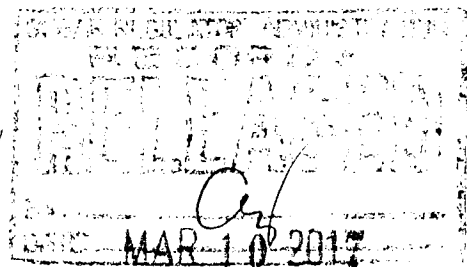




Republic of the Philippines
Department of Agriculture
SUGAR REGULATORY ADMINISTRATION
Sugar Center Bldg., North Ave., Diliman, Quezon City
Philippines 1101
TIN 000-784-336

MEMO-REG-OTM-2016-FEB-011



March 9, 2017

CIRCULAR LETTER NO. 22
Series of 2016-2017

SUBJECT : Implementing Rules and Regulations (IRR) on the Issuance of Clearance for Release of Imported High Fructose Corn Syrup (HFCS) and Chemically Pure Sucrose

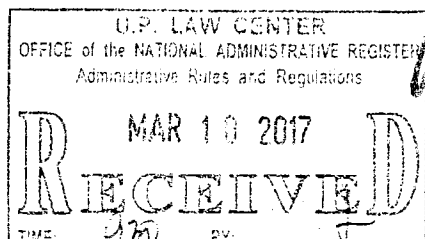
Pursuant to Sugar Order No. 3, Series of 2016-2017, dated 17 February 2017, on the abovementioned subject, hereunder are the guidelines on the importation of HFCS and chemically pure sucrose (i.e. crystalline fructose), in whatever intensity or form (hereinafter referred to as "Fructose"), to wit:

1. Requirements on the Issuance of Clearance for Release of Imported Fructose

- 1.1 Only importers or consignees duly registered as international sugar trader with the Sugar Regulatory Administration (SRA) are eligible to apply for the Clearance to Release of Imported Fructose ("Clearance").
- 1.2 The Clearance shall be issued upon application, submission of the requirements by the importer/consignee with the SRA Regulation Department, Quezon City and classification of the Imported Fructose by the Sugar Board.

The requirements in the application for issuance of the Clearance are enumerated in Paragraph 6 (6.1.1).

- 1.3 The application for the Clearance shall be subject to applicable fees, liens or charges of SRA.
- 1.4 The Clearance domestic market, "C" for Reserved, or "D" for World Market.
- 1.5 No applications for Clearance shall be accepted for processing unless all the requirements are duly complied with and applicable fees and charges are paid.



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OIC, General Administrative Division

2. Computation of Clearance Fee for Release of Imported Fructose

The corresponding Clearance Fee shall be computed as:

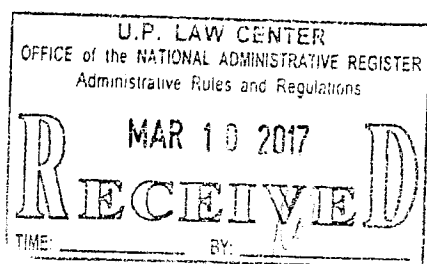
- 2.1 Php30.00/50-kilo (LKg) bag of raw sugar equivalent of the Fructose, established, thus:
 - 2.1.1 One (1) Metric Ton of HFCS shall be equivalent to twenty (20) LKg-Bags of raw sugar
 - 2.1.2 One (1) Metric Ton of Crystalline Fructose shall be equivalent to twenty four (24) LKg-Bags of raw sugar

3. Classification and Reclassification of Imported Fructose

- 3.1 Upon submission by the importer or consignee of all the documentary requirements with SRA Regulation Department, Quezon City, the application shall be endorsed to the Sugar Board for purposes of classifying the imported fructose as either "B" or Domestic Market, "C" for Reserved or "D" for World Market.
- 3.2 If the imported fructose is originally classified as "C" for Reserved, the importer or consignee must request the SRA Board for the reclassification of imported fructose originally classified as "C" to either "B" or "D". The importer or consignee must indicate in its request for reclassification the volume to be reclassified, the address of the warehouse where "C" fructose is to be delivered, and must pay reclassification fee of Php 60.00 per metric ton.

4. Withdrawals of Fructose

- 4.1 All imported Fructose withdrawn from the BOC after issuance of the **Clearance for Release of Imported Fructose** by SRA shall be stored in a custom bonded warehouse.
- 4.2 No imported fructose classified as "C" shall be withdrawn from the custom bonded warehouse without an approved reclassification as "B" (for consumption) or "D" (for export) by the Sugar Board and approved SRA Clearance.



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5. Warehousing and Monitoring of Imported Fructose

- 5.1 All imported fructose shall be stored in a custom bonded warehouse prior to its release for consumption or export.
- 5.2 The importer or consignee of imported fructose shall inform the SRA Regulation Department, Quezon City at least three (3) working days in advance of the date of withdrawal of the Fructose from the BOC to the custom bonded warehouse.

The description and plate number/s of the vehicle/s to transport the same, and the detailed address/s of the warehouses/s or destination/s (including intermediate or transshipment destination/s) or the Fructose shall be included.

5.3 All custom bonded warehouses storing Fructose shall maintain a ledger recording therein date of receipt, the volume of Fructose received/stored, its classification, volume and date/s withdrawn. The ledger shall be kept and updated by an authorized personnel of the importer or consignee.

The transfer of Fructose of any volume to another custom bonded warehouse shall be upon the discretion of the SRA Board.

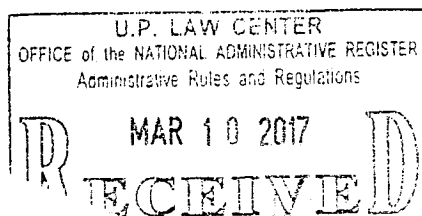
- 5.4 In case where the imported Fructose are to be moved coastwise, whether for warehousing or consumption, the importer/consignee is required to apply for shipping permit and make payment of the required shipping permit fee of P30/metric ton.
- 5.5 SRA Monitoring personnel duly authorized by the Administrator shall from, time to time, conduct unannounced inspections of the warehouse/s, transportation and/or ledger/s of the imported Fructose.

6 Functional Responsibilities

6.4 Importer/Consignee

6.4.1 Shall apply with the SRA for Clearance for Release of Imported Fructose attached thereto the following requirements, to wit:

1. Letter application for issuance of Clearance (copy hereto attached)
2. Bill of Lading
3. Certificate of Origin
4. Certificate of Analysis



[Signature]

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5. Notarized Declaration by the importer of consignee that the Fructose is either produced or derived from genetically modified organisms or not
6. Undertaking that the applicant shall comply with SRA rules and regulations
7. Payment of applicable SRA Clearance fees

6.4.2 Provide other requirements the SRA may require from time to time.

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

6.4.4 Shall request for the reclassification of "C" (Reserved) to "B" (Domestic) or "D" (world market) prior to its release in the domestic market or for export.

6.4.5 Upon issuance of the Clearance for Release of Imported Fructose, shall submit a Notice to Withdraw at least three (3) working days in advance of the date of withdrawal to the SRA.

6.4.6 Shall allow the SRA Monitoring Team to open and inspect the warehouse/s where the imported fructose are stored and its ledgers or record books at any given time during the working day without prior notice.

6.4.7 Shall comply with the warehousing requirements for all imported fructose.

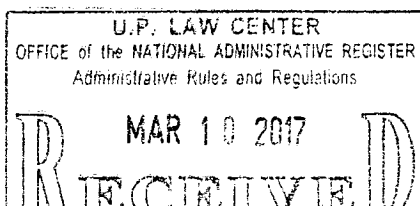
6.4.8 Shall comply with the provisions of Sugar Order No. 3, Series of 2016-2017, dated 17 February 2017.

6.5 SRA

6.5.1 Shall review and approve the application for the issuance of Clearance for Release of Imported Fructose according to the IRR.

6.5.2 Shall determine the classification/reclassification of imported fructose as either "B" for Domestic Market, "C" for Reserved and "D" for World Market.

6.5.3 Shall conduct inventory of the imported fructose and inspect the warehouse/s storing the same and its ledger at any given time without prior notice.



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N. C. BALAGUER, JR.
Director, National Administrative Register

6.5.4 Shall impose the penalties provided under Sugar Order No. 10 Series of 2009 – 2010 as amended by Sugar Order No. 10-A, Series of 2009-2010 without prejudice to other administrative and/or legal action that SRA may pursue.

6.5.5 Shall implement the provisions of Sugar Order No. 3, Series of 2016-2017, dated 17 February 2017.

6.6 BOC

6.6.1 Shall require the HFCS importer/consignee of the SRA clearance and classification prior to the release of the said commodity.

6.6.2 Shall allow the warehousing storage of HFCS to custom bonded warehouse.

6.7 Custom Bonded Warehouse


6.7.1 Shall not allow the withdraw of fructose without the same having been classified as "B" for consumption or "D" for export.

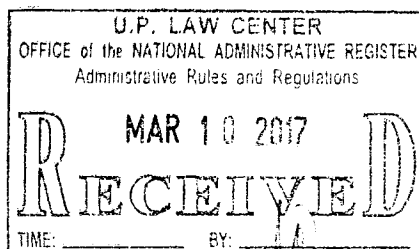
6.7.2 Shall allow SRA to inspect its warehouse for imported fructose and its corresponding ledgers/record books without prior notice.

6.7.3 Shall maintain a ledger/record book individually for each fructose importer/applicant indicating therein the provisions stated in paragraph 5.3

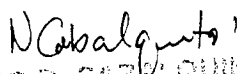
This Circular Letter shall take effect immediately.

By authority of the Sugar Board:


ANNA ROSARIO V. PANER
Administrator



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Administrative Division