. An AC in one coil (the primary circuit) induces an AC usually at different values of current and voltage in the others (the secondary circuit). In certain cases (auto transformers) there is only a single coil, part of the winding of which is common to the primary and secondary circuits.</p> <p>Certain transformers are designed for particular purposes, e.g., matching transformers for matching the impedance of one circuit with that of another, and instrument transformers (current or voltage transformers, combined instrument transformers) used to step down or step up voltages or currents to the level of the connected equipment, e.g., measuring instruments, electricity meters or protective relays.</p> <p>In view thereof, subject article, is classified under AHTN 2017 subheading 8504.21.19, with a Most Favoured Nation (MFN) rate of duty of 1% ad valorem.</p> <p>This ruling shall be valid for five (5) years from the date of issuance and shall continue to apply unless the law, facts, or circumstances supporting this ruling have changed.</p> <p style="text-align: right;">FOR THE COMMISSION Digitally signed <i>MariLou P. Mendoza</i> MARILOU P. MENDOZA Chairperson</p> <p>Note: In view of the Commission's adoption of a Work-From-Home Scheme in compliance with the Memorandum from the Office of the President (Community Quarantine over the Entire Luzon and Further Guidelines for the Management of the Coronavirus Disease 2019 (COVID-19) Situation) issued on 16 March 2020, this Advance Ruling is being issued without a dry seal, barcode, and hologram sticker. A COPY OF THIS RULING IS ALSO UPLOADED IN THE TARIFF COMMISSION WEBSITE.</p> |
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REPUBLIC OF THE PHILIPPINES

TARIFF COMMISSION

ADVANCE RULING ON TARIFF CLASSIFICATION

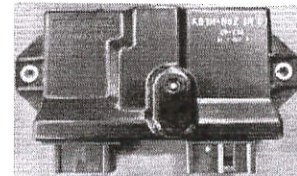
Pursuant to Section 1100 of RA 10863 (CMTA)

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| 1 | AHTN 2017 CODE AND 2021 RATE/S OF IMPORT DUTY | 2 | TCC (AR) NO. |
| | AHTN 8537.10.99C MFN - 5% ad valorem ATIGA - Zero | | 21-018 |
| | | 3 | DATE ISSUED |
| | | | 29 March 2021 |

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| 4 | DESCRIPTION OF GOOD |
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“ENGINE CONTROL UNIT, MODEL: 30400-K81-N621-M1”

Based on the technical information submitted, subject article is a control unit consisting primarily of a printed circuit board (PCB), connectors, terminals, bushing, and housing. The PCB is populated with both passive and active components such as a LED (light-emitting diode) H/L (high/low) onboard driver and diodes. Having a voltage rating of 12~14 V (AC) and overall dimension of 182.4 mm x 107.2 mm x 37.7 mm (LxWxD), subject article is designed to control specific electrical functions of motorcycles (for example, fuel ignition and injection, headlight operation, relay functions, battery charging, and motor idling stop/starting).



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| 5 | REASONS FOR CLASSIFICATION |
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Heading 85.37 of the ASEAN Harmonized Tariff Nomenclature (AHTN) 2017 covers boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading 85.35 or 85.36, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, and numerical control apparatus, other than switching apparatus of heading 85.17. The pertinent Harmonized System (HS) Explanatory Notes (EN) state that these consist of an assembly of apparatus of the kind referred to in the two preceding headings (e.g., switches and fuses) on a board, panel, console, etc., or mounted in a cabinet, desk, etc. They usually also incorporate meters, and sometimes also subsidiary apparatus such as transformers, valves, voltage regulators, rheostats or luminous circuit diagrams.

The goods of this heading vary from small switchboards with only a few switches, fuses, etc. (e.g., for lighting installations) to complex control panels for machine-tools, rolling mills, power stations, radio stations, etc., including assemblies of several of the articles cited in the text of this heading.

In view thereof, subject article, is classified under AHTN 2017 subheading 8537.10.99C, with a Most Favoured Nation (MFN) rate of duty of 5% ad valorem and an ASEAN Trade in Goods Agreement (ATIGA) rate of duty of zero, subject to submission of Certificate of Origin (CO) Form “D”.

This ruling shall be valid for five (5) years from the date of issuance and shall continue to apply unless the law, facts, or circumstances supporting this ruling have changed.

FOR THE COMMISSION

Digitally signed

MARILOU P. MENDOZA

Chairperson

Note: In view of the Commission's adoption of a Work-From-Home Scheme in compliance with the Memorandum from the Office of the President (Community Quarantine over the Entire Luzon and Further Guidelines for the Management of the Coronavirus Disease 2019 (COVID-19) Situation) issued on 16 March 2020, this Advance Ruling is being issued without a dry seal, barcode, and hologram sticker. A COPY OF THIS RULING IS ALSO UPLOADED IN THE TARIFF COMMISSION WEBSITE.



REPUBLIC OF THE PHILIPPINES
TARIFF COMMISSION

ADVANCE RULING ON TARIFF CLASSIFICATION

Pursuant to Section 1100 of RA 10863 (CMTA)

| | | | |
|----------|--|----------|---------------------|
| 1 | AHTN 2017 CODE AND 2021 RATE/S OF IMPORT DUTY | 2 | TCC (AR) NO. |
| | AHTN 2106.90.72 MFN - 7% ad valorem ATIGA - Zero | | 21-033 |
| | | 3 | DATE ISSUED |
| | | | 29 March 2021 |

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|----------|---|
| 4 | DESCRIPTION OF GOOD |
| | <p>“ZHIABET”</p> <p>Based on the product ingredient declaration, product label, product information, manufacturing process flowchart, and certificate of product registration (CPR) from the Food and Drug Administration (FDA) submitted, subject article is a food supplement in the form of capsules. Each capsule contains extracts of <i>Andrographis paniculata</i>, <i>Gymnema sylvestre</i> leaf, <i>Tinospora crispa</i> stem, and <i>Morinda citrifolia</i> fruit. Packed in plastic bottles containing ninety (90) 500-mg capsules, subject article aids in controlling and stabilizing blood sugar levels, repairing and enhancing pancreatic function, protecting the pancreas from any damage caused by glucose free radicals, and in improving the body's metabolic system.</p> |



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| 5 | REASONS FOR CLASSIFICATION |
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Heading 21.06 of the ASEAN Harmonized Tariff Nomenclature (AHTN) 2017 covers food preparations not elsewhere specified or included. The pertinent Harmonized System (HS) Explanatory Notes (EN) state that this heading includes, *inter alia*, preparations, often referred to as *food supplements*, based on extracts from plants, fruit concentrates, honey, fructose, etc. and containing added vitamins and sometimes minute quantities of iron compounds. These preparations are often put up in packagings with indications that they maintain general health or well-being. Similar preparations, however, intended for the prevention or treatment of diseases or ailments are excluded (heading 30.03 or 30.04).

In view thereof, subject article is classified under AHTN 2017 subheading 2106.90.72, with a Most Favoured Nation (MFN) rate of duty of 7% ad valorem and ASEAN Trade in Goods Agreement (ATIGA) rate of duty of zero, subject to submission of Certificate of Origin (CO) Form "D".

This ruling shall be valid for five (5) years from the date of issuance and shall continue to apply unless the law, facts, or circumstances supporting this ruling have changed.

FOR THE COMMISSION
Digitally signed

MARILOU P. MENDOZA
 Chairperson

Note: In view of the Commission's adoption of a Work-From-Home Scheme in compliance with the Memorandum from the Office of the President (Community Quarantine over the Entire Luzon and Further Guidelines for the Management of the Coronavirus Disease 2019 (COVID-19) Situation) issued on 16 March 2020, this Advance Ruling is being issued without a dry seal, barcode, and hologram sticker. A COPY OF THIS RULING IS ALSO UPLOADED IN THE TARIFF COMMISSION WEBSITE.

