



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
MANILA

29 July 1996

CUSTOMS MEMORANDUM ORDER
NO. 19-96 C

To : ALL COLLECTORS OF CUSTOMS
IMPORTERS AND ALL OTHERS CONCERNED

SUBJECT : FURTHER AMENDMENT OF CMO NO. 19-96
REGARDING IMPLEMENTATION OF EXECUTIVE
ORDER 313

Administrative Order No. 9 entitled "Rules and Regulations for the Implementation of the Agricultural Minimum Access Volumes (MAVs)" has been issued last 01 July 1996 by the Department of Agriculture and the subject of Customs Memorandum Circular (CMC) No. 361-96 dated 17 July 1996. The said Order, more particularly paragraph 2, Section II-A thereof provides as follows:

"2. Where the Tariff and Customs Code provides an in-quota tariff rate for a given Tariff line but Annex 1 of this document does not provide any MAV quantities for the particular tariff line, the Bureau of Customs should collect the duties based on out-quota tariff rates."

While EO 313 enumerates nineteen (19) HS Headings with separate HS Codes for in-quota and out-quota, said Annex 1, a copy of which is hereto attached for ready reference and guidance, enumerates only fourteen (14) of such HS Headings in EO 313 with MAVs for 1996. This means that the following five (5) HS Headings which also have separate HS Codes for in-quota and out-quota as listed under EO 313 have no MAVs and should be assessed the out-quota tariff rates :

HS Heading	Description	No. of Tariff Lines with Out-Quota Rates
1. 0210	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal.	Four (4)
2. 0703	Onions, shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled.	Two (2)
3. 0704	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled.	One (1)
4. 1601	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products.	Two (2)
5. 1602	Other prepared or preserved meat, meat offal or blood.	Sixteen (16)

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Moreover, it may be recalled that CMC No. 314-96 dated 14 June 1996 provides, among others, that "effective 01 July 1996 the out-quota rates will be mandatorily applied by this Bureau on all items covered by EO 313 for which separate headings are issued for out-quota and in-quota shipments unless an in-quota MAVIC issued by the Department of Agriculture is presented to the Bureau." Furthermore, CMO No. 19-96 B dated 25 June 1996 provides that effective 25 June 1996 and until further notice all shipments of garlic must be assessed the out-quota rates (HS Code 0703.20 20 at 100% for 1996).

In view of the foregoing, CMO No. 19-96, as amended by CMO No. 19-96 A and B, is hereby further amended as follows :

1. A new paragraph 4.0 is hereby inserted with the following provisions :

"4.0 Effective 01 July 1996, the rest of the articles or goods with separate HS Codes for in-quota and out-quota must be assessed the out-quota rates unless an in-quota MAVIC issued by the Executive Director, MAV Secretariat, Department of Agriculture granting in-quota rates can be presented. Notice, however, is hereby given that aside from garlic no MAVs have been established this year for the articles listed in Annex 2 hereof. Hence, effective 01 July 1996 and until further notice those articles listed in Annex 2 hereof (except garlic for which the out-quota rate is effective on 25 June 1996 as stated in par. 3.0 above) must be assessed the out-quota rates because no MAVIC will be issued therefor and the presentation of such (if ever) can only be taken as fraudulent."

2. Paragraph 4.0 thereof is hereby renumbered as 5.0 and modified as follows:

"5.0 Unless all of the below conditions provided for under Section 205 of the TCCP have been satisfied prior to 10 June 1996 or 03 May 1996 or 25 June 1996 or 01 July 1996 as the case may be, the new rate prescribed herein must be applied:

- "1. shipment already arrived within the limits of the port of entry;
- "2. entry has been filed;
- "3. duties and taxes have been paid."

For information, guidance and compliance.


GUILLERMO L. PARAYNO, JR.
Commissioner

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ANNEX 1. MINIMUM ACCESS VOLUMES

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HS Heading	Description	Unit	January										
			1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
0102	Live Bovine Animals	Head	8,100	12,652	13,856	14,460	15,384	10,268	17,172	19,070	18,980	19,884	9,942.0
0103	Live Swine	Head	1,285	2,570	2,570	2,570	2,570	2,570	2,570	2,570	2,570	2,570	1,285.0
0104	Live Sheep and Goat	Head	24,685	51,234	54,892	58,515	62,173	65,831	69,690	73,871	78,494	81,627	40,813.5
0105	Live Poultry, that is to say, fowls of the species Gallus domesticus, ducks, geese, turkeys, and guinea fowls.	Head	2,568,654	5,634,128	6,342,356	6,765,180	7,188,004	7,510,828	8,335,652	8,456,476	8,879,330	9,392,128	651,063.0
0201	Meat of bovine animals fresh or chilled	MT	2,000	4,087	4,261	4,435	4,609	4,783	4,957	5,131	5,305	5,479	2,740.5
0202	Meat of Bovine Animal, Frozen	MT	0	21,131	57,054	71,317	85,581	99,813	108,259	118,330	130,294	144,098	72,048.5
0203	Meat of swine fresh, chilled or frozen	MT	10,280	33,725	36,135	39,545	40,955	43,365	45,775	48,185	50,595	53,005	23,302.5
0204	Meat of sheep or goats fresh, chilled or frozen	MT	335	695	745	795	845	895	945	995	1,045	1,095	547.5
0207	Meat and edible offal of poultry, fresh, chilled, or frozen	MT	7,345	15,180	16,160	17,140	18,120	19,100	20,080	21,060	22,040	23,010	11,505.0
0701	Potatoes, fresh or chilled	MT	465	965	1,035	1,105	1,175	1,245	1,315	1,385	1,455	1,520	760.0
0901	Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing coffee in any proportion.	MT	5	927	983	1,060	1,126	1,192	1,258	1,324	1,391	1,457	745
1005	Maize (Corn)	MT	65,080	134,981	144,623	154,265	163,907	173,549	183,191	192,833	202,475	212,118	106,056.0
1006	Rice	MT	29,865	61,513	65,079	68,645	94,944	131,408	155,304	179,200	203,098	226,992	113,496.0
1701	Sugar	MT	19,215	39,854	42,701	45,548	48,395	51,242	54,089	56,936	59,783	62,628	31,314.0
2101	Extracts, essences and concentrates of coffee; tea or mate and preparations w/ a basis of these products or with a basis of coffee, tea, or mate; roasted chicory and other roasted coffee substitutes, and extracts, essences, and concentrates thereof.	MT	0	20	20	20	20	20	20	20	20	20	10

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ANNEX 2. ARTICLES WITHOUT MINIMUM ACCESS VOLUMES

HDG. NO. / HS CODE	DESCRIPTION	OUT-QUOTA RATE
02.10	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal.	
	- Meat of swine:	
0210.11	-- Hams, shoulders and cuts thereof, with bone in	100
0210.11 20	--- OUT-QUOTA	
0210.12	-- Bellies (streaky) and cuts thereof:	
0210.12 20	--- OUT-QUOTA	100
0210.19	-- Others	
0210.19 20	--- OUT-QUOTA	100
0210.90	-- Other, including edible flours and meals of meat or meat offal :	
0210.90 20	--- OUT-QUOTA	100
07.03	Onions, shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled.	
0703.10	Onions and shallots :	
0703.10 20	--- OUT-QUOTA	100
0703.20	- Garlic :	
0703.20 20	--- OUT-QUOTA (Note: Effective 25 June 1996 per CMO 19-96 B.)	100
07.04	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled.	
0704.90	- Other:	
0704.90 10	--- Cabbages :	
0704.90 12	---- OUT-QUOTA	100
16.01	Sausages, and similar products, of meat, meat offal or blood; food preparations based on these products:	
1601.00 10	--- Sausages of all kinds whether or not in airtight containers:	
1601.00 12	---- OUT-QUOTA	100
1601.00 90	--- Other :	
1601.00 92	---- OUT-QUOTA	100
16.02	Other prepared or preserved meat, meat offal or blood.	
1602.10	- Homogenized preparations :	
1602.10 20	--- OUT-QUOTA	100
1602.20	- Of liver of any animal :	
1602.20 20	--- OUT-QUOTA	100
	- Of poultry of heading No. 01.05:	
1602.31	-- Of turkeys:	
1602.31 10	--- In airtight containers	
1602.31 12	---- OUT-QUOTA	100
1602.31 90	--- Other :	
1602.31 92	---- OUT-QUOTA	100

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1602.32	-- of fowls of the species Gallus domesticus :	
1602.32 10	--- In airtight containers	
1602.32 12	---- OUT-QUOTA	100
1602.32 90	--- Other	
1602.32 92	---- OUT-QUOTA	100
1602.39	-- Other:	
1602.39 10	--- In airtight containers	
1602.39 12	---- OUT-QUOTA	100
1602.39 90	--- Other:	
1602.39 92	---- OUT-QUOTA	100
	- of swine	
1602.41	-- Hams and cuts thereof :	
1602.41 10	--- In airtight containers:	
1602.41 12	---- OUT-QUOTA	100
1602.41 90	--- Other:	
1602.41 92	---- OUT-QUOTA	100
1602.42	-- Shoulders and cuts thereof:	
1602.42 20	--- OUT-QUOTA	100
1602.49	-- Other, including mixtures:	
1602.49 20	--- OUT-QUOTA	100
1602.50	- Of bovine animals:	
1602.50 10	--- In airtight containers:	
1602.50 12	---- OUT-QUOTA	100
1602.50 90	--- Other:	
1602.50 92	---- OUT-QUOTA	100
1602.90	- Other, including preparations of blood of any animal :	
1602.90 10	--- In airtight containers:	
1602.90 12	---- OUT-QUOTA	50
1602.90 90	--- Other:	
1602.90 92	---- OUT-QUOTA	50