

2014_11-020



Republic of the Philippines
Department of Finance
BUREAU OF CUSTOMS
Manila

MEMORANDUM

TO : All District/Port Collectors
And Others Concerned


SUBJECT : Tariff Commission Rulings covering **TCC Nos. 14-286, 14-314, 14-315, 14-316, 14-317, and 14-318.**

DATE : November 14, 2014

Attached is a copy of letter dated 14 October 2014 of Mr. Edgardo B. Abon, Chairman, Tariff Commission furnishing this Bureau copies of their rulings on the following **TCC Nos. 14-286, 14-314, 14-315, 14-316, 14-317, and 14-318** together with their respective brochures/technical literature issued by their office from **07 October 2014 to 14 October 2014.**

For your information and guidance.

Please confirm the dissemination of this memorandum throughout your office within fifteen (15) days from receipt hereof.


ARNULFO B. GAMBAYAN
Acting Director
Imports and Assessment Service

Encls: a/s

201411-020 p.2



REPUBLIC OF THE PHILIPPINES

TARIFF COMMISSION

1	CLASSIFICATION	2	TCC NO.
	AHTN 8518.22.90 MFN – 10% ad valorem ACFTA - Zero AKFTA - Zero		14-286

3	DATE 23 September 2014										
4	<p style="text-align: center;">DESCRIPTION</p> <p style="text-align: center;">“SAMSUNG DA-E550 2.0 CHANNEL WIRELESS AUDIO DOCK”</p> <p>Based on the brochure and user manual submitted, subject article is a horn-shaped audio dock with speaker on both ends. It has a pop out dual function cradle with a 5-pin connector for Samsung Galaxy devices and a 30-pin connector for Apple devices. The dock allows users to charge a device, while the loudspeakers allow users to play the music saved on the device. Its Bluetooth audio relay feature also enables subject article to play music stored on a computer or other portable devices. Its other specifications are:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Connectivity</th> <th>Speaker</th> <th>Total power</th> <th>Dimension (WxHxD)</th> <th>Weight</th> </tr> </thead> <tbody> <tr> <td>Micro-USB and Bluetooth</td> <td>5 watts x 2</td> <td>10 W</td> <td>463 mm x 122 mm x 152 mm</td> <td>1.6 kg</td> </tr> </tbody> </table> <p>Subject article is to be imported in a set together with a remote controller, analog audio cable, user manual, and power cable.</p> <div style="text-align: center;"> </div>	Connectivity	Speaker	Total power	Dimension (WxHxD)	Weight	Micro-USB and Bluetooth	5 watts x 2	10 W	463 mm x 122 mm x 152 mm	1.6 kg
Connectivity	Speaker	Total power	Dimension (WxHxD)	Weight							
Micro-USB and Bluetooth	5 watts x 2	10 W	463 mm x 122 mm x 152 mm	1.6 kg							
5	<p>HEADING 85.18</p> <p>SUBHEADING AHTN 8518.22.90</p> <p>CONSIDERED</p>										
6	<p>REASONS FOR CLASSIFICATION</p> <p>Heading 85.18 of the ASEAN Harmonized Tariff Nomenclature (AHTN) Tariff and Customs Code covers, among others, loudspeakers, whether or not mounted in their enclosures. The pertinent Harmonized System (HS) Explanatory Notes state that the function of loudspeakers is the converse of that of microphones: they reproduce sound by converting electrical variations or oscillations from an amplifier into mechanical vibrations which are communicated to the air.</p> <p>In view thereof, subject article, functioning primarily as a loudspeaker, is classified under AHTN 2012 subheading 8518.22.90 of the Code with Most Favoured Nation (MFN) rate of duty of 10% ad valorem; and ASEAN-China Free Trade Area (ACFTA) and ASEAN-Korea Free Trade Area (AKFTA) rate of duty of zero, subject to submission of Certificates of Origin (CO) "Form E" and "Form AK", respectively.</p> <p style="text-align: right;">FOR THE COMMISSION</p> <p style="text-align: right;"><i>Edgardo B. Abon</i></p> <p style="text-align: right;">EDGARDO B. ABON Chairman</p> <p>Date Issued: 14 October 2014</p>										

2014-11-020 p. 3



REPUBLIC OF THE PHILIPPINES

TARIFF COMMISSION

1	CLASSIFICATION
	AHTN 3004.10.19 MFN - 5% ad valorem

2	TCC NO.
	14-314

DATE 29 September 2014

DESCRIPTION

“AUGMENTIN® POWDER FOR IV USE 1.2g”

Based on the prescribing information, certificate of product registration and sample submitted, subject article is an antibacterial prescription drug. It is in the form of white to almost white hygroscopic powder containing 1g amoxicillin and 200mg potassium clavulanate for reconstitution as an intravenous injection or infusion. Packed in a box of 10 glass vials with rubber stoppers and white flip off seals, it is indicated for short-term treatment of bacterial infections.



HEADING		30.04
SUBHEADING	AHTN	3004.10.19
CONSIDERED		

REASONS FOR CLASSIFICATION

Heading 30.04 of the ASEAN Harmonized Tariff Nomenclature (AHTN) Tariff and Customs Code covers medicaments (excluding goods of heading 30.02, 30.05 or 30.06) consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses (including those in the form of transdermal administration systems) or in forms or packings for retail sale.

The pertinent Harmonized System (HS) Explanatory Notes state that this heading covers medicaments consisting of mixed or unmixed products, provided they are in packings for retail sale for therapeutic or prophylactic use. This refers to products (for example, sodium bicarbonate and tamarind powder) which, because of their packing and, in particular, the presence of appropriate indications (statement of disease or condition for which they are to be used, method of use or application, statement of dose, etc.) are clearly intended for sale directly to users (private persons, hospitals, etc.) without repacking, for the above purposes.

In view thereof, subject article is classified under 2012 AHTN subheading 3004.10.19 of the Code, with Most Favoured Nation (MFN) rate of duty of 5% ad valorem.

FOR THE COMMISSION

[Signature]
EDGARDO B. ABON
 Chairman

Date Issued: 07 October 2014

2014-11-020 p. 4



REPUBLIC OF THE PHILIPPINES

TARIFF COMMISSION

1	CLASSIFICATION
	AHTN 3004.10.19 MFN - 5% ad valorem

2	TCC NO.
	14-315

3 DATE 29 September 2014

4 DESCRIPTION

“AUGMENTIN® POWDER FOR IV USE 600mg”

Based on the prescribing information, certificate of product registration and sample submitted, subject article is an antibacterial prescription drug. It is in the form of white to almost white hydroscopic powder containing 500mg amoxicillin and 100mg potassium clavulanate for reconstitution as an intravenous injection or infusion. Packed in a glass vial with rubber stopper and white flip off seal, it is indicated for short-term treatment of bacterial infections in the upper and lower respiratory tract, genito-urinary tract, skin and soft tissue, bone and joint, etc.



5 HEADING 30.04
SUBHEADING AHTN 3004.10.19
CONSIDERED

6 REASONS FOR CLASSIFICATION

Heading 30.04 of the ASEAN Harmonized Tariff Nomenclature (AHTN) Tariff and Customs Code covers medicaments (excluding goods of heading 30.02, 30.05 or 30.06) consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses (including those in the form of transdermal administration systems) or in forms or packings for retail sale.

The pertinent Harmonized System (HS) Explanatory Notes state that this heading covers medicaments consisting of mixed or unmixed products, provided they are in packings for retail sale for therapeutic or prophylactic use. This refers to products (for example, sodium bicarbonate and tamarind powder) which, because of their packing and, in particular, the presence of appropriate indications (statement of disease or condition for which they are to be used, method of use or application, statement of dose, etc.) are clearly intended for sale directly to users (private persons, hospitals, etc.) without repacking, for the above purposes.

In view thereof, subject article is classified under 2012 AHTN subheading 3004.10.19 of the Code, with Most Favoured Nation (MFN) rate of duty of 5% ad valorem.

FOR THE COMMISSION

(Signature)
EDGARDO B. ABON
 Chairman

Date Issued: 07 October 2014

2014-11-020 p.5



REPUBLIC OF THE PHILIPPINES

TARIFF COMMISSION

1	CLASSIFICATION
	AHTN 3004.10.16 MFN - 5% ad valorem

2	TCC NO.
	14-316

3 **DATE** 29 September 2014

4 **DESCRIPTION**

“AUGMENTIN® (156.25mg/5mL) POWDER FOR SUSPENSION 60mL”

Based on the prescribing information, certificate of product registration and sample submitted, subject article is an antibiotic containing amoxicillin and clavulanic acid. It is in the form of off-white powder with a fruity flavor soluble in water. Each 5mL of reconstituted suspension contains 125mg amoxicillin and 31.25mg clavulanic acid. Packed in 60mL clear glass bottle, it is used for the treatment of common bacterial infections where antibiotic therapy is indicated, including respiratory tract infections, osteomyelitis, septicemia, peritonitis, and post-operative infections.



5 **HEADING** 30.04
SUBHEADING AHTN 3004.10.16
CONSIDERED

6 **REASONS FOR CLASSIFICATION**

Heading 30.04 of the ASEAN Harmonized Tariff Nomenclature (AHTN) Tariff and Customs Code covers medicaments (excluding goods of heading 30.02, 30.05 or 30.06) consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses (including those in the form of transdermal administration systems) or in forms or packings for retail sale.

The pertinent Harmonized System (HS) Explanatory Notes state that this heading covers medicaments consisting of mixed or unmixed products, provided they are in packings for retail sale for therapeutic or prophylactic use. This refers to products (for example, sodium bicarbonate and tamarind powder) which, because of their packing and, in particular, the presence of appropriate indications (statement of disease or condition for which they are to be used, method of use or application, statement of dose, etc.) are clearly intended for sale directly to users (private persons, hospitals, etc.) without repacking, for the above purposes.

In view thereof, subject article is classified under 2012 AHTN subheading 3004.10.16 of the Code, with Most Favoured Nation (MFN) rate of duty of 5% ad valorem.

FOR THE COMMISSION

EDGARDO B. ABON
 Chairman

Date Issued: 07 October 2014

2014-11-020 p.6



REPUBLIC OF THE PHILIPPINES

TARIFF COMMISSION

1	CLASSIFICATION
	AHTN 3002.10.30C MFN - 1% ad valorem

2	TCC NO.
	14-317

DATE 29 September 2014

DESCRIPTION

“BENLYSTA™ 120mg”

Based on the prescribing information, certificate of product registration and sample submitted, subject article is a recombinant, fully human, IgG1λ monoclonal antibody. It is in the form of sterile lyophilised powder for infusion in a single-use vial. Each vial contains a sufficient amount of belimumab to deliver 120mg in 1.5mL when reconstituted as recommended with sterile water for injections. Packed in Type 1 glass vial per box of 1's, it is indicated for reducing disease activity in adult patients with active autoantibody positive systemic lupus erythematosus (SLE) who are receiving standard therapy.



HEADING		30.02
SUBHEADING	AHTN	3002.10.30C
CONSIDERED		

REASONS FOR CLASSIFICATION

Heading 30.02 of the ASEAN Harmonized Tariff Nomenclature (AHTN) Tariff and Customs Code covers among others, antisera, other blood fractions and immunological products, whether or not modified or obtained by means of biotechnological processes.

The pertinent Harmonized System (HS) Explanatory Notes state that this heading covers, among others, antisera, other blood fractions, whether or not modified or obtained by means of biotechnological processes. These products include immunological products, whether or not modified or obtained by means of biotechnological processes. Products used for diagnostic or therapeutic purposes and for immunological tests are to be regarded as falling within this product group. They can be defined as monoclonal antibodies (MABs), specific immunoglobulins from selected and cloned hybridoma cells cultured in a culture medium or ascites.

In view thereof, subject article, being a human monoclonal antibody is classified under 2012 AHTN subheading 3002.10.30C of the Code, with Most Favoured Nation (MFN) rate of duty of 1% ad valorem.

FOR THE COMMISSION

EDGARDO B. ABON

Chairman

Date Issued: 07 October 2014

2014-11-020 p. 7



REPUBLIC OF THE PHILIPPINES

TARIFF COMMISSION

1	CLASSIFICATION
	AHTN 3002.10.30C MFN - 1% ad valorem

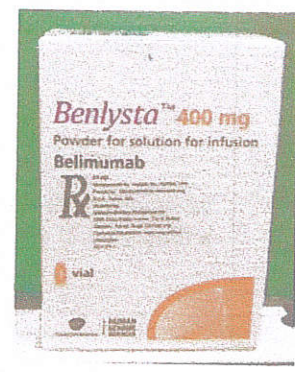
2	TCC NO.
	14-318

3 **DATE 29 September 2014**

4 **DESCRIPTION**

“BENLYSTA™ 400mg”

Based on the prescribing information, certificate of product registration and sample submitted, subject article is a recombinant, fully human, IgG1λ monoclonal antibody. It is in the form of sterile lyophilised powder for infusion in a single-use vial. Each vial contains a sufficient amount of belimumab to deliver 400mg in 5.0mL when reconstituted as recommended with sterile water for injections. Packed in Type 1 glass vial per box of 1's, it is indicated for reducing disease activity in adult patients with active autoantibody positive systemic lupus erythematosus (SLE) who are receiving standard therapy.



5 **HEADING 30.02**
SUBHEADING AHTN 3002.10.30C
CONSIDERED

6 **REASONS FOR CLASSIFICATION**

Heading 30.02 of the ASEAN Harmonized Tariff Nomenclature (AHTN) Tariff and Customs Code covers among others, antisera, other blood fractions and immunological products, whether or not modified or obtained by means of biotechnological processes.

The pertinent Harmonized System (HS) Explanatory Notes state that this heading covers, among others, antisera, other blood fractions, whether or not modified or obtained by means of biotechnological processes. These products include immunological products, whether or not modified or obtained by means of biotechnological processes. Products used for diagnostic or therapeutic purposes and for immunological tests are to be regarded as falling within this product group. They can be defined as monoclonal antibodies (MABs), specific immunoglobulins from selected and cloned hybridoma cells cultured in a culture medium or ascites.

In view thereof, subject article, being a human monoclonal antibody is classified under 2012 AHTN subheading 3002.10.30C of the Code, with Most Favoured Nation (MFN) rate of duty of 1% ad valorem.

FOR THE COMMISSION

EDGARDO B. ABON
 Chairman

Date Issued: October 7, 2014