

NMM

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Customs Brokers

COMPLIANCE BEYOND BORDERS

CUSTOMS GAZETTE

Updates on Customs-Related Matters

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CMO NO. 07-2023

Issue Date: April 14, 2023

KEYWORDS: amendment, CMO No. 24-2021, condemnation, disposition, forfeited and abandoned goods

Pursuant to the recommendation of the Project Implementation To promote transparency in the accreditation of Service Contractors for the condemnation of goods and to centralize the accreditation thereof, Customs Memorandum Order (CMO) No. 24-2021 is hereby amended to wit:

- Paragraph 7.2 of Section 7 shall now read as follows:
 - 7.2. After completion of the documentary requirements of the applicant and within twenty-four (24) hours from receipt thereof, the Chief of the ACDD or equivalent unit shall create a composite team made up of personnel from the ACDD/equivalent unit, CIIS, ESS and **POS-AOCG** (*Emphasis Supplied*) to conduct an ocular inspection of the facility. The composite team shall submit a Comprehensive Report indicating therein its evaluation on the capability of the applicant's facility to perform the services being offered.
- Paragraph 7.3 of Section 7 shall now read as follows:
 - 7.3. Upon evaluation of the above-stated requirements, the ACDD/equivalent. unit shall within three (3) working days, submit its findings and recommendations to the Condemnation Committee. The Condemnation Committee shall, within three (3) working days, forward the application for approval/disapproval by the District Collector. **If the District Collector finds that the application is impressed with merit, he shall then submit the same within five (5) working days to the Deputy Commissioner, AOCG for final approval** (*Emphasis Supplied*).

All other provisions of CMO No. 24-2021 shall remain in force and effect.

This Order shall take effect immediately.

CMO NO. 10-2023

Issue Date: April 20, 2023

KEYWORDS: BOC-CARES, guidelines, operation

Introduction

This Order implements Transparency as one of the key factors under the Revised Arusha Declaration, Article 1.3 on Enquiry Points under the Agreement on Trade Facilitation, Section 7, Zero-Contact Policy of Republic Act No. 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act of 2018, in relation to Section 101 (a), (b), (c) and (f) of Republic Act No. 10863, otherwise known as the Customs Modernization and Tariff Act (CMTA).

Objectives

- To establish a central frontline unit that provides efficient and effective mechanisms to address stakeholder inquiries, concerns or complaints;
- To enhance the positive reputation of the agency through continuous facilitation and improvement of customer service management; and
- To promote transparency through continuous and prompt customer service management.

Composition and Functions of the BOC-CARES Unit

- The BOC-CARES Unit established under the direct supervision of the Chief, Public Information and Assistance Division (PIAD) shall be composed of the following, subject to availability of funds:
 - one (1) Supervising Customs Information Officer;
 - three (3) Lead Customs Information Officers;
 - two (2) Technical Assistants; and
 - twenty (20) Customs Information Officers.
- The BOC-CARES Unit shall perform the following functions:

- Conduct regular supervision and management of BOC helpdesk, social media accounts, and other online communications systems that may be established by the Bureau;
- Attend to various concerns received through different platforms such as calls, social media accounts, e-mails, BOC portal and those coursed through other government agencies; and
- Monitor and ensure resolutions of-actionable inquiries and complaints of transacting public through coordination with responsible offices of the Bureau; and
- Perform other functions as directed by the Chief, PIAD.
- **Duties and Responsibilities of BOC-CARES Personnel**
 - **Supervising Customs Information Officer (SCIO)** shall:
 - Supervise and oversee the day-to-day operations of the BOC-CARES;
 - Evaluate and provide recommendations to the Chief, PIAD concerning operational improvements;
 - Ensure that the objectives and goals of the BOCCARES are met;
 - Establish a high standard for productivity, quality, and customer service as well as define guidelines;
 - Design and implement operational mechanism/s to make customer service easier for both team members and customers;
 - Conduct routine calibration sessions to discuss issues and new policies or regulations of the Bureau;
 - Directly report to the Chief, PIAD; and
 - Perform any other tasks as may be directed by the Chief, PIAD.
 - **Lead Customs Information Officer** shall:
 - Oversee Customs Information Officer (CIO) performance, including work schedule compliance, productivity, and quality assurance standards, under the management of the SCIO;
 - Update and maintain standard reports and assist in coaching, on-the-floor training, and personnel management as determined by the Supervisor;
 - Provide support to CIOs, including the service of escalated customers, and assist in rectifying service deficits;
 - Give detailed statistical feedback on the performance of team members for evaluation and commendation;
 - Provide support to the SCIO and directly report all matters concerning the day-to-day operations of CARES; and
 - Perform other related functions as necessary.

- **Technical Assistant** shall:
 - Assist CIOs in resolving complex inquiries and complaints;
 - Monitor the customer interactions and provide actionable insights to improve individual performance;
 - Maintain consistent professional improvement through provided workshops and refresher courses, among others; and
 - Perform other functions as may be necessary.
- **Customs Information Officer** shall:
 - Serve as the first contact of interaction or frontline officer of the BOC-CARES;
 - Attend to customers' inquiries or concerns by identifying customers' needs, clarifying information, simplifying issues and ultimate facts, and providing solutions or alternatives efficiently and accurately;
 - Accurately record customer reports/concerns into the CARES Database to maintain an electronic record of all communications from the clients for follow up;
 - Build sustainable relationships and engage clients;
 - Monitor and track clients' concerns and/or complaints until resolved;
 - Monitor the official social media webpages, CARES email, and Portal of the Bureau of Customs;
 - Utilize CARES software, databases, scripts, and tools appropriately;
 - Provide support and submit reports to the Lead Customs Information Officers (LCIOs); and
 - Perform other functions as may be necessary.

Administrative Provisions

- In compliance with existing rules and regulations on working hours, the BOC-CARES shall operate from 8:00 AM to 5:00 PM, Monday to Friday;
- Additional manpower complement necessary for BOC-CARES to accomplish assigned functions shall be coordinated with the Human Resource Management Division (HRMD), Budget Division and Financial Management Office (FMO) for budgetary requirements;
- Should the Commissioner require a skeleton workforce in observance of Holidays, the Unit shall continue with its operations and submit a skeleton workforce schedule to Internal Administration Group (IAG), through HRMD;

- The Management Information Systems and Technology Group (MISTG) shall ensure that the customer relationship management software and telephony system of the Unit are fully functional and shall accord support and assistance in its maintenance;
- MISTG shall also develop Information and Communication Technology (ICT)-enabled software and tools for the improvement of the Bureau's feedback mechanism; and
- Administrative support such as provision of office supplies and equipment, personnel augmentation, conduct of capacity building activities, among others shall be coordinated with the IAG.

Operational Provisions

- **Complaints Coming from Other Government Agencies.**
 - The BOC-CARES shall process complaints received from various agency portals, such as but not limited to the following:
 - Hotline 8888;
 - Presidential Action Center;
 - Anti-Red Tape Authority; and
 - Contact Center ng Bayan.
 - The complaint shall then be endorsed to the Action Officer (AO) of the concerned office for their official response and appropriate action within the prescribed period of three (3), seven (7), or twenty (20) days pursuant to Republic Act No. 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act of 2018.
 - If no resolution has been made within the prescribed period, the concerned office shall request an extension to the Complaints Center through the BOC-CARES.
 - Upon receipt of the official response from the concerned office, the BOC-CARES shall endorse the said response to the Complaints Center and copy furnish the Complainant.
 - The BOC-CARES shall keep records of all complaints to ensure proper monitoring and documentation.
- **Concerns lodged through BOC-Portals.**
 - The Unit shall be a repository of all unidentified inquiries and complaints lodged through the Customer Care Portal System (CCPS);
 - All tickets assigned to BOC-CARES and lodged through the CCPS shall be attended and endorsed, if necessary, to the concerned office or port;
 - The assigned CIO shall record the details to the BOCCARES database for the purpose of monitoring and documentation.

- **Concerns lodged through BOC-CARES Email.**
 - All concerns and inquiries received through the BOC-CARES official email (boc.cares@customs.gov.ph) shall be attended and endorsed, if necessary, to the concerned office or port;
 - The assigned CIO shall record the details to the BOC-CARES database for the purpose of monitoring and documentation.
- **Concerns lodged through BOC Social Media Platforms.**
 - The BOC-CARES shall monitor and attend to all concerns and inquiries received through the BOC's official Facebook, Twitter, Instagram, Tiktok, Youtube, and other accounts that may be created, including other social media platforms;
 - The assigned CIO shall endorse the unresolved concerns for resolution and appropriate action to the Technical Assistant or the concerned office;
 - The assigned CIO shall record the details to the BOCCARES database for the purpose of monitoring and documentation.
- **Concerns received through the BOC Hotline.**
 - The Unit shall use a toll-free number for nationwide use;
 - The CIO shall attend and adequately act upon the receipt of concerns and inquiries through the official BOC hotline;
 - Escalated or hard to resolve concerns shall be handled by the Technical Assistant or the concerned office; and
 - The CIO shall record the details of the call through the BOC-CARES database for proper documentation and monitoring.

Action Officer

- The following offices shall designate an Action Officer to provide immediate response to the complaints or concerns endorsed by the BOC-CARES:
 - All Groups;
 - District Ports;
 - Sub-ports;
 - Ad hoc Offices
- The AO shall perform the following duties and responsibilities:
 - Receive and acknowledge the complaints/concerns endorsed by the BOC-CARES;
 - Review and endorse, through channel, to concerned office for appropriate action;
 - Monitor the official response within the prescribed period;
 - Provide feedback or updates to the BOC-CARES;

The AO shall create a group chat among administrative officers within the Group, Port or Adhoc Office for effective monitoring of complaints/concerns.

Technical Support

All Groups, Ports or Ad hoc offices who directly received a complaint/concern from other government agencies or private individuals shall furnish BOC-CARES with a copy of their official responses, reports or any actions taken through complaints@customs.gov.ph. For monitoring purposes, they shall require their respective AOs to develop and maintain a tracking chart or matrix of all complaints/concerns received directly or through the BOC-CARES.

Processing of Personal Information

Processing of personal information in relation to the implementation of this Order shall comply with the Data Privacy Act, the implementing rules and regulations issued by the National Privacy Commission, and CMO No. 16-2021.

Budgetary Requirements

The BOC-CARES' operational and logistical requirements including manpower complement necessary to accomplish its assigned functions shall be coordinated with HRMD, Budget Division and FMO for budgetary requirements subject to pertinent accounting, auditing rules and regulations.

Periodic Review

Unless otherwise provided, this Order shall be reviewed every three (3) years and be amended or revised, if necessary.

Repealing Clause

All other rules and regulations issued by the Bureau which are inconsistent with this Order are deemed repealed or modified accordingly.

Effectivity

This Order shall take effect immediately.

The Office of National Administrative Register (ONAR) of the UP Law Center shall be provided three (3) certified copies of this Order.

CMC NO. 57-2023

Issue Date: March 31, 2023

KEYWORDS: concurring, ratification, Regional Comprehensive Economic Partnership Agreement, Resolution No. 42

This is with reference to Resolution No. 42, "Resolution Concurring in the Ratification of the Regional Comprehensive Economic Partnership Agreement", which was adopted by the Senate on 21 February 2023.

For your guidance and strict compliance.

For record purposes, please confirm the dissemination of this Circular throughout your offices within fifteen (15) days from receipt thereof.

RESOLUTION NO. 42 RESOLUTION CONCURRING IN THE RATIFICATION OF THE REGIONAL COMPREHENSIVE ECONOMIC PARTNERSHIP

WHEREAS, Article VII, Section 21 of the 1987 Philippine Constitution states that, "No treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the Members of the Senate";

WHEREAS, the Regional Comprehensive Economic Partnership (RCEP) Agreement was virtually signed during the 4th RCEP Leaders' Summit on 15 November 2020 with the following Parties as signatories: ASEAN member states (Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam), and their five major trading partners (Australia, China, Japan, Republic of Korea, and New Zealand);

WHEREAS, the RCEP, which is currently the world's largest trade and investment agreement, accounts for almost a third of the world's gross domestic product (GDP), and a combined market that covers a third of the world's population;

WHEREAS, the Agreement builds upon existing economic linkages among the Parties to further broaden and deepen economic integration in the region, strengthen economic growth, promote equitable economic development, and establish clear and

mutually advantageous rules to facilitate trade and investment, including participation in regional and global supply chains;

WHEREAS, the Agreement aims to: (i) establish a modern, comprehensive, high-quality, and mutually beneficial economic partnership framework; (ii) liberalize and facilitate trade in goods through the progressive elimination of tariff and non-tariff barriers; (iii) progressively liberalize trade in services to achieve substantial elimination of restrictions and discriminatory measures; and (iv) create a liberal, facilitative and competitive investment environment in the region;

WHEREAS, the Agreement contains specific provisions on: (i) trade in goods; (ii) rules of origin; (iii) customs procedures and trade facilitation; (iv) sanitary and phytosanitary (SPS) measures; (v) standards and technical regulations and conformity assessment procedures; (vi) trade remedies; (vii) trade in services; (viii) investment; (ix) intellectual property; (x) electronic commerce; (xi) competition; (xii) small and medium enterprises; (xiii) economic and technical cooperation; (xiv) government procurement; and (xv) dispute settlement, among others, which are necessary for establishing a conducive business environment;

WHEREAS, the Philippines stands to benefit from the Agreement through enhanced market access for its export products; wider area for cumulation of raw materials; trade facilitation; time-bound consultations to resolve issues on SPS measures as well as technical barriers to trade (TBT); improved market access for services including financial and telecommunications services; clear, stable, and predictable rules necessary to attract investments; strong support for the development of micro, small, and medium enterprises (MSMEs); stronger protection and enforcement of intellectual property rights; and greater opportunity for economic and technical cooperation among the Parties;

WHEREAS, in recognizing the vast opportunities that the Agreement can bring, the Philippines must have competitive and comparative advantages in the country's economic sectors, including the agriculture sector, to help deliver the maximum benefits of trade to the economy, and to the Filipino people;

WHEREAS, the MSMEs, which make up more than 99.58 percent of businesses in the country and generated a total of 5,461,731 jobs or 64.67 percent of the country's total employment as of 2021, can benefit from broader access to international markets as these offer business opportunities, including new niche market;

WHEREAS: the country needs to boost innovation and value-adding activities towards competitive and comparative advantages, and efficiencies in the services and production sectors, and enhance MSME participation in global value

WHEREAS, the advent of new technologies, digitalization, and e-commerce create economic opportunities that will allow MSMEs and the country's economic sectors to access emerging markets, promote trade in services, and facilitate higher quality and competitive production;

WHEREAS, the Philippines needs to harness international trade agreements, such as the RCEP, as a way towards a sustainable and inclusive economy;

WHEREAS, the President of the Philippines ratified the Agreement on 28 November 2022 and has submitted it to the Senate for concurrence, in accordance with the Constitution;

WHEREAS, in the meetings and hearings conducted by the Senate Committee on Foreign Relations on 8 September 2022, 12 December 2022, 5 January 2023, 7 February 2023, and 13 February 2023, the following government agencies endorsed the concurrence to the ratification of the Agreement:

- Department of Foreign Affairs (DFA);
- Department of Trade and Industry (DTI);
- Department, of Agriculture (DA);
- Department of Justice (DOJ);
- Department of Environment and Natural Resources (DENR);
- Department of Energy (DOE);
- Department of Finance (DOF);
- Department of Agrarian Reform (DAR);
- National Economic and Development Authority (NEDA);
- Bureau of Customs (BOC);
- Government Procurement Policy Board (GPPB);
- Intellectual Property Office (IPO);
- Philippine Competition Commission (PCC);
- Securities and Exchange Commission (SEC); and
- Tariff Commission.

Now, therefore, be it

Resolved, That the Senate of the Philippines concur, as it hereby concurs, in the Philippine ratification of the Regional Comprehensive Economic Partnership Agreement among among Brunei Darussalam, Kingdom of Cambodia, Republic of Indonesia, Lao People's Democratic Republic, Malaysia, Republic of the

Union of Myanmar, Republic of the Philippines, Republic of Singapore, Kingdom of Thailand, Socialist Republic of Viet Nam, Australia, People's Republic of China, Japan, Republic of Korea, and New Zealand;

Resolved, further, That for the effective implementation of the RCEP Agreement and other Free Trade Agreements (FTAs) to which the Philippines is a party, the Senate of the Philippines deems it necessary that the following be adopted and implemented:

- Measures to build competitive and comparative advantages
 - Allocating funds and resources to programs, and monitoring their use towards building competitive and comparative advantages in the country's economic sectors, including the MSMEs;
 - Strengthening MSMEs, including the agriculture sector's access to finance, technical support, new technologies: and capacity building programs to harness competitiveness, and generate efficiencies in production, and in the delivery of services;
 - Helping MSMEs build business resiliency to enable them to withstand the impacts of natural. disasters, geopolitical dynamics, and economic challenges;
 - Developing and implementing programs, and initiating reforms to cultivate: improve, and promote efficiency, productivity, profitability, and competitiveness of the concerned sectors, such as, but not limited to, the following:
 - National Rice Program (NRP), National Corn Program (NCP), National High Value Crops Development Program (HVCDP), National Livestock Program (NLP), National Organic Agriculture Program, National Fisheries Program (NEP); Agricultural Machinery, Equipment, Facilities and Infrastructure Program under the Agriculture Modernization Plan of the DA, and other developmental inclusive programs including: (i) pest and disease control; (ii) general, technical, and specialized/targeted training, extension and advisory services; (iii) marketing and promotion activities; (iv) development, construction, rehabilitation, and repair of production facilities, and other infrastructure; (v) access to credit by Land Bank of the Philippines (LBP) and other financial institutions, and provision of agricultural insurance; (vi) soft-loans and grants for agricultural investment; (vii) mechanization and acquisition of machines, equipment, and post-harvest facilities; (viii) rehabilitation and development of

- irrigation systems; (ix) access to farm inputs and other forms of subsidies; (x) support for diversified sustainable production systems and cluster/cooperative/ community-based approaches in value-adding and marketing to achieve economies of scale; and (xi) adoption of sustainable agri-food systems;
- Specific and focused DA interventions in addition to the aforementioned banner programs to address the impact on farmers and fisherfolk who are producing the fifteen (15) products enumerated under the thirty-three (33) tariff lines in the RCEP, to take effect before the implementation of the country's commitment to the Agreement;
- Adherence to the strategic vision and framework espoused by the United Nations Decade for Family Farming to stimulate the development of public policies and investments in favor of family farming from a holistic perspective, unlocking the transformative potential of family farmers, and balance the benefits expected to large-scale agriculture under the Agreement;
- Science, Technology, Innovation-driven Industrialization Strategy (STD, Shared Services Facility (SSP), Philippine Halal Export Development and Promotion Program, Doing Business in Free Trade Areas (DBF TA), Philippine Export Competitiveness Program, Regional Interactive Platform for Philippine Exporters Plus (RIPPLES Plus), SheTrades Philippines Hub, Startup Pilipinas, and other trade promotion and facilitation programs;
- Consultancy for Agriculture Productivity Enhancement (CAPE) Program, Food Safety Program, Packaging and Labeling Assistance Program, Innovation System Support Fund (ISSF) Program, Manufacturing Productivity Extension (MPEX) Program, and other productivity enhancement and innovation programs;
- Innovation and support services programs across all levels of government including local government units (LGUs) such as the Province-led Agriculture and Fisheries Extension System (PAFES); and
- Awareness, information and communication campaigns, and capacity building programs to assist entrepreneurs, cooperatives, professionals, and other stakeholders to maximize opportunities for trade and investment, improve utilization of PTAs and enhance recourse to, and legal training for trade remedies, as necessary.
- Interventions to stimulate and support innovation

- Developing and implementing a whole-of-government national innovation agenda and strategy document, as mandated under Republic Act No. 11293, otherwise known as the "Philippine Innovation Act," in partnership with the private sector and the academe/research institutions in order to address real challenges that hinder competitiveness in the country's economic sectors:
- Identifying strengths of each sector, region, province, and community and addressing all risks that hamper their full potential for development, while protecting the traditional knowledge, cultural expressions, natural resources, and the environment; and
- Allocating resources, and monitoring and evaluating programs to ensure that specific innovation targets are met within specific time frames to build competitiveness.
- Good governance mechanisms to foster trust, transparency, accountability, and learning
 - Adopting participatory planning approaches that will create comprehensive strategies, roadmaps, and programs that are responsive to the needs and challenges of the country's economic sectors, guided by measurable targets and specific time frames for implementation;
 - Promoting transparency and enabling access of stakeholders to policy and program development, budget preparation, and allocation towards ensuring the efficient and judicious use of public funds;
 - Intensifying border and quarantine controls to prevent smuggling and entry and spread of pests and diseases through the establishment of adequate border inspection facilities, enhancing of transparency in importation monitoring through a dedicated publication list of agricultural goods, upgrading existing testing facilities, continuous capacity building, transformative budget allocation, and a more active public-private oversight committee on anti-smuggling;
 - Establishing the public-private agriculture budget monitoring committee:
 - Ensuring genuine representation and participation of farmers: fisherfolk, agrarian reform beneficiaries (ARBs), indigenous peoples (IPS), women and other marginalized sectors in government agri-fisheries boards, councils, and other pertinent committees;
 - Improving public-private partnership and participation of stakeholders in planning, monitoring and multi-sectoral committees, such as the Committee on International Trade of the Philippine Council for Agriculture and Fisheries (PCAF);

- Building digital infrastructure to help drive the growth of MSMEs and the agriculture sector through the promotion of the use of information technology and data management, that will enable access to relevant trade data for evidence-based policymaking, institution of reforms, and empowerment of stakeholders with the end in view of maximizing opportunities for trade and investment, and the use of trade remedies to reduce unfair trade practices; and
- Strengthening representation of the Philippine government in trade negotiations and the implementation of the country's trade agreements through the appointment of a Chief Trade Enforcement Officer.
- Programs for Human Capital Development
 - Implementing job generation and human capital development programs to ensure the competitiveness of the Pilipino workforce and the country's services sector;
 - Developing an integrated plan that will enable continuing workforce development, thus fully maximizing the Philippines' massive potential in the services sector;
 - Undertaking continuous capacity building, reskilling, upskilling and cross-skilling of workers to adapt to technological development and evolving business models and industries; and
 - Adhering to International Labour Organization (ILO) conventions that set out basic principles and rights at work
- Inclusiveness, Sustainability, and Green Growth Initiatives
 - Enforcing environmental laws, rules, and regulations, adhering to multilateral environmental agreements in the conduct of trade or investment, and implementing stringent measures against industrial waste, hazards, and illicit activities which are destructive and degrading to the environment;
 - Maximizing the benefits from the country's global and regional trade arrangements by increasing efficiency in the use of resources in the country's production sectors and in services, encouraging investments in clean and resilient infrastructure and technologies, and accelerating climate-friendly innovation; and
 - Enabling stakeholder participation in the planning and implementation of programs that will build competitiveness, and ensuring that the benefits of regional economic integration translate to improvement of people's lives.

- RCEP Agreement Optimization Strategies
 - Addressing all threats and risks affecting the various economic sectors, including the MSMEs, in order to resolve challenges that inhibit their growth, and to demand transparency and accountability from those responsible in implementing the support programs; and
 - Using the flexibilities and remedies in international trade agreements for promotion of public interest and protection of national security, and ensuring compliance with the country's laws, rules, and regulations affecting health, safety, and environment, among others;

Resolved, furthermore, That the Senate Special Oversight Committee on the RCEP Agreement is hereby created, which shall be headed by the Senate President pro Tempore and with the following members: the Senate Majority and Minority Leaders, and the Chairpersons or any designated member of the Senate Committees on Foreign Relations; Agriculture, Food and Agrarian Reform; Economic Affairs; Finance: Labor, Employment and Human Resources Development; Science and Technology; Trade, Commerce and Entrepreneurship; and Ways and Means.

The Oversight Committee shall be provided with a comprehensive strategy and plan to harness competitiveness in various economic sectors, within three (3) months from the adoption of this Resolution. The DTI shall prepare this document, indicating specific targets and timelines. in coordination with concerned government agencies. the private sector, the sectoral stakeholders, the academe and research institutions. and the Philippine Innovation Council.

Every 15th day of December every year thereafter, an updated report shall be submitted by the DTI to the Oversight Committee. indicating therein the status of the projects, specific implementation slippages, milestones, quantifiable project impacts, as well as recommendations on policy or structural measures from the Congress of the Philippines.

The Oversight Committee, with the assistance of concerned stakeholders, shall monitor all the targets of the different government departments, agencies, and bureaus as reflected in this plan, and shall, on the basis of its review and evaluation, propose legislative measures to pursue structural reforms and address implementation gaps, as necessary, including recommendations for measures to improve performance and exact accountabilities;

Resolved, furthermore, That the Executive Department use, to the fullest extent, any exceptions and transition periods available to the Philippines, and not implement any unenforceable RCEP provisions that are detrimental to Philippine interests;

Resolved, furthermore, That the Senate of the Philippines may recommend to the President the withdrawal from the Agreement;

Resolved, finally, That the President of the Philippines may, with the concurrence of the Senate, withdraw from the Agreement.

Adopted.

This Resolution was adopted by the Senate on February 21, 2023.

CMC NO. 60-2023

Issue Date: April 5, 2023

KEYWORDS: implementing rules and regulations (IRR), Land Transportation Office (LTO), RA No. 11689, vintage vehicles

This is with reference to the Land Transportation Office (LTO) Implementing Rules and Regulations (IRR) of **Republic Act No. 11689**, otherwise known as the "Vintage Vehicle Regulation Act", which will take effect on 17 April 2023.

For your guidance and compliance.

For record purposes, please confirm the dissemination of this Circular throughout your offices within fifteen (15) days from receipt thereof.

CMC NO. 61-2023

Issue Date: April 5, 2023

KEYWORDS: chrome plated nickel screen, tariff and classification dispute ruling

This is with reference to the Tariff Commission Circular Dispute Ruling (TCC DR) No. 22-027 issued on 22 March 2023 pursuant to Commission Order No. 2018-1 (Rules of Procedure on Disputes involving Tariff Classification) on the shipment of "Chrome Plated Nickel Screen", consigned to Central Azucarera De San Antonio, Inc. (Import Entry/ Customs Reference No. C-112621, NAIA) the dispositive portion of which states that:

WHEREFORE, premises considered, subject article is hereby classified as follows:

Product	AHTN 2022 Code	2022 MFN Rate	2022 AIFTA Rate
Chrome Plated Nickel Screen	7506.10.00	3%	Zero*
*Subject to submission of Certificate of Origin (CO) Form "AI"			

For information and guidance.

For record purposes, please confirm the dissemination of this Circular throughout your offices within fifteen (15) days from receipt thereof.

CMC NO. 62-2023

Issue Date: April 5, 2023

KEYWORDS: BS&B® Pretorqued safety Head/Disk Holder, Model: SRB-7RS™, tariff classification and dispute ruling

This has reference to the herein attached Tariff Commission Circular Dispute Ruling (TCC DR) No. 22-009 issued on 15 March 2023 pursuant to Commission Order No. 2018-1 (Rules of Procedure on Disputes involving Tariff Classification) on the shipment of "BS&B® Pretorqued safety Head/Disk Holder, Model: SRB-7RS™" consigned to Energy Development Corporation (Import Entry/ Customs Reference No. C-28964, NAIA) the dispositive portion of which states that:

WHEREFORE, premises considered, subject article is hereby classified as follows:

Product	AHTN 2017 Code	2022 MFN Rate
BS&B® Pretorqued Safety Head/Disk Holder, Model: SRB-7RS™	7307.19.00	10%

For information and guidance.

For record purposes, please confirm the dissemination of this Circular throughout your offices within fifteen (15) days from receipt thereof.

Pursuant to Sec. 155 of the NIRC, as amended, the manufacturer/importer shall adopt a suitable accounting or metering system with the ability to accurately determine the volume of entered and withdrawn refined, manufactured or importer petroleum products.

CMC NO. 63-2023

Issue Date: April 5, 2023

KEYWORDS: application, automobiles, basis, electronic authority to release imported goods (eATRIG), importers, processing, Revenue Memorandum Circular No. 30-2023, Revenue Regulation No. 25-2003, total landed value of imported automobiles

This is with reference to Revenue Memorandum Circular (RMC) No. 30-2023 dated 27 February 2023 from Commissioner Romeo D. Lumagui, Jr., Bureau of Internal Revenue (BIR), all importers of automobiles are informed of the basis for the computation of the Total Landed Value as defined under Sec. 2 (h) of Revenue Regulations No. 25-2003 dated 16 September 2003, to wit:

xxx

*“(h) **TOTAL LANDED VALUE** - shall refer to the total of the (i) market value of the motor vehicles imported as indicated in the motor vehicle reference books, such as the Japanese and U.S. Red Book, Karo and World Car Book on automobile utility vehicles and other motor vehicles, or the dutiable value as defined in Sec. 201 of the Tariff and Customs Code of the Philippines as amended, whichever is higher; (ii) customs duties paid on the imported goods; and (iii) all other charges arising from, or incident to, the importation.*

xxx

The computation of the ad valorem tax due on such imported automobiles shall be based on the following:

Description	Basis of Valuation (per Auto Red Book Online Price Digest)
1. Importer and at the same time engaged in business as Dealer of Automobiles	Wholesale Price
2. Importer of Automobiles for personal or company use or not engaged in business as Dealer of Automobile	Retail Price

For purposes of the aforesaid RMC, Item 1, "**Importer and at the same time engaged in business as Dealer of Automobiles**" shall mean that the importer/dealer of automobiles must satisfy the following requirements:

- He/she/it must be a holder of Permit to Operate (PTO) as Importer and Dealer of automobiles for excise tax purposes;
- Has dealership agreement/contract with foreign suppliers/manufacturers;
- Maintains a showroom or registered storage/warehouse facility;
- Imports by bulk or a minimum of twelve (12) units in a twelve-month period; and
- The imported automobiles are for sale to customers.

The computation of the ad valorem tax due on automobiles in cases where Importers do not satisfy the foregoing requirements shall be based on retail price.

For guidance.

CMC NO. 64-2023

Issue Date: April 5, 2023

KEYWORDS: components, electric vehicles, Executive Order (EO) No. 12 (Series of 2023), parts, rates of import duty, temporary modification

In view of the effectivity of EO No. 12 (series of 2023) on "Temporarily Modifying the Rates of Import Duty on Electric Vehicles, Parts, and Components under Section 161 1 of Republic Act No. 10863, otherwise known as the Customs Modernization And Tariff Act" on 20 February 2023, all concerned are informed that all articles specifically listed in Annex A of EO 12 (s. 2023), which are entered into or withdrawn from warehouses in the Philippines for consumption, shall be levied the MFN rates of duty as prescribed therein.

EO No. 12 shall be in full force and effect for a period of five (5) years from the date of its effectivity.

The Bureau of Customs' Electronic to Mobile (E2M) System shall reflect the MFN rates of duty pursuant to the said EO.

For record purposes, please confirm the dissemination of this circular throughout your offices within fifteen (15) days from receipt thereof.

CMC NO. 65-2023

Issue Date: March 31, 20

KEYWORDS: Authority to Release Imported Goods (ATRIG), Bureau of Internal Revenue (BIR), fertilizers and finished feeds, imported goods, no longer required

Pursuant to RMC No. 31-2003, all concerned are informed that to address the issues and facilitate the release of the imported ingredients in the production of fertilizers and finished feeds, ATRIG shall no longer be secured from the BIR. Relative thereto, the Certificate secured from the Bureau of Animal Industry (BAI) or from other concerned regulatory government agency, which is competent to certify that the ingredients being imported are "not fit for human consumption or the goods being imported cannot be used for the production of food for human consumption", shall be directly presented to the BOC to effect the release of the imported goods.

Lastly, it shall be the responsibility of the certifying government agencies to conduct their own validation of the declared goods to be released from the BOC and to submit to the BIR the list of importers that secured the said certification for tax audit purposes.

For guidance.

CMC NO. 66-2023

Issue Date: April 13, 2023

KEYWORDS: abolition, One-Stop-Shop Inter-Agency Tax Credit and Duty Drawback Center

This is with reference to the Administrative Order No. 04 by the President of the Philippines dated 20 February 2023 directing the abolition of the One-Stop-Shop InterAgency Tax Credit and Duty Drawback Center (OSS Center), and Transferring its Assets, Liabilities, and Obligations to the Department of Finance.

This is also with reference to the Memorandum dated 28 February 2023 of the Secretary of Finance, Benjamin E. Diokno, instructing the Bureau of Customs, among others, to take all proper and necessary steps to fully implement the abolition and winding down of operations of the OSS Center and providing guidelines on the implementation of this Order.

For your information and guidance.

For record purposes, please confirm the dissemination of this circular throughout your offices within fifteen (15) days from receipt hereof.

CMC NO. 71-2023

Issue Date: April 20, 2023

KEYWORDS: bond-free period extension, Fiscal Incentives Review Board (FIRB)

This is with reference to the Fiscal Incentives Review Board Advisory No. 005-2023 dated 15 March 2023 entitled: "Extension of the bond-free period from 31 March 2023 to 30 June 2023 under FIRB Resolution No. 033-22."

The extension will provide additional time for the covered RBEs in the IT-BPM sector to process the Tax Exemption Indorsement (TEI) from the Department of Finance — Revenue Office (DOF-RO), covering existing goods imported as of 31 January 2023.

For records purposes, please confirm the dissemination of this Circular throughout your offices within fifteen (15) days from receipt.

For your information and guidance.

CMC NO. 73-2023

Issue Date: May 3, 2023

KEYWORDS: HP Desktop Mini Security/Dual VESA Sleeve V3, tariff classification dispute ruling

This is with reference to Tariff Commission Circular Dispute Ruling (TCC DR) No. 22-029 issued on 18 April 2023 pursuant to Paragraph 2 of Section 1100 of Republic Act No. 10863 otherwise known as Customs Modernization and Tariff Act (CMTA) on the shipment of "HP Desktop Mini Security/Dual VESA Sleeve V3" consigned to HP PPS Philippines Inc. (Import Entry/ Customs Reference No. C-110603, NAIA) the dispositive portion of which states that:

WHEREFORE, premises considered, subject article is hereby classified as follows:

Product	AHTN 2022 Code	2022 MFN Rate	2022 ACFTA Rate
HP Desktop Mini Security/Dual VESA Sleeve V3	8302.49.99	10%	Zero*
*Subject to submission of Certificate of Origin (CO) Form "E"			

For information and guidance.

For record purposes, please confirm the dissemination of this circular throughout your offices within fifteen (15) days from receipt thereof.

OCOM MEMO NO. 29-2023

Issue Date: April 5, 2023

KEYWORDS: entry into force, Philippine-India Agreement on Cooperation and Mutual Assistance in Customs Matters

Following the ratification of the *Philippine-India Agreement on Cooperation and Mutual Assistance in Customs Matters* by President Ferdinand R. Marcos Jr., the aforesaid Agreement shall enter into force on 01 March 2023 pursuant to Article 23 (1) thereof.

In view of the foregoing, you are hereby directed to implement all applicable provisions, if any, in your respective areas of concern.

For strict compliance.

OCOM MEMO NO. 37-2023

Issue Date: May 5, 2023

KEYWORDS: Customs Memorandum Order No. 17-2021, revocation, temporary suspension

Relative to the recommendation of the Bonds Division, Port of Manila, and as concurred by the Deputy Commissioners of the Management Information System and Technology Group and Assessment and Operations Coordinating Group, the Memorandum dated 30 January 2023, issued by the former Acting Commissioner Yogi Filemon L. Ruiz, temporarily suspending the implementation of the Raw Materials Liquidation System (RMLS) and Section 3.4 of Customs Memorandum Order No. 172021 , is hereby revoked.

Consequently, the provision of Section 3.4 of CMO No. 07-2021 should be strictly observed as to the expiration of the approved bond policies, to wit:

"3.4. Approved bond policies field on the current year will expire on the 31st day of December of the calendar year. "

Further, the RMLS shall continue to roll out to other ports for implementation.

All issuances contrary to the foregoing are hereby ordered nullified.

For strict and immediate compliance.

AOCG MEMO NO. 134-2023

Issue Date: April 14, 2023

KEYWORDS: tariff commission circulars/advance rulings (TCC/AR)

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 Imported of Goods), the Tariff Commission furnished copies of the Advance Ruling (AR) on Tariff Classification with Tariff Classification Circulars (TCC/AR) issued on 05 April 2023 and the same having been reviewed and summarized as follows:

TCC NO.	DESCRIPTION OF ARTICLES	2022 AHTN CODE	2023 RATES OF DUTY
23-146	"SAN REMO TOMATO, ONION & GARLIC HOMESTYLE PASTA SAUCE"	2103.20.00	MFN - 10% Ad Valorem AANZFTA - Zero*
23-147	"SAN REMO BOLOGNESE & MUSHROOM HOMESTYLE PASTA SAUCE"	2103.20.00	MFN - 10% Ad Valorem AANZFTA - Zero*

**Subject to submission of their corresponding CERTIFICATE OF ORIGIN (CO).*

AOCG MEMO NO. 151-2023

Issue Date: April 25, 2023

KEYWORDS: tariff commission circulars/advance rulings (TCC/AR)

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 Imported of Goods), the Tariff Commission furnished copies of the Advance Ruling (AR) on Tariff Classification with Tariff Classification Circulars (TCC/AR) issued on 18 April 2023 and the same having been reviewed and summarized as follows:

TCC NO.	DESCRIPTION OF ARTICLES	2022 AHTN CODE	2023 RATES OF DUTY
23-047	"SPRAY DRIED COFFEE EXTRACT VMC06"	<u>In-Quota</u> 2101.11.90.100	MFN - 30% Ad Valorem ATIGA - Zero*
		<u>Out-Quota</u> 2101.11.90.200	MFN -45% Ad Valorem ATIGA - Zero*
23-048	"SPRAY DRIED COFFEE EXTRACT QB325"	<u>In-Quota</u> 2101.11.90.100	MFN - 30% Ad Valorem ATIGA - Zero*
		<u>Out-Quota</u> 2101.11.90.200	MFN -45% Ad Valorem ATIGA - Zero*
23-051	"SPRAY DRIED COFFEE EXTRACT VM620"	<u>In-Quota</u> 2101.11.90.100	MFN - 30% Ad Valorem ATIGA - Zero*
		<u>Out-Quota</u> 2101.11.90.200	MFN -45% Ad Valorem ATIGA - Zero*
<i>*Subject to submission of their corresponding CERTIFICATE OF ORIGIN (CO).</i>			

AOCG MEMO NO. 153-2023

Issue Date: April 26, 2023

KEYWORDS: tariff commission circulars/advance rulings (TCC/AR)

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 Imported of Goods), the Tariff Commission furnished copies of the Advance Ruling (AR) on Tariff Classification with Tariff Classification Circulars (TCC/AR) issued on 20 April 2023 and the same having been reviewed and summarized as follows:

TCC NO.	DESCRIPTION OF ARTICLES	2022 AHTN CODE	2023 RATES OF DUTY
22-590	"AQUATÉTHYS ATMOSPHERING WATER GENERATOR, MODEL: ELEPHANT 5 (E5)"	8479.89.69	MFN - 1% Ad Valorem
23-091	"PLATE BRG HOLD, PART NO.: 90441-KRM-8404"	7318.22.00	MFN - 10% Ad Valorem ATIGA - Zero*

**Subject to submission of their corresponding CERTIFICATE OF ORIGIN (CO).*

AOCG MEMO NO. 154-2023

Issue Date: April 28, 2023

KEYWORDS: tariff commission circulars/advance rulings (TCC/AR)

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 Imported of Goods), the Tariff Commission furnished copies of the Advance Ruling (AR) on Tariff Classification with Tariff Classification Circulars (TCC/AR) issued on 24 April 2023 and the same having been reviewed and summarized as follows:

TCC NO.	DESCRIPTION OF ARTICLES	2022 AHTN CODE	2023 RATES OF DUTY
23-093	"NUT, SPL FLANGE 14 MM, PART NO.: 902002-KRM-8403"	7318.16.10	MFN - 10% Ad Valorem ATIGA - Zero*
23-095	"WASHER DRUM STOPPER, PART NO.: 90417-KRM-8403"	7318.22.00	MFN - 10% Ad Valorem ATIGA - Zero*
23-098	"NUT, CYLINDER HEAD, PART NO.: 90306-KRM-8403"	7318.29.10	MFN - 10% Ad Valorem ATIGA - Zero*
23-125	"CHERY EQ1"	8703.80.98	MFN - Zero ACFTA - 30% Ad Valorem
23-145	"HYMM ELECTRIC MINI BUS"	8702.40.79	MFN - 20% Ad Valorem ACFTA - 5% Ad Valorem
23-162	"KIA EV6"	8703.80.98	MFN - Zero AKFTA - 5% Ad Valorem
23-166	"PISTON, PART NO.: 13101-K41-N0000"	8409.91.37	MFN - 1% Ad Valorem ATIGA - Zero*
23-167	"BOLT, BRK DISK (8 MM X 24 MM), PART NO.: 90105-KGH-9001"	7318.15.10	MFN - 10% Ad Valorem ATIGA - Zero*
23-168	"RING, PISTON TOP, PART NO.: 13121-KYY-9011-M1"	8409.91.38	MFN - 1% Ad Valorem ATIGA - Zero*
23-169	"RING, PISTON SECOND, PART NO.: 13131-KYZ-9011-M1"	8409.91.38	MFN - 1% Ad Valorem ATIGA - Zero*
23-188	"BYD TANG II EV"	8703.80.98	MFN - Zero ACFTA - 30% Ad Valorem
23-190	"BYD EA1 - DOLPHIN"	8703.80.98	MFN - Zero ACFTA - 30% Ad Valorem
23-202	"SAN REMO ACTIVE FIBRE ENRICHED VEGERONI PASTA SHAPES"	1902.19.90	MFN - 15% Ad Valorem AANZFTA - Zero*
23-219	"KUMON® BINDER"	3926.10.00	MFN - 15% Ad Valorem ATIGA - Zero
23-220	"KUMON® WORKSHEETS"	4901.99.10	MFN - Zero ATIGA - Zero*

**Subject to submission of their corresponding CERTIFICATE OF ORIGIN (CO).*

AOCG MEMO NO. 155-2023

Issue Date: April 28, 2023

KEYWORDS: *tariff commission circulars/advance rulings (TCC/AR)*

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 Imported of Goods), the Tariff Commission furnished copies of the Advance Ruling (AR) on Tariff Classification with Tariff Classification Circulars (TCC/AR) issued on 25 April 2023 and the same having been reviewed and summarized as follows:

TCC NO.	DESCRIPTION OF ARTICLES	2022 AHTN CODE	2023 RATES OF DUTY
23-208	"DUNKIN® 100% COLOMBIAN MEDIUM ROAST GROUND COFFEE"	<u>In-Quota</u> 0901.21.20.100	<u>In-Quota</u> MFN - 40% Ad Valorem
		<u>Out-Quota</u> 0901.21.20.200	<u>Out-Quota</u> MFN- 40% Ad Valorem
23-212	"FOLGERS® SIMPLE SMOOTH GROUND COFFEE"	<u>In-Quota</u> 0901.21.20.100	<u>In-Quota</u> MFN - 40% Ad Valorem
		<u>Out-Quota</u> 0901.21.20.200	<u>Out-Quota</u> MFN- 40% Ad Valorem
23-213	"TABASCO® BRAND BUFFALO STYLE HOT SAUCE"	2103.90.11	MFN - 7% Ad Valorem
23-234	"DUNKIN® ORIGINAL BLEND MEDIUM ROAST GROUND COFFEE"	<u>In-Quota</u> 0901.21.20.100	<u>In-Quota</u> MFN - 40% Ad Valorem
		<u>Out-Quota</u> 0901.21.20.200	<u>Out-Quota</u> MFN- 40% Ad Valorem

**Subject to submission of their corresponding CERTIFICATE OF ORIGIN (CO).*

ABOUT US

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