



# BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY


ACCOUNTABILITY

AOCG Memo No. 257-2023

## MEMORANDUM

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**TO :** ALL DISTRICT and SUB-PORT COLLECTORS  
ALL CHIEFS, FORMAL ENTRY DIVISION  
AND FORMAL ENTRY DIVISION PERSONNEL

**FROM :**   
ATTY. VENER S. BAQUIRAN  
Deputy Commissioner  
Assessment and Operations Coordinating Group (AOCG)

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

**DATE :** 18 September 2023

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 08 September 2023 and the same having been reviewed and summarized as follows:

TCC. NO.	DESCRIPTION OF ARTICLES	2022 AHTN CODE	2023 RATES OF DUTY
23-639	"16.72 MW BINARY POWER PLANT"	8502.39.32	MFN – 1% ad valorem ACFTA – Zero* AIFTA – Zero* RCEP – Zero*
23-647	"UNITED CHP 1000 10%"	3003.20.00	MFN – 3% ad valorem ACFTA – Zero* RCEP – Zero*

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

For information, guidance and strict compliance.

CC: COMMISSIONER OF CUSTOMS

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BOC-09-43175



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REPUBLIC OF THE PHILIPPINES  
TARIFF COMMISSION

TCOC Ref. No. 23-076

08 September 2023

**COMMISSIONER BIENVENIDO Y. RUBIO**  
Bureau of Customs  
G/F OCOM Building  
16th Street, South Harbor  
Gate 3 Port Area, Manila

BUREAU OF CUSTOMS  
MESSAGE CENTER  
**RECEIVED**  
SEP 11 2023  
BY: A. LIBORIAS TIME: 9:42

Dear **Commissioner Rubio**:

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 or Exportation 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. 23-639 and 23-647, issued by this Commission on 08 September 2023. These Advance Rulings have also been posted on the Commission's website [www.tariffcommission.gov.ph](http://www.tariffcommission.gov.ph).

Thank you.

Very truly yours,

*Digitally signed*  
*MariLou P. Mendoza*

**MARILOU P. MENDOZA**  
Chairperson

REPUBLIC OF THE PHILIPPINES  
BUREAU OF CUSTOMS #5926  
OFFICE OF THE DEPUTY COMMISSIONER  
ASSESSMENT & OPERATIONS COORDINATING OFFICE

**RECEIVE**

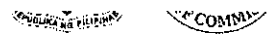
BY: [Signature]  
DATE & TIME: 09-11-23

Encl: *As stated*  
cc: *The Secretary*  
*Department of Finance*  
*Manila*

BUREAU OF CUSTOMS  
RECEIVED  
BY: [Signature]  
DATE: 9-12-23  
11:09

9/12





REPUBLIC OF THE PHILIPPINES

**TARIFF COMMISSION**

**ADVANCE RULING ON TARIFF CLASSIFICATION**

Pursuant to Section 1100 of RA 10863 (CMTA)

<b>1</b>	<b>AHTN 2022 CODE AND 2023 RATE/S OF IMPORT DUTY</b>	<b>2</b>	<b>TCC (AR) NO.</b>
	<b>AHTN 8502.39.32</b>		<b>23-639</b>
	<b>MFN - 1% ad valorem</b>		<b>3</b>
	<b>AIFTA - Zero</b>		<b>DATE ISSUED</b>
	<b>ACFTA - Zero</b>		<b>08 September 2023</b>
	<b>RCEP - Zero</b>		

**4 DESCRIPTION OF GOOD**

**“16.72 MW BINARY POWER PLANT”**

Based on the technical information submitted, subject article is a renewable energy power station that uses organic Rankine cycle (ORC) technology to generate electricity from the residual heat of geothermal brine. Having a generator output of 21,176 kVA and design point of 0.85 power factor, subject article is mainly comprised of the following:

Major Parts / Components	Description / Function
Heat Exchangers and Components	This group consists of the vaporizer, pre-heater, recuperator, motive fluid pipes, motive fluid feed pumps and components, and motive fluid storage tank. The heat exchangers absorb heat from the geothermal brine and transfers it to the motive fluid. The components enable storage and circulation of motive fluid between heat exchangers and the turbine-generator.
Turbine-generator and Components	This group consists of the generator; turbine; lube oil and seal system; turbine installation components; generator installation components; generator step-up transformer and components; and the auxiliary power transformer and components. The turbine is driven by the motive fluid. It in turn drives the generator to produce electricity.
Air Cooler and Components	This group consists of the air cooler tube bundle assembly; air cooler fans, shafts, and motors; air cooler fan rings; air cooler piping and components; air cooler fan blades; and air cooler structural supports and sole plates. This is a heat exchanger system that uses air to cool the turbine-generator's motive fluid before returning it back to the initial heat exchangers for resupply to the turbine-generators.
Power and Control System	This group consists of the 480 V motor control center (MCC), 13.8 kV generator circuit breaker, 24 V DC system (batteries and charger), computer workstations, field instruments/equipment, and programmable logic controllers, among others. It is a system that monitors and automates the heat-to-energy conversion process to enable human operators to control the power plant. It also provides equipment protection system to prevent collateral damage from internal and external faults.
Brine Supply and Return System	This group includes the ph modification system for brine; brine supply pipes, valves and various fittings; and brine return pipes, valves and various fittings. This is the system that transports heat source (geothermal brine) to and from the heat exchangers.
Mandatory Spares and Consumables	This group consists of the minimum number of spare parts and consumables to enable the binary power plant to operate for a year at an availability of 95% or more.

Subject article is to be imported unassembled and in multiple shipments for ease of transportation.



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2	TCC (AR) NO.
23-639	

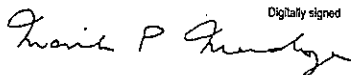
5 REASONS FOR CLASSIFICATION

Note 4 to Section XVI of the ASEAN Harmonised Tariff Nomenclature (AHTN) 2022 states that where a machine (including a combination of machines) consists of individual components (whether separate or interconnected by piping, by transmission devices, by electric cables or by other devices) intended to contribute together to a clearly defined function covered by one of the headings in Chapter 84 or Chapter 85, then the whole falls to be classified in the heading appropriate to that function.

Heading 85.02 of the AHTN 2022 covers electric generating sets and rotary converters. The pertinent Harmonized System (HS) Explanatory Notes (EN) state that the expression "generating sets" applies to the combination of an electric generator and any prime mover other than an electric motor (e.g., hydraulic turbines, steam turbines, wind engines, reciprocating steam engines, internal combustion engines). Generating sets consisting of the generator and its prime mover which are mounted (or designed to be mounted) together as one unit or on a common base, are classified here provided they are presented together (even if packed separately for convenience of transport).

In view thereof, subject article is classified under AHTN 2022 subheading 8502.39.32, with a Most Favoured Nation (MFN) rate of duty of 1% ad valorem; ASEAN-China Free Trade Area (ACFTA) rate of duty of zero, subject to submission of Certificate of Origin (CO) Form "E"; ASEAN-India Free Trade Area (AIFTA) rate of duty of zero, subject to submission of CO Form "AI"; and Regional Comprehensive Economic Partnership (RCEP) Agreement rate of duty of zero, subject to submission of CO Form "RCEP" or Declaration of Origin (DO) issued by an Approved Exporter.

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)

<b>1</b>	<b>AHTN 2022 CODE AND 2023 RATE/S OF IMPORT DUTY</b>	<b>2</b>	<b>TCC (AR) NO.</b>
	AHTN 3003.20.00 MFN - 3% ad valorem ACFTA - Zero RCEP - Zero		23-647
		<b>3</b>	<b>DATE ISSUED</b>
			08 September 2023

**4 DESCRIPTION OF GOOD**

**“UNITED CHP 1000 10%”**

Based on the product specifications, Certificate of Product Registration from the Bureau of Animal Industry (BAI), product label, and photograph of the packaging submitted, subject article is an antibacterial feed premix powder containing 100 grams chlortetracycline hydrochloride (active ingredient) per kilogram of premix powder, and calcium carbonate (excipient). It is effective against both gram-positive and gram-negative bacteria, including *Mycoplasma spp.*, *Chlamydia spp.*, *Rickettsia spp.*, and *Mycobacterium tuberculosis*. It is indicated for the treatment of dysentery, enteritis, pneumonia, typhoid, paratyphoid, and cholera in poultry, duck, swine, ox, and sheep. Packed in 10-kg, 15-kg, 20-kg, and 25-kg bags, subject article is added to animal feeds at a rate of 50 to 200 g per ton of feed for five to seven days.

**5 REASONS FOR CLASSIFICATION**

Heading 30.03 of the ASEAN Harmonised Tariff Nomenclature (AHTN) 2022 covers medicaments (excluding goods of heading 30.02, 30.05 or 30.06) consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses, not put up in measured doses or in forms or packings for retail sale. The pertinent Harmonized System (HS) Explanatory Notes (EN) state that this heading covers medicinal preparations for use in the internal or external treatment or prevention of human or animal ailments. These preparations are obtained by mixing together two or more substances. The heading includes preparations containing a single pharmaceutical substance together with an excipient, sweetening agent, agglomerating agent, support, etc.

In view thereof, subject article is classified under AHTN 2022 subheading 3003.20.00, with a Most Favoured Nation (MFN) rate of duty of 3% ad valorem; ASEAN-China Free Trade Area (ACFTA) rate of duty of zero, subject to submission of Certificate of Origin (CO) Form “E”; and Regional Comprehensive Economic Partnership (RCEP) Agreement rate of duty of zero, subject to submission of CO Form “RCEP” or Declaration of Origin (DO) issued by an Approved Exporter.

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

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