

**MEMORANDUM****MASTER COPY**

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 : 23 July 2020

Pursuant to the provisions of Section 1603 (f) of the Customs Modernization and Tariff Act (Republic Act 10863), the Tariff Commission issued Advance Rulings (AR) on Tariff Classification with Tariff Classification Circulars (TCC/AR) issued 17 July 2020, for various imported articles, and the same were submitted and reviewed by the Office, summarized as follows:

TCC. NO.	DESCRIPTION OF ARTICLES	2017 AHTN CODE	2020 RATES OF DUTY
20-083	"KASUNAIR DIRECT EXPANSION – AIR HANDLING UNIT (DX-AHU), Model KH-32-397-50-GSD"	8415.90.45	MFN – 10% Ad Valorem ATIGA – Zero*
20-109	"BAJAJ MAXIMA C PETROL MONOQUE CHASSIS FITTED WITH ENGINE"	8706.00.41	MFN – 10% Ad Valorem AIFTA – 10% Ad Valorem*
20-110	"BAJAJ MAXIMA C PETROL TRAY"	8707.90.90	MFN – 20% Ad Valorem AIFTA – 16.07% Ad Valorem*



BUREAU OF CUSTOMS

Professionalism Integrity Accountability



20-116	"PGRA 6150"	2930.20.00	MFN – 1% Ad Valorem
<i>*Subject to submission of their corresponding CERTIFICATE OF ORIGIN (CO).</i>			

For your information, guidance and strict compliance.

CC: COMMISSIONER OF CUSTOMS

South Harbor, Gate 3, Port Area, Manila 1099

Tel. Nos 527-4537, 527-1935

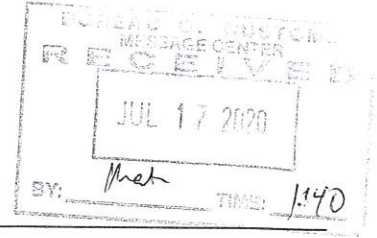
Website: www.customs.gov.ph Email: Boc.cares@customs.gov.ph

A Modernized and Credible Customs Administration That is Among the World's Best

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REPUBLIC OF THE PHILIPPINES
TARIFF COMMISSION



TCOC Ref. No. 20-065

17 July 2020

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 four (4) Advance Ruling on Tariff Classification, with TCC (AR) Nos. 20-083, 20-109, 20-110 and 20-116, issued by this Commission on 17 July 2020. These Advance Rulings have also been posted on the Commission's website www.tariffcommission.gov.ph.

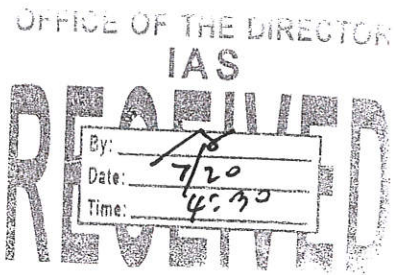
Thank you.

Very truly yours,

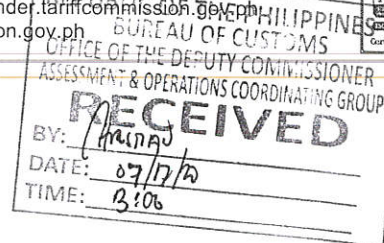
MariLou P. Mendoza
MARILOU P. MENDOZA
Chairperson

Encl: As stated

cc: The Secretary
Department of Finance
Manila



4th Floor West Insula Condominium, 135 West Avenue, Quezon City, 1105 Philippines
Tel. Nos. (632) 8926-8731 / (632) 8928-8419 / (632) 8936-3315 / (632) 8936-3318 • Fax Number (632) 8921-7960
Website: tariffcommission.gov.ph • Philippine Tariff Finder: finder.tariffcommission.gov.ph
Email Address: TC.Assist@mail.tariffcommission.gov.ph





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REPUBLIC OF THE PHILIPPINES

TARIFF COMMISSION

ADVANCE RULING ON TARIFF CLASSIFICATION

Pursuant to Section 1100 of RA 10863 (CMTA)

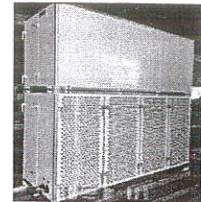
1	AHTN 2017 CODE AND 2020 RATE/S OF IMPORT DUTY	2	TCC (AR) NO.
	AHTN 8415.90.45 MFN - 10% ad valorem ATIGA - Zero		20-083
		3	DATE ISSUED
			17 July 2020

4 DESCRIPTION OF GOOD

**“KASUNAIR DIRECT EXPANSION - AIR HANDLING UNIT (DX-AHU),
Model: KH-32-397-50-GSD”**

Based on the brochure and technical information submitted, subject article is an air handling unit composed mainly of cooling copper tubes with aluminium fins, centrifugal fan, squirrel cage motor, and air filter enclosed in a double skin polyurethane (PU) panel casing with pre-painted galvanised iron (PPGI) external shell. The unit is designed for indoor floor mounting and is to be connected through electrical wiring and tubing to the outdoor unit (i.e., compressor, condenser, fan, expansion valve, and other components). Designed to provide cool conditioned air in closed spaces, subject article has the following specifications:

Refrigerant	R410A
Motor Power Requirement (¢V/Hz)	3 / 220 / 60
Motor Power Rating (hp)	15
Cooling Coil Capacity (TR/kW)	32 / 112.54
Fan Air Flow Rate Passing the Evaporator (cfm / m ³ /min)	14,000 / 396.44
Fan Static Pressure (Pa)	750
Overall Dimension (LxWxH) (mm)	2800 x 1050 x 2500



5 REASONS FOR CLASSIFICATION

Heading 84.15 of the ASEAN Harmonized Tariff Nomenclature (AHTN) 2017 covers air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated. The pertinent Harmonized System (HS) Explanatory Notes (EN) state that this heading covers certain apparatus for maintaining required conditions of temperature and humidity in closed spaces. From the structural point of view, the air conditioning machines of this heading must therefore incorporate, in addition to the motor-driven fan or blower for circulating the air, at least, among others, a cold water coil or a refrigerator unit evaporator (either of which changes both the temperature and, by condensation, the humidity of the air). Air conditioning machines may be supplied with their means of heating or cooling from an external source. In accordance with the provisions of Note 2 (b) to Section XVI, this heading includes separately presented indoor units and outdoor units for split-system air conditioning machines of this heading.

In view thereof, subject article is classified under AHTN 2017 subheading 8415.90.45, with a Most Favoured Nation (MFN) rate of duty of 10% 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

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.





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REPUBLIC OF THE PHILIPPINES

TARIFF COMMISSION

ADVANCE RULING ON TARIFF CLASSIFICATION

Pursuant to Section 1100 of RA 10863 (CMTA)

1	AHTN 2017 CODE AND 2020 RATE/S OF IMPORT DUTY	2	TCC (AR) NO.
	AHTN 8706.00.41 MFN - 10% ad valorem AIFTA - 10% ad valorem		20-109
		3	DATE ISSUED
			17 July 2020

4 DESCRIPTION OF GOOD

“BAJAJ MAXIMA C PETROL MONOCOQUE CHASSIS FITTED WITH ENGINE”

Based on the technical specifications and brochure submitted, subject article is a chassis designed for a three-wheeled motor vehicle for the transport of goods. It has overall dimensions of 275 cm x 141 cm x 111 cm (LxWxH) and is fitted with a four-stroke spark-ignition engine, with a cylinder capacity of 236 cc, coupled with a differential. Equipped with a battery, headlights, mudguard, rear-wheel assembly, and dashboard assembly, among others, subject article weighs 342 kg and has four (4) forward and one (1) reverse gears.



5 REASONS FOR CLASSIFICATION

Heading 87.06 of the ASEAN Harmonized Tariff Nomenclature (AHTN) 2017 covers chassis fitted with engines, for the motor vehicles of headings 87.01 to 87.05. The pertinent Harmonized System (HS) Explanatory Notes (EN) state that this heading covers the chassis-frames or the combined chassis-body framework (unibody or monocoque construction), for the motor vehicles of headings 87.01 to 87.05, fitted with their engines and with their transmission and steering gear and axles (with or without wheels). That is to say, goods of this heading are motor vehicles without bodies. The chassis classified in this heading may, however, be fitted with bonnets (hoods), windscreens (windshields), mudguards, running-boards and dashboards (whether or not equipped with instruments). Chassis also remained classified here whether or not fitted with tyres, carburettors or batteries or other electrical equipment.

In view thereof, subject article is classified under AHTN 2017 subheading 8706.00.41, with a Most Favoured Nation (MFN) rate of duty of 10% ad valorem and ASEAN-India Free Trade Area (AIFTA) rate of duty of 10% ad valorem, subject to submission of Certificate of Origin (CO) Form “AI”.

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

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.





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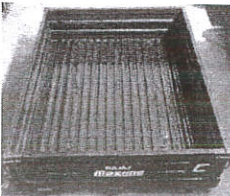
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TARIFF COMMISSION

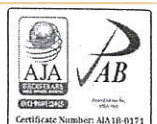
ADVANCE RULING ON TARIFF CLASSIFICATION

Pursuant to Section 1100 of RA 10863 (CMTA)

<p>1 AHTN 2017 CODE AND 2020 RATE/S OF IMPORT DUTY</p> <p style="text-align: center;">AHTN 8707.90.90 MFN - 20% ad valorem AIFTA - 16.07% ad valorem</p>	<p>2 TCC (AR) NO.</p> <p style="text-align: center;">20-110</p> <p>3 DATE ISSUED</p> <p style="text-align: center;">17 July 2020</p>
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<p>4 DESCRIPTION OF GOOD</p> <p style="text-align: center;">“BAJAJ MAXIMA C PETROL TRAY”</p> <p>Based on the technical specifications and brochure submitted, subject article is an open rear cargo box designed for a three-wheeled motor vehicle for the transport of goods. It is made of steel materials and has overall dimensions of 177 cm x 150 cm x 34 cm (LxWxH). Subject article is to be mounted on the chassis of Bajaj Maxima C Petrol, a three-wheeled vehicle with reverse gear and differential.</p> 
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<p>5 REASONS FOR CLASSIFICATION</p> <p>Heading 87.07 of the ASEAN Harmonized Tariff Nomenclature (AHTN) 2017 covers bodies (including cabs), for the motor vehicles of headings 87.01 to 87.05. The pertinent Harmonized System (HS) Explanatory Notes (EN) state that the heading covers not only bodies designed to be mounted on a chassis, but also bodies for vehicles without chassis (in which case the body itself supports the engine and axles); it further includes unit construction bodies in which certain elements of the chassis are incorporated in the body. The heading also covers a wide range of bodies for various types of vehicles (e.g., passenger vehicles, lorries (trucks) and special purpose vehicles). They are generally made of steel, lightweight alloys, wood or plastics.</p> <p>In view thereof, subject article is classified under AHTN 2017 subheading 8707.90.90, with a Most Favoured Nation (MFN) rate of duty of 20% ad valorem and ASEAN-India Free Trade Area (AIFTA) rate of duty of 16.07% ad valorem, subject to submission of Certificate of Origin (CO) Form “AI”.</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</p> <p style="text-align: right;"><i>MariLou P. Mendoza</i></p> <p style="text-align: right;">MARILOU P. MENDOZA Chairperson</p> <p><i>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.</i></p>
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TARIFF COMMISSION

ADVANCE RULING ON TARIFF CLASSIFICATION

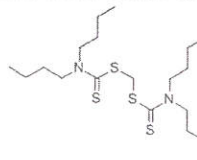
Pursuant to Section 1100 of RA 10863 (CMTA)

1	AHTN 2017 CODE AND 2020 RATE/S OF IMPORT DUTY	2	TCC (AR) NO.
	AHTN 2930.20.00 MFN - 1% ad valorem		20-116
		3	DATE ISSUED
			17 July 2020

4 DESCRIPTION OF GOOD

“PGRA 6150”

Based on the product label and safety data sheet submitted, subject article is pure methylenebis (dibutyldithiocarbamate) (CAS No. 10254-57-6), in the form of amber to amber-green liquid. To be imported in 55-US gallon steel drums, subject article is used as an antioxidant and extreme pressure agent for petrol and lubricants. It has the following structural formula:



5 REASONS FOR CLASSIFICATION

Note 1(a) to Chapter 29 of the ASEAN Harmonized Tariff Nomenclature (AHTN) 2017 states that except where the context otherwise requires, the headings of this Chapter apply only to: separate chemically defined organic compounds, whether or not containing impurities.

Heading 29.30 of the AHTN 2017 covers organo-sulphur compounds. The pertinent Harmonized System (HS) Explanatory Notes (EN) state that this heading includes organo-sulphur compounds whose molecules have sulphur atom(s) directly linked to carbon atom(s). It includes compounds whose molecules contain, in addition to sulphur atom(s), other non-metal or metal atom(s) directly linked to carbon atom(s). Dithiocarbamates include the salts and esters of dithiocarbamic acid, whether or not hydrogen atoms of the NH₂ group are substituted with alkyl or aryl groups. The metal salts of substituted dithiocarbamic acids (e.g., zinc dibutyldithiocarbamate) are used as vulcanisation accelerators in the rubber industry.

In view thereof, subject article is classified under AHTN 2017 subheading 2930.20.00, with a Most Favoured Nation (MFN) rate of duty of 1% ad valorem.

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

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.

