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REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

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10 February 2025

CUSTOMS MEMORANDUM CIRCULAR
NO. 38-2025

TO : ASSISTANT COMMISSIONER
ALL DEPUTY COMMISSIONERS
ALL DIRECTORS AND DIVISION CHIEFS
ALL DISTRICT AND SUB-PORT COLLECTORS
ALL OTHERS CONCERNED

SUBJECT : DEPARTMENT OF AGRICULTURE SUGAR ORDER NO. 6,
SERIES OF 2023-2024

This has reference to the letter dated 06 January 2025 from Pablu Luis S. Azona, Administrator, Sugar Regulatory Administration (SRA), Department of Agriculture (DA), with an attached copy of Department of Agriculture Sugar Order No. 6, series of 2023-2024, with the following subject:

Amendment to Sugar Order No. 3, series of 2016-2017, as amended by Sugar Order No. 3-A, series of 2016-2017, and further amended by Sugar Order No. 4, series of 2023-2024

Guidelines in the Importation of Certain "Sugars" and "Sugar Confectionary" Under Chapter 17 of the 2022 ASEAN Harmonized Tariff Nomenclature (AHTN)

For records purposes, please disseminate throughout your respective offices and submit the necessary confirmation within fifteen (15) days from receipt hereof.

For your guidance and reference.

BIENVENIDO Y. RUBIO
Commissioner

FEB 13 2025



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2025-01-0035

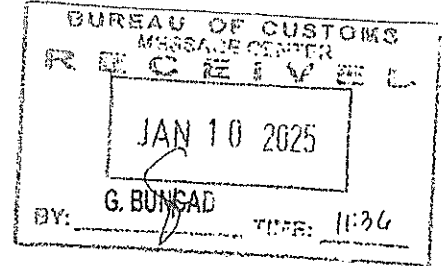
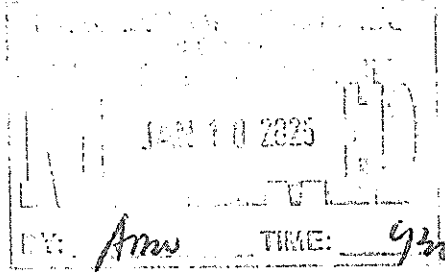


Republic of the Philippines
Department of Agriculture
SUGAR REGULATORY ADMINISTRATION
Sugar Center Bldg., North Avenue, Diliman, Quezon City, Philippines 1101
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Website: <http://www.sra.gov.ph>
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Tel. No. (632) 8929-3633

09-53665

MEMO-REG-STD-2025/JAN-006

January 6, 2025



BIENVENIDO Y. RUBIO
Commissioner
Bureau of Customs
G/F, OCOM Bldg, Muelle de San Francisco,
Port Area, Manila, Metro Manila

Dear Commissioner Rubio:

We are pleased to provide you a copy of the Sugar Order No. 6, Series of 2023-2024 or the Guidelines in the Importation of Certain "Sugars" and "Sugar Confectionery" under Chapter 17 of the 2022 Asean Harmonized Tariff Nomenclature (AHTN).

This Sugar Order aims to monitor the volume of imported Sugars and Sugar Confectionaries entering the country and with the purpose to correlate them with the raw and refined sugar consumption. It will also serve as basis for SRA's policy creation.

As per Section 10, this Sugar shall take effect thirty (30) calendar days from its filing with the Office of the National Registrar, UP Law Center, Diliman, Quezon City.

For your information and guidance.

Thank you.

PABLUI S. AZCONA
Administrator





Republic of the Philippines
Department of Agriculture

SUGAR REGULATORY ADMINISTRATION

Sugar Center Bldg., North Avenue, Diliman, Quezon City, Philippines 1101
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SUGAR REGULATORY ADMINISTRATION
RECORDS SECTION
RELEASED
BY: *[Signature]*
DATE: JAN 02 2025

November 18, 2024

SUGAR ORDER NO. 06
Series of 2023-2024

SUBJECT: AMENDMENT TO SUGAR ORDER NO. 3, SERIES OF 2016-2017, AS AMENDED BY SUGAR ORDER NO. 3-A, SERIES OF 2016-2017, AND FURTHER AMENDED BY SUGAR ORDER NO. 4, SERIES OF 2023-2024.

U.P. LAW CENTER
OFFICE of the NATIONAL ADMINISTRATIVE REGISTER
Administrative Rules and Regulations

REGISTERED
JAN 02 2025

GUIDELINES IN THE IMPORTATION OF CERTAIN "SUGARS" AND "SUGAR CONFECTIONERY" UNDER CHAPTER 17 OF THE 2022 ASEAN HARMONIZED TARIFF NOMENCLATURE (AHTN).

OHAR Registration
TIME: 9:45 BY: *[Signature]*

WHEREAS, Executive Order No. 18 dated 28 May 1986 declares that the sugar industry is a major component of the socio-economic and political structure of the country.

WHEREAS, Executive Order No. 18 dated 28 May 1986 declares as policy of the State to promote the growth and development of the sugar industry and, in order to carry out such policy, mandates that the Sugar Regulatory Administration (SRA) establish and maintain such balanced relation between production and requirement of sugar and such marketing conditions as will ensure stabilized prices at a level reasonably profitable to the producers and fair to consumers;

WHEREAS, Sugarcane Industry Development Act of 2015 (Republic Act No. 10659) declares as policy of the State to promote the competitiveness of the sugarcane industry and maximize the utilization of sugarcane resources, and improve the incomes of farmers and farm workers, through improved productivity, product diversification, job generation, and increased efficiency of sugar mills;

WHEREAS, Sugarcane Industry Development Act of 2015 (Republic Act No. 10659) mandates the Bureau of Customs (BOC) to require importers or consignees of imported sugar to secure from the SRA the classification thereof before the same can be released;

WHEREAS, Chapter 17 of the of the 2022 ASEAN Harmonized Tariff Nomenclature (AHTN) covers "Sugars" and "Sugar Confectionery", and Subheading Nos. 17.01, 17.02, 17.03, & 17.04 thereof provide a list, quality, or components of the goods, products, ingredients covered under the same, including



[Signature]
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but not limited to raw & refined sugar, sucrose, fructose, lactose, glucose, dextrose, maltose, maltodextrin, syrup, honey, caramel, sugar confectionery;

WHEREAS, among the imported products with substantial impact on the welfare, growth, development, and competitiveness of the sugar industry are: i) "sugars" covered under Heading 17.01 of the AHTN, including but not limited to raw/refined sugar, sucrose, specialty sugar, flavored syrups; ii) "other sugars" covered under Heading 17.02 of the AHTN, including but not limited to fructose, lactose, glucose, dextrose, maltose, maltodextrin, maple sugar & maple syrup, sugar syrup, palm sugar, coconut sap sugar, honey, caramel; and iii) "sugar confectionery" covered under Heading 17.04 of the AHTN;

WHEREAS, during a consultative meeting, sugar industry stakeholders have expressed their grave concern on the effects upon the welfare and sustainability of the sugar industry of the long-practiced unregulated importation into the country of certain "sugars" and "sweeteners", and the Department of Agriculture and the SRA find the same impressed with merit;

WHEREAS, Sugar Order No. 3, Series of 2016-2017, as amended by Sugar Order No. 4, Series of 2023-2024, and the issuances pertaining thereto, provided for the Guidelines and Requirements for the Importation and issuance of clearance of Fructose;

WHEREAS, given that the coverage of Sugar Order No. 3, Series of 2016-2017, as amended by Sugar Order No. 4, Series of 2023-2024, is limited to Fructose covered under Heading 17.02 of Chapter 17 of the AHTN, there is thus a need to amend the same to include all "sugars" covered under Heading 17.01 of the AHTN, including but not limited to sucrose, specialty sugar, flavored syrups; all "other sugars" covered under 17.02 of the AHTN, including but not limited to fructose, lactose, glucose, dextrose, maltose, maltodextrin, maple syrups, and sugar syrups, palm sugar, coconut sap sugar, honey, caramel; and all "sugar confectionery" covered under Heading 17.04 of the AHTN;

WHEREAS, the importation, classification, issuance of clearance of raw & refined sugar as well as of certain specific products under Chapter 17 of the of the 2022 AHTN are already regulated, hence, need not be included in the scope of this Sugar Order;

NOW, THEREFORE, under and by virtue of the authority vested in the Sugar Regulatory Administration (SRA), it is hereby ordered that:

Section 1. Section 1 of Sugar Order No. 3, Series of 2016-2017, is hereby amended to read as follows:

"Section 1. Scope. This Sugar Order covers the importation in whatever form and sugar content of: i) all "sugars" covered under Heading 17.01 of the AHTN, including but not limited to sucrose, specialty sugar, flavored syrups; ii) all "other sugars" covered under Heading 17.02 of the AHTN, including but not limited to fructose, lactose, glucose, dextrose, maltose, maltodextrin, maple sugar



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& maple syrup, sugar syrup, palm sugar, coconut sap sugar, honey, caramel; and
iii) all "sugar confectionery" covered under Heading 17.04 of the AHTN.

Raw and refined sugar, as well as certain specific products under Chapter 17 of the 2022 AHTN already regulated by the SRA and covered by the appropriate issuances pertaining thereto, shall be deemed excluded from the coverage of this Sugar Order."

Section 2. Sections 2 to 2.3 of Sugar Order No. 3, Series of 2016-2017, is hereby amended to read as follows:

"Section 2. Requirements. An importer or consignee of the imported goods, products, ingredients covered by this Sugar Order must be a duly registered international trader with the SRA at the time of the application for clearance for release.

2.1 Applicants of clearance for the release of imported goods, products, ingredients covered by this Sugar Order shall submit to the SRA Regulation Department, the following:

- i.) Letter application for issuance of clearance for release;
- ii.) Bill of Lading;
- iii.) Commercial Invoice;
- iv.) Packing list;
- v.) Certificate of Origin;
- vi.) Certificate of Analysis;
- vii.) Notarized declaration by the importer or consignee that the imported goods, products, ingredients covered by this Sugar Order is either produced or derived from a genetically modified organism or not. For this purpose, a genetically modified organism (GMO) is defined as organisms (i.e plants, animals, or microorganisms) in which the genetic material (DNA) has been altered in a way that does not occur naturally by mating and/or natural recombination;
- viii.) Copy of receipt of payment of SRA clearance for release fee which, with the exception of fructose, shall be P 3.00/50-kilo bag (P 60.00/MT). For fructose, the SRA clearance for release fee shall remain to be that as stated in Section 2.1 of Sugar Order No. 3, Series of 2016-2017.
- ix.) Other requirements that the SRA may require from time to time.



2.2 If any of the foregoing documents is in a foreign language, a translation in English shall be submitted and must be duly authenticated by a Philippine embassy or consular official in such country where the documents were executed.

2.3 No applications for clearance for release shall be accepted for processing unless all the requirements are duly complied with.

2.4 Importers or consignees of goods, products, ingredients covered under this Sugar Order are given a period of 6 months from the effectivity of this Sugar Order within which to be compliant with the provisions of Section 2 of this Sugar Order."

Section 3. Sections 3 to 3.2 of Sugar Order No. 3, Series of 2016-2017, is hereby amended to read as follows:

"Section 3. Clearance and classification of goods, products, ingredients covered by this Sugar Order. The clearance for release shall indicate the classification of the goods, products, ingredients covered under this Sugar Order as either "B" or for Domestic market, "C" for Reserved, or "D" for World Market.

3.1 If the classification is "C" or Reserved, the imported goods, products, ingredients covered under this Sugar Order may be withdrawn from the Bureau of Customs but only for warehousing in an SRA registered warehouse/storage facility of the importer or consignee. No imported goods, products, ingredients covered under this Sugar Order classified as "C" shall be withdrawn from an SRA registered warehouse/storage facility of the importer or consignee unless reclassified by SRA into either "B" or "D".

3.2 If the classification or reclassification is "B" (for domestic market) or "D" (for world market), the imported goods, products, ingredients covered under this Sugar Order may be withdrawn by the importer or consignee from the BoC or the SRA registered warehouse/storage facility, as the case may be, for consumption or export."

Section 4. Section 4 of Sugar Order No. 3, Series of 2016-2017, is hereby amended to read as follows:

"Section 4. Shipping Permit. Any coastwise movement or transport of the imported goods, products, ingredients covered under this Sugar Order, whether for warehousing or consumption, shall require a shipping permit and the payment to SRA of the corresponding shipping fee."

Section 5. Sections 5 to 5.2 of Sugar Order No. 3, Series of 2016-2017, is hereby amended to read as follows:

"Section 5. Monitoring. The importer or consignee of imported goods, products, ingredients covered under this Sugar Order classified as "C" shall



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inform the SRA Regulation Department, Quezon City, in writing at least three (3) working days in advance of the date of withdrawal of the said goods, products, ingredients from BOC, the detailed address/es of the warehouse/s or destination/s (including intermediate or transshipment destination/s) of the goods, products, ingredients shall be included.

5.1 The importer or consignee of Imported goods, products, ingredients covered under this Sugar Order classified as "C" shall also be required to keep a ledger at the premises of the SRA registered warehouse/storage facility where said goods, products, ingredients shall be stored and to record the volume therein and the date/s of delivery. The ledger shall be kept and updated by an authorized personnel of the importer or consignee.

5.2 SRA monitoring personnel duly authorized by the Administrator shall, from time to time, conduct unannounced inspections of the warehouse/s, transportation and/or ledger/s of the imported goods, products, ingredients covered under this Sugar Order."

Section 6. Section 6 of Sugar Order No. 3, Series of 2016-2017, is hereby amended to read as follows:

"**Section 6. Sanctions.** Non-compliance with the provisions of this Order shall be subject to the penalties provided under Sugar Order No. 10, Series of 2009-2010, as amended by Sugar Order No. 10-A, Series of 2009-10, and all other issuances on the matter, without prejudice to any other administrative and/or legal action that the SRA may pursue."

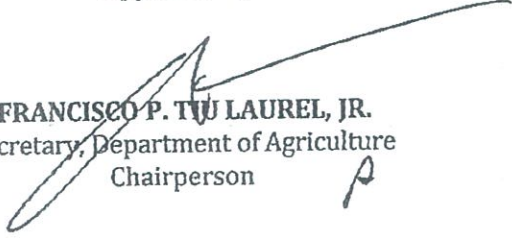
Section 7. Other provisions of Sugar Order No. 3, series of 2016-2017, as Amended by Sugar Order No. 4, Series of 2023-2024, which are not inconsistent with this Sugar Order shall remain in full force and effect.

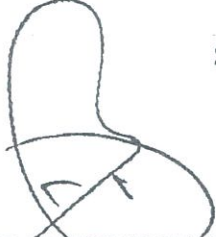
Section 8. Repealing clause. All sugar orders, circular letters, rules and regulations that are contrary to or inconsistent with this Sugar Order are hereby amended, modified or revoked accordingly.

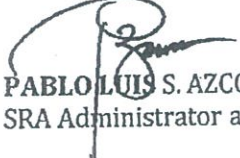
Section 9. Separability Clause. If any provision of this Sugar Order is declared unconstitutional or invalid, the validity of the remaining provisions hereof shall remain in full force and effect.

Section 10. Effectivity. This Order shall take effect thirty (30) calendar days from its filing with the Office of the National Registrar, UP Law Center, Diliman, Quezon City.


Approved By:


FRANCISCO P. TU LAUREL, JR.
Secretary, Department of Agriculture
Chairperson


ENGR. ROGER V. NAVARRO
Alternate Ex-Officio Chairperson
Under-Secretary
Department of Agriculture


PABLO LUIS S. AZCONA
SRA Administrator and CEO


MA. MITZI V. MANGWAG
Board Member
Millers' Representative


DAVID ANDREW L. SANSON
Board Member
Planters' Representative