



BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

AOCG Memo No. 255-2022

MEMORANDUM

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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 *EB*

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

DATE : 05 August 2022

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 02 August 2022 and the same having been reviewed and summarized as follows:

TCC. NO.	DESCRIPTION OF ARTICLES	2022 AHTN CODE	2022 RATES OF DUTY
22-147	"BOSPHORE® HIV-1 QUANTIFICATION KIT"	3822.19.00	MFN – 1% Ad Valorem
22-149	"BOSPHORE® TREPONEMA PALLIDUM DETECTION KIT V1"	3822.19.00	MFN – 1% Ad Valorem

Subject to submission of their corresponding CERTIFICATES OF ORIGIN (COs).

For information, guidance and strict compliance.

CC: COMMISSIONER OF CUSTOMS

AOCG Memo No. 253-2022 p.2



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REPUBLIC OF THE PHILIPPINES
TARIFF COMMISSION

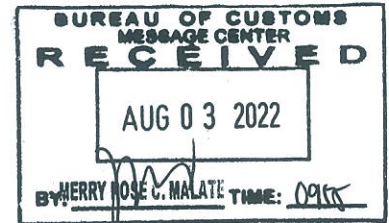
TCOC Ref. No. 22-052

02 August 2022

ACTING COMMISSIONER YOGI FILEMON I. RUIZ
Bureau of Customs
G/F OCOM Building
16th Street, South Harbor
Gate 3 Port Area, Manila



BOC-09-32536



Dear **Acting Commissioner Ruiz**:

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 Rulings on Tariff Classification Related to Importation of Goods), this Commission is pleased to furnish your good Office with PDF copies of two Advance Rulings on Tariff Classification, with TCC (AR) Nos. 22-147 and 22-149, issued by this Commission on 02 August 2022. These Advance Rulings have also been posted on the Commission's website www.tariffcommission.gov.ph.

Thank you.

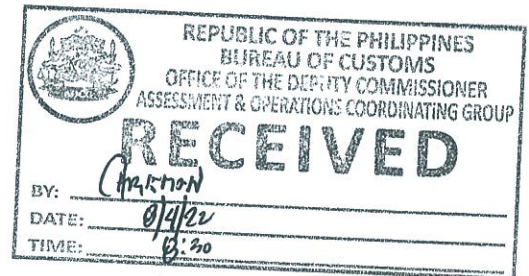
Very truly yours,

MariLou P. Mendoza
Digitally signed

MARILOU P. MENDOZA
Chairperson

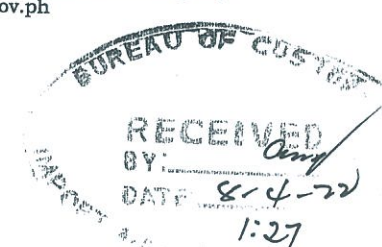
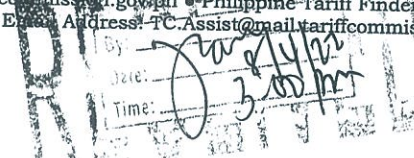
Encl: As stated

cc: The Secretary
Department of Finance
Manila



OFFICE OF THE DIRECTOR

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 • Telefax Number: (632) 8921-7960
Website: tariffcommission.gov.ph • Philippine Tariff Finder: finder.tariffcommission.gov.ph
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03 AUG 2022 1600



REPUBLIC OF THE PHILIPPINES
TARIFF COMMISSION

ADVANCE RULING ON TARIFF CLASSIFICATION
Pursuant to Section 1100 of RA 10863 (CMTA)

1 AHTN 2022 CODE AND 2022 RATE/S OF IMPORT DUTY AHTN 3822.19.00 MFN - 1% ad valorem	2 TCC (AR) NO. 22-147
	3 DATE ISSUED 02 August 2022

4 DESCRIPTION OF GOOD <p style="text-align: center;">“BOSPHORE® HIV-1 QUANTIFICATION KIT”</p> <p>Based on the user manual, safety data sheet, production workflow chart, technical brochure, and photograph of actual product submitted, subject article is an <i>in-vitro</i> diagnostic kit used for the detection and quantification of all genotypes of Human Immunodeficiency Virus (HIV) 1 RNA in human serum or plasma. Based on the Real-Time Polymerase Chain Reaction (PCR) technique, a region within the HIV genome LTR is amplified and fluorescence detection of the virus is accomplished using FAM filter. Subject article has the following specifications:</p> <div style="text-align: right;">  </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 35%;">Reagent</th> <th style="width: 35%;">Composition</th> </tr> </thead> <tbody> <tr> <td rowspan="5" style="text-align: center; vertical-align: middle;">Components</td> <td>Real-Time PCR master mix</td> <td>HotStarTaq DNA Polymerase, reverse transcriptase mix, PCR buffer, dNTPs, primers, and dual-labeled probe</td> </tr> <tr> <td>Internal control</td> <td>Synthetic nucleic acid</td> </tr> <tr> <td>Positive control</td> <td>HIV-1 RNA</td> </tr> <tr> <td>Quantitation serum standards</td> <td></td> </tr> <tr> <td>Distilled water</td> <td></td> </tr> <tr> <th style="text-align: center;">Compatible device</th> <th style="text-align: center;">Equipment</th> <th style="text-align: center;">Model</th> </tr> <tr> <td></td> <td>Real-Time PCR Instrument/System</td> <td>Montania® 483, Montania® 484 or Montania® 4896; iCycler, iQ5, CFX-BioRad, etc.</td> </tr> <tr> <th style="text-align: center;">Packaging</th> <th style="text-align: center;">Container</th> <th style="text-align: center;">Pack size</th> </tr> <tr> <td></td> <td>Clear and amber plastic bottles in paper boxes</td> <td>25, 50, or 100 reactions/box</td> </tr> </tbody> </table>		Reagent	Composition	Components	Real-Time PCR master mix	HotStarTaq DNA Polymerase, reverse transcriptase mix, PCR buffer, dNTPs, primers, and dual-labeled probe	Internal control	Synthetic nucleic acid	Positive control	HIV-1 RNA	Quantitation serum standards		Distilled water		Compatible device	Equipment	Model		Real-Time PCR Instrument/System	Montania® 483, Montania® 484 or Montania® 4896; iCycler, iQ5, CFX-BioRad, etc.	Packaging	Container	Pack size		Clear and amber plastic bottles in paper boxes	25, 50, or 100 reactions/box
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TCC (AR) NO.
22-147

5 REASONS FOR CLASSIFICATION

Heading 38.22 of the ASEAN Harmonized Tariff Nomenclature (AHTN) 2022 covers, among others, diagnostic or laboratory reagents on a backing, prepared diagnostic or laboratory reagents whether or not on a backing, whether or not put up in the form of kits, other than those of heading 30.06. The pertinent Harmonized System (HS) Explanatory Notes (EN) state that reagents of this heading are either on a backing or in the form of preparations and thus comprise more than a single constituent. For example, they may consist of admixtures of two or more reagents or of single reagents dissolved in solvents other than water. They may also be in the form of paper, plastics or other materials (used as backings or support), impregnated or coated with one or more diagnostic or laboratory reagents, such as litmus, pH or pole-finding papers or pre-coated immuno-assay plates. Reagents of this heading may also be put up in the form of kits, consisting of several components, even if one or more components are separate chemically defined compounds of Chapter 28 or Chapter 29, synthetic colouring matter of heading 32.04 or any other substance which, when presented separately, would be classifiable under another heading. Examples of such kits are those for testing glucose in blood, ketones in urine, etc., and those based on enzymes.

The reagents of this heading should be clearly identifiable as being for use only as diagnostic or laboratory reagents. This must be clear from their composition, labelling, instructions for *in vitro* or laboratory use, indication of the specific diagnostic test to be performed or physical form (e.g., presented on a backing or support).

In view thereof, subject article is classified under AHTN 2022 subheading 3822.19.00, with a Most Favoured Nation (MFN) rate of duty of 1% ad valorem.

This ruling shall be valid for five 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 line with the Commission's objective to provide alternative mediums/channels of communication and to further enhance the accessibility of its frontline services to its stakeholders, this Advance Ruling is being issued in digital format, without a dry seal, barcode, and hologram, and is also uploaded in the Tariff Commission website. A hard copy thereof, accompanied by said dry seal, barcode, and hologram, may be issued upon request.



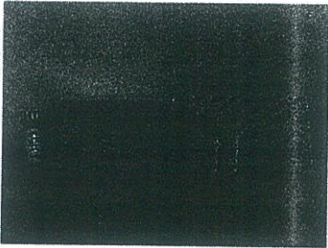
REPUBLIC OF THE PHILIPPINES

TARIFF COMMISSION

ADVANCE RULING ON TARIFF CLASSIFICATION

Pursuant to Section 1100 of RA 10863 (CMTA)

1 AHTN 2022 CODE AND 2022 RATE/S OF IMPORT DUTY AHTN 3822.19.00 MFN - 1% ad valorem	2 TCC (AR) NO. 22-149
	3 DATE ISSUED 02 August 2022

4 DESCRIPTION OF GOOD <p style="text-align: center;">“BOSPHORE® TREPONEMA PALLIDUM DETECTION KIT V1”</p> <p>Based on the user manual, safety data sheet, production workflow chart, and photograph of actual product submitted, subject article is an <i>in vitro</i> diagnostic kit used for the detection of <i>Treponema pallidum</i> DNA in human biological samples. Based on the Real-Time polymerase chain reaction (PCR) technique, a specific region of polA gene in <i>Treponema pallidum</i> genome is amplified and fluorescence detection is accomplished using Cy5 filter. Subject article has the following specifications:</p>																									
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2	TCC (AR) NO.
	22-149

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