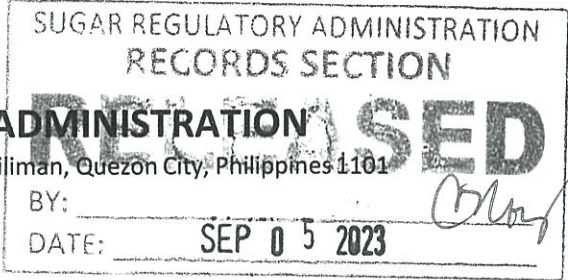




Republic of the Philippines
Department of Agriculture

SUGAR REGULATORY ADMINISTRATION

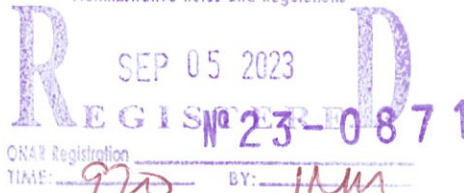
Sugar Center Bldg., North Avenue, Diliman, Quezon City, Philippines 1101
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U.P. LAW CENTER
OFFICE of the NATIONAL ADMINISTRATIVE REGISTER
Administrative Rules and Regulations

July 19, 2023

SUGAR ORDER NO. 10
Series of 2022-2023



SUBJECT: AMENDMENT TO SUGAR ORDER NO. 8, SERIES OF 2017-2018, DATED 15 MAY 2018 RE: AMENDMENT TO SUGAR ORDER NO. 9, SERIES OF 2007-2008 AND SUGAR ORDER NO. 8, SERIES OF 2014-2015

WHEREAS, the Philippine Tariff Commission (PTC) has issued a new Tariff Administration and Policy including The ASEAN Harmonized Tariff Nomenclature (AHTN) 2022;

WHEREAS, there is a need to amend certain provisions of Sugar Order No. 8, Series of 2017-2018 Re : Amendment to Sugar Order No. 9, Series of 2007-2008 and Sugar Order No. 8, Series of 2014-2015 based on the issuance of the new Tariff Administration and Policy including The ASEAN Harmonized Tariff Nomenclature (AHTN) 2022 in order to provide an easy reference to importers or consignees of premix commodities who apply with the Sugar Regulatory Administration (SRA) for Premix Commodity Release Clearance (PCRC);

WHEREAS, the issuance of a new Tariff Administration and Policy also necessitates the exclusion of AHTN Tariff Codes 2106.90.69 (Other food supplements; fortificant premixes), 2106.90.71 (Food supplements based on ginseng) and 2106.90.72 (Other food supplements) on the issuance of Premix Commodity Release Clearance (PCRC) considering that most laboratory results based on sucrose content were either very minimal or non-traceable;

WHEREAS, it is also imperative to include the subheadings of Heading No. 04.04 – Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included on the issuance of Premix Commodity Release Clearance (PCRC) to conform with the new Tariff Administration and Policy including The ASEAN Harmonized Tariff Nomenclature (AHTN) 2022;

WHEREAS, AHTN Tariff Codes 2106.90.92 (Flavoured or coloured syrups), 2106.90.98 (Other flavouring preparations), 1702.90.91 (Sugar syrups), 1704.90.91 (Soft, containing gelatin), 1806.20.90 (Other) and 1806.90.10 (Chocolate confectionery in tablets or pastilles) on the issuance of Premix Commodity Release Clearance (PCRC) must also be included because said commodities may contain considerable amount of sucrose.

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

Section 1. Scope and Definition. This Sugar Order shall apply to food preparations commodities listed in the new Tariff Administration and Policy including The ASEAN Harmonized Tariff Nomenclature (AHTN) 2022 as enumerated hereunder, and, which, for facility, may also be referred to herein, as premix commodities:

C/R
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AHTN Tariff Code	Description
2106.90.54	Other, preparation of kind used as raw material for the manufacture of composite concentrates
2106.90.55	Other, composite concentrates for simple dilution with water to make beverage
2106.90.59	Other Alcoholic preparations of a kind used for the making or the manufacture of beverages Preparation of kind used as raw material for the manufacture of composite concentrates
2106.90.91	Other, mixtures of chemicals with foodstuffs or other substances with nutritive value, of kind used for food processing
2106.90.92	Flavoured or coloured syrups
2106.90.98	Other flavouring preparations
2106.90.99	Other

AHTN Tariff Code	Description
0404.10.00	Whey and modified whey, whether or not concentrated or containing added sugar or other sweetening matter
0404.10.11	Whey, fit for human consumption
0404.10.19	Other
0404.10.91	Whey, fit for human consumption
0404.10.99	Other
0404.90.00	Other

AHTN Tariff Code	Description
1702.90.91	Sugar syrups

AHTN Tariff Code	Description
1704.90.20	Sugar Confectionery (White Chocolate)
1704.90.91	Soft, containing gelatin
1704.90.99	Sugar Confectionery (Other)

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AHTN Tariff Code	Description
1806.10.00	Cocoa powder, containing added sugar or other sweetening matter
1806.20.10	Chocolate confectionery in blocks, slabs and bars
1806.20.90	Other
1806.31.00	Filled
1806.32.00	Not Filled
1806.90.10	Chocolate confectionery in tablets or pastilles
1806.90.90	Other

Section 2. Monitoring. All importations of premix commodities as enumerated in Section 1 shall be monitored by the SRA in terms of declared classification and quantities thereof, their dates of arrival, countries of origin, and the names of their importers or consignees. In addition thereto, random/representative sample/s of the said commodities shall be subject to SRA laboratory analysis.


However, the SRA Administrator may waive, upon request, the requirement of laboratory analysis on certain shipments if the imported premix commodities had already been subject to SRA laboratory analysis because of previous importation/s such that there are established records of same in terms of sugar content and other traceable elements/ingredients and discernable physical appearances. Additionally, such a waiver is given after the imported premix had been verified to be the same premix that was consistently classified by the SRA through previous laboratory analysis and samples submitted.

Section 3. Premix Commodity Release Clearance. Importers or consignees of premix commodities should apply with the SRA for a Premix Commodity Release Clearance (PCRC) prior to withdrawal thereof from the BOC, by submitting to the SRA the following requirements, namely:

- 3.1 Application Letter (Duly Notarized)
- 3.2 Letter of Consideration in the Absence of Laboratory Analysis
- 3.3 Bill of Lading
- 3.4 Commercial Invoice
- 3.5 Packing List
- 3.6 Import Entry and
- 3.7 Temporary Assessment Notice (Asycuda)
- 3.8 Sample/s of the premix commodity/ies drawn from the shipment by SRA personnel for laboratory analysis

Section 4. Release Clearance. Prior to the issuance of the SRA Clearance (PCRC), the importer or consignee of a premix commodity shall pay the total liens, pursuant to Sugar Order No. 4, Series of 2001-2002 concerning MAV importation, if the subject premix contains over 65% by dry weight of sugar, whereas, if it is 65% and below by dry weight of sugar, only the SRA clearance fee as provided for in the aforesaid Sugar Order shall be paid, prorated on the percent (%) sucrose content of the premix. However, if the premix contains zero (0) or non-traceable sucrose content, a nominal fee per application shall be charged.

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Hereunder are the sample computations, to wit:

If the subject premix contains over 65% by dry weight of sugar	(Net weight of Premix Commodity) multiplied by (PhP37.75 per 50-kilograms)
If the subject premix contains 65% and below by dry weight of sugar	(Net weight of Premix Commodity) multiplied by (PhP11.90 per 50-kilograms) multiplied by (Sucrose content of Premix Commodity)
If the premix contains zero (0) or non-traceable sucrose content, a nominal fee per application shall be charged.	PhP300.00 per application

A laboratory fee for analysis shall likewise be paid pursuant to existing General Administrative Order.

Section 5. Other provisions of Sugar Order No. 7, Series of 2003-2004 Re: Rules and Regulations on Importation of Food Preparations under Tariff Heading 21.06 of the Tariff and Customs Code of the Philippines - ASEAN Harmonized Tariff Nomenclature (TCCP-AHTN) and Sugar Order No. 7-A, Series of 2003-2004 Re: Amendment to Sugar Order No. 7, Series of 2003-2004 shall apply to this Sugar Order.

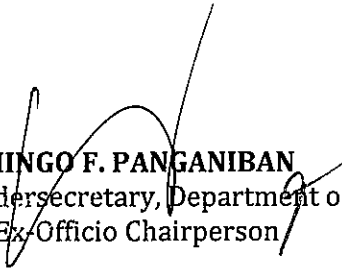
Section 6. Provisions of Sugar Orders, Circular Letters, rules and regulations contrary to or inconsistent with this Sugar Order are hereby revised, modified or revoked accordingly.

Section 7. This Order shall take effect three (3) days from filing with the National Administrative Registrar, U.P. Law Center, Diliman, Quezon City.

APPROVED:



DA-CO-OSEC-UC20230719-00085



Hon. DOMINGO F. PANGANIBAN
 Senior Undersecretary, Department of Agriculture
 Alternate Ex-Officio Chairperson


PABLO LUIS S. AZCONA
 Administrator and CEO


MA. MITZI V. MANGWAG
 Board Member - Millers' Representative


DAVID ANDREW L. SANSON
 Board Member - Planters' Representative

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