



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
**BUREAU OF CUSTOMS**  
MANILA 1099  
South Harbor, Gate 3, Port Area, Manila

May 23, 2019

CUSTOMS MEMORANDUM CIRCULAR  
NO. 131-2019

To : **ALL DEPUTY COMMISSIONERS  
ALL SERVICE DIRECTORS  
ALL DISTRICT / PORT COLLECTORS  
ALL OTHERS CONCERNED**

SUBJECT: **APPLICABLE DUTY RATES FOR PRODUCTS UNDER  
EXECUTIVE ORDER NO. 23, SERIES OF 2017 RELATIVE TO  
REPUBLIC ACT NO. 11203 (RICE TARIFFICATION ACT)**

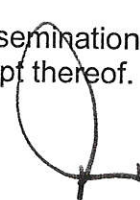
With the effectivity of R.A. No. 11203 (Rice Tariffication Act), all concerned are informed of the reversion to the higher Most-Favoured-Nation (MFN) rates duty on certain agricultural products as part of the Philippine concessions or commitments under the World Trade Organization (WTO) Decision on Waiver relating to Special Treatment for Rice of the Philippines listed under E.O. 23, s. 2017.

Accordingly, the Bureau of Customs' Electronic to Mobile (E2M) System is hereto updated to reflect the modified rates pursuant to the said E.O.

The Philippine Tariff Finder (PTF) was also updated by the Tariff Commission to reflect the said MFN rates.

For your information and guidance.

For records purposes, please confirm the dissemination of this Circular throughout your offices within fifteen (15) days from receipt thereof.

  
**REY LEONARDO B. GUERRERO**  
Commissioner, BOC

MAY 24 2019



BOC-01-00757



MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 23

**EXTENDING THE EFFECTIVITY OF THE MOST-FAVOURED-NATION RATES OF DUTY ON CERTAIN AGRICULTURAL PRODUCTS UNDER REPUBLIC ACT NO. 10863, OTHERWISE KNOWN AS THE CUSTOMS MODERNIZATION AND TARIFF ACT, AND THE OTHER PHILIPPINE COMMITMENTS UNDER THE WORLD TRADE ORGANIZATION DECISION ON WAIVER RELATING TO SPECIAL TREATMENT FOR RICE OF THE PHILIPPINES**

**WHEREAS**, the World Trade Organization (WTO) Agreement on Agriculture ("Agreement") embodies the multilateral trading rules governing agriculture;

**WHEREAS**, Republic Act (RA) No. 8178 or the "Agricultural Tarrification Act" adopts the use of tariffs in lieu of non-tariff import restrictions to protect local producers of agricultural products, except in the case of rice;

**WHEREAS**, the Philippine government secured "Special Treatment" for rice under Article 4.2 and Section B of Annex 5 of the Agreement which temporarily permitted the country to impose quantitative restrictions in the importation of rice;

**WHEREAS**, the Special Treatment expired on 30 June 2012 as scheduled in the Rectification and Modification of Schedule LXXV – Republic of the Philippines contained in the WTO documents G/MA/TAR/RS/99/Rev.1 dated 27 September 2006 and WT/Let/562 on 08 February 2007 but has been reinstated up to 30 June 2017 by virtue of the WTO Decision on Waiver Relating to Special Treatment for Rice of the Philippines ("Waiver") contained in WTO document WT/L/42 dated 24 July 2014;

**WHEREAS**, paragraphs 2-8 of the Waiver also embody the terms and conditions including the concessions on rice contained in its "Annex A" and the other concessions to reduce the Most Favoured Nation (MFN) rates of duty on certain agricultural products, and Executive Order (EO) 190 (s. 2015) was issued to implement the said tariff concessions;

**WHEREAS**, on 1 July 2017, the Waiver Relating to Special Treatment for Rice shall cease to exist;

**WHEREAS**, Section 1608 of RA No. 10863 authorizes the President of the Philippines, upon the recommendation of the National Economic and Development Authority (NEDA), to increase, reduce or remove existing protective rates of import duty; and

**WHEREAS**, the NEDA Board, during its meeting on 20 February 2017, approved the extension of the reduced rates of duty on the agricultural products in EO No. 190 for another three (3) years.

**NOW, THEREFORE, I, RODRIGO ROA DUTERTE**, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

**SECTION 1. Rates for Articles in Annexes A and B.** From the date of effectivity of this Order, the articles specifically listed in Annexes A and B hereof, as classified under Section 1611 of RA No. 10863, which are entered or withdrawn from warehouses in the Philippines shall be subject to the MFN rates of import duty indicated in Columns 4, 5, 6, 7 and 8 of said Annexes.

**SECTION 2. Articles represented with XXX.** The Nomenclature and the rates of import duty on tariff headings not enumerated and those listed but represented by the symbol XXX shall remain in force and in effect.

**SECTION 3. Minimum Access Volume (MAV) commitments on rice.** The MAV commitments of 805,200 MT on rice made in exchange for the waiver shall likewise remain in force and in effect.

**SECTION 4. Repeal.** All other issuances, administrative rules and regulations, or parts thereof, which are inconsistent with this Order are hereby revoked or modified accordingly.

**SECTION 5. Separability.** If any provision of this Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

**SECTION 6. Effectivity.** This Order shall take effect immediately following its complete publication in the Official Gazette or in a newspaper of general circulation in the Philippines, and shall be applicable until 30 June 2020 or until such time that a law amending certain provisions relating to rice tariffication in RA No. 8178 is enacted, whichever comes first, after which the MFN rates of duty as provided for in Column 8 of Annexes A and B shall then apply.

DONE, in the City of Manila, this 27<sup>th</sup> day of April, in the year of our Lord Two Thousand and Seventeen.

*Rolando*



By the President:

*[Signature]*  
SALVADOR C. MEDIALDEA  
Executive Secretary

Office of the President  
MALACAÑANG RECORDS OFFICE  
**CERTIFIED COPY**  
*[Signature]*  
ATTY. CONCEPCION ZENY E. FERROLINO-ENAD  
DIRECTOR III  
*5-18-2017* *[Signature]*



Annex "A"

Temporary Modification of MFN Rates of Duty on Rice

Hdg. No.	AHTN Code 2012	DESCRIPTION	Rates of Duty (%)				
			2017	Starting 01 January			
				2018	2019	2020	2021
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
10.06		<b>Rice.</b>					
	1006.10	- Rice in the husk (paddy or rough):					
	1006.10.10	-- X X X					
	1006.10.90	-- Other:					
	1006.10.90A	--- In-Quota	35	35	35	35	40
	1006.10.90B	--- X X X					
	1006.20	- Husked (brown) rice:					
	1006.20.10	-- Thai Hom Mali rice:					
	1006.20.10A	--- In-Quota	35	35	35	35	40
	1006.20.10B	--- X X X					
	1006.20.90	-- Other:					
	1006.20.90A	--- In-Quota	35	35	35	35	40
	1006.20.90B	--- X X X					
	1006.30	- Semi-milled or wholly milled rice, whether or not polished or glazed:					
	1006.30.30	-- Glutinous rice:					
	1006.30.30A	--- In-Quota	35	35	35	35	40
	1006.30.30B	--- X X X					
	1006.30.40	-- Thai Hom Mali rice:					
	1006.30.40A	--- In-Quota	35	35	35	35	40
	1006.30.40B	--- X X X					
		-- Other:					
	1006.30.91	--- Parboiled rice:					
	1006.30.91A	---- In-Quota	35	35	35	35	40
	1006.30.91B	---- X X X					
	1006.30.99	--- Other:					
	1006.30.99A	---- In-Quota	35	35	35	35	40
	1006.30.99B	---- X X X					
	1006.40	- Broken rice:					
	1006.40.10	-- Of a kind used for animal feed:					
	1006.40.10A	--- In-Quota	35	35	35	35	40
	1006.40.10B	--- X X X					
	1006.40.90	-- Other:					
	1006.40.90A	--- In-Quota	35	35	35	35	40
	1006.40.90B	--- X X X					

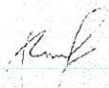
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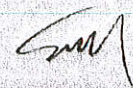
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Annex "B"

Temporary Modification of MFN Rates of Duty on Non-Rice Products

Hdg. No.	AHTN Code 2012	DESCRIPTION	Rates of Duty (%)				
			2017	Starting 01 January			
				2018	2019	2020	2021
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
02.06		<b>Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen.</b>					
	0206.10.00 to 0206.30.00	- X X X					
		- Of swine, frozen:					
	0206.41.00	-- Livers	5	5	5	5	5
	0206.49.00 to 0206.90.00	- X X X					
02.07		<b>Meat and edible offal, of the poultry of heading 01.05, fresh, chilled or frozen.</b>					
		- Of fowls of the species <i>Gallus domesticus</i> :					
	0207.11.00 to 0207.14.30B	---- X X X					
		---- Other:					
	0207.14.91	---- Mechanically deboned or separated meat	5	5	5	5	40
	0207.14.99 to 0207.14.99B	---- X X X					
		- Of turkeys:					
	0207.24.00 to 0207.24.00B	--- X X X					
	0207.25.00	-- Not cut in pieces, frozen:					
	0207.25.00A	--- In-Quota	20	20	20	20	30
	0207.25.00B	--- Out-Quota	20	20	20	20	35
	0207.26.00 to 0207.26.00B	---- X X X					
	0207.27	-- Cuts and offal, frozen:					
	0207.27.10 to 0207.27.10B	---- X X X					
		--- Other:					
	0207.27.91	---- Mechanically deboned or separated meat:					
	0207.27.91A	----- In-Quota	5	5	5	5	30
	0207.27.91B	----- Out-Quota	5	5	5	5	40
	0207.27.99	---- Other:					
	0207.27.99A	---- In-Quota	20	20	20	20	30
	0207.27.99B	---- Out-Quota	20	20	20	20	40
	0207.41.00 to 0207.60.00F	-- X X X					
02.09		<b>Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, fresh, chilled, frozen, salted, in brine, dried or smoked.</b>					
	0209.10.00	- Of pigs	5	5	5	5	5
	0209.90.00	- Other	5	5	5	5	5





Annex "B"

Temporary Modification of MFN Rates of Duty on Non-Rice Products

Hdg. No.	AHTN Code 2012	DESCRIPTION	Rates of Duty (%)				
			2017	Starting 01 January			
				2018	2019	2020	2021
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
04.03		<b>Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa.</b>					
	0403.10 to 0403.10.90	-- X X X					
	0403.90	- Other:					
	0403.90.10	-- Buttermilk	1	1	1	1	3
	0403.90.90	-- X X X					
04.05		<b>Butter and other fats and oils derived from milk; dairy spreads.</b>					
	0405.10.00	- Butter	5	5	5	5	7
	0405.20.00 to 0405.90.90	-- X X X					
04.06		<b>Cheese and curd.</b>					
	0406.10 to 0406.10.20	-- X X X					
	0406.20	- Grated or powdered cheese, of all kinds:					
	0406.20.10	-- In packages of a gross weight exceeding 20 kg	1	1	1	1	3
	0406.20.90	-- Other	1	1	1	1	7
	0406.30.00 to 0406.90.00	- X X X					
07.13		<b>Dried leguminous vegetables, shelled, whether or not skinned or split.</b>					
	0713.10	- Peas ( <i>Pisum sativum</i> ):					
	0713.10.10	-- Suitable for sowing	3	3	3	3	3
	0713.10.90	-- Other	3	3	3	3	3
	0713.20 to 0713.90.90	-- X X X					
08.02		<b>Other nuts, fresh or dried, whether or not shelled or peeled.</b>					
	0802.11.00 to 0802.22.00	-- X X X					
		- Walnuts:					
	0802.31.00	-- In shell	3	3	3	3	3
	0802.32.00	-- Shelled	3	3	3	3	3
		- Chestnuts ( <i>Castanea spp.</i> ):					
	0802.41.00 to 0802.90.00	- X X X					

*[Signature]*

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Annex "B"

Temporary Modification of MFN Rates of Duty on Non-Rice Products

Hdg. No.	AHTN Code 2012	DESCRIPTION	Rates of Duty (%)				
			2017	Starting 01 January			
				2018	2019	2020	2021
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
08.06		<b>Grapes, fresh or dried.</b>					
	0806.10.00	- Fresh	7	7	7	7	7
	0806.20.00	- X X X					
12.05		<b>Rape or colza seeds, whether or not broken.</b>					
	1205.10.00	- Low erucic acid rape or colza seeds	1	1	1	1	1
	1205.90.00	- Other	1	1	1	1	1
12.08		<b>Flours and meals of oil seeds or oleaginous fruits, other than those of mustard.</b>					
	1208.10.00	- X X X					
	1208.90.00	- Other	3	3	3	3	3
15.14		<b>Rape, colza or mustard oil and fractions thereof, whether or not refined, but not chemically modified.</b>					
		- Low erucic acid rape or colza oil and its fractions:					
	1514.11.00	-- Crude oil	3	3	3	3	3
	1514.19	-- Other:					
	1514.19.10	--- Fractions of unrefined oil	3	3	3	3	3
	1514.19.90	--- Other	3	3	3	3	3
		- Other:					
	1514.91	-- Crude oil:					
	1514.91.10	--- Other rape or colza oil	3	3	3	3	3
	1514.91.90	--- Other	3	3	3	3	3
	1514.99	-- Other:					
	1514.99.10	--- Fractions of unrefined oil	3	3	3	3	3
		--- Other:					
	1514.99.91	---- Other rape or colza oil	3	3	3	3	3
	1514.99.99	---- Other	3	3	3	3	3
16.02		<b>Other prepared or preserved meat, meat offal or blood.</b>					
	1602.10 to 1602.20.00	-- X X X					
		- Of poultry of heading 01.05:					
	1602.31	-- Of turkeys:					
	1602.31.10	--- X X X					
		--- Other:					
	1602.31.91	---- Mechanically deboned or separated meat	5	5	5	5	40
	1602.31.99 to 1602.90.90B	--- X X X					

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Annex "B"

Temporary Modification of MFN Rates of Duty on Non-Rice Products

Hdg. No.	AHTN Code 2012	DESCRIPTION	Rates of Duty (%)				
			2017	Starting 01 January			
				2018	2019	2020	2021
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
20.04		<b>Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 20.06.</b>					
	2004.10.00	- Potatoes	0	0	0	0	10
	2004.90 to 2004.90.90	-- X X X					
23.06		<b>Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, other than those of heading 23.04 or 23.05.</b>					
	2306.10.00 to 2306.30.00	- X X X					
	2306.41	- Of rape or colza seeds:					
		-- Of low erucic acid rape or colza seeds:					
	2306.41.10	--- Of low erucic acid rape seeds	1	1	1	1	3
	2306.41.20	--- Of low erucic acid colza seeds	1	1	1	1	3
	2306.49	-- Other:					
	2306.49.10	--- Of other rape seeds	1	1	1	1	3
	2306.49.20	--- Of other colza seeds	1	1	1	1	3
	2306.50.00 to 2306.90.90	-- X X X					

*[Signature]*

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TRANSCRIPT  
April 16, 2019  
with new sm



cc: Director Yasser Jemal A. Abbas  
In. rts + Assessment Bureau

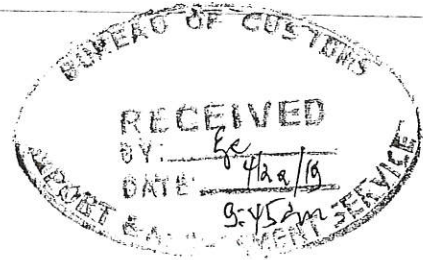
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REPUBLIC OF THE PHILIPPINES  
TARIFF COMMISSION

Reference Nos. 19-0598 and 19-0640

16 April 2019

**ATTY. EDWARD JAMES A. DY BUCO**  
Deputy Commissioner  
Assessment and Operations Coordinating Group  
Bureau of Customs  
109 South Harbor, Gate 3  
Port Area, Manila  
Email: [edwardjames.dybuco@customs.gov.ph](mailto:edwardjames.dybuco@customs.gov.ph)



Dear Deputy Commissioner Dy Buco:

In your letter dated 03 April 2019, this Commission's endorsement is sought on the new rates for agricultural products under Harmonized System (HS) Code 10.06 and for mechanically deboned or separated meat under HS Code 0207 to serve as basis by your Office in modifying the Bureau of Customs' (BOC) Electronic to Mobile (E2M) System.

As we already received several letters from the BOC on this matter, this Commission deemed it best to set a meeting with the BOC, Department of Agriculture (DA), Department of Finance (DOF), and the National Economic and Development authority (NEDA) on 12 April 2019 to clarify and settle the issue on the applicable rates of duty on rice and certain agricultural products (*which are part of the Philippine concession or commitments under the World Trade Organization Decision on Waiver Relating to Special Treatment for Rice of the Philippines*) following the effectivity of RA No. 11203 (*An Act Liberalizing the Importation, Exportation and Trading of Rice, Lifting for the Purpose the Quantitative Import Restrictions on Rice and For Other Purposes*) on 05 March 2019.

In the said meeting, it was explained that Section 5 of RA 11203 refers to bound rates while Executive Order (EO) 23 (*Extending The Effectivity Of The Most-Favoured-Nation Rates Of Duty On Certain Agriculture Products Under Republic Act No. 10863, Otherwise Known As The Customs Modernization And Tariff Act, And The Other Philippine Commitments Under The World Trade Organization Decision On Waiver Relating To Special Treatment For Rice Of The Philippines*) provides for the applied rates.

May we also add that Rule 5.1 of Article V (Tariffication) of the Joint Memorandum Circular No. 01-2019 or the Implementing Rules and Regulations (IRR) of Republic Act No. 11203 provides for the bound rate while Rule 5.3 of the same IRR provides for the applied rate on rice which "shall be as indicated under Section 1611 of the Customs Modernization and Tariff Act (CMTA) x x x."