



Republic of the Philippines
Department of Agriculture

SUGAR REGULATORY ADMINISTRATION

Sugar Center Bldg., North Avenue, Diliman, Quezon City, Philippines 1101
TIN 000-784-336
Website: <http://www.sra.gov.ph>
Email Address: srahead@sra.gov.ph
Tel No. (632) 8929-3633, (632) 3455-2135, (632) 3455-3376

OFFICE of the NATIONAL ADMINISTRATIVE REGISTER
Administrative Rules and Regulations
R JUL 06 2023 D
REGISTERED
No. 23-0669
BY: es

SUGAR REGULATORY ADMINISTRATION
RECORDS SECTION
RELEASED
May 25 2023
BY: _____
DATE: JUL 06 2023

SUGAR ORDER NO. 7
Series of 2022-2023

SUBJECT : 3rd SUGAR IMPORT PROGRAM FOR CROP YEAR 2022-2023 and 2nd SUGAR IMPORT PROGRAM FOR THE CALENDAR YEAR 2023

WHEREAS, Executive Order No. 18, series of 1986, provides that one of the objectives in the creation of the SRA is to ensure adequate and stable supply of sugar for domestic consumption in order to stabilize prices at a level reasonably profitable to the producers and fair to consumers;

WHEREAS, Section 8 of SIDA affirms the mandate of the SRA to regulate the supply of sugar in the country, in addition to its powers and functions under Executive Order No. 18, series of 1986, and establish a supply chain monitoring system from sugarcane to sugar at the retail level to ensure sufficiency and safety of sugar;

WHEREAS, after taking into consideration all data on record, the comments of the stakeholders, the SRA deems it necessary to adopt additional, responsive and pre-emptive measures through timely government intervention by way of importation in order to maintain a balanced supply and demand of sugar for domestic consumption while ensuring stable prices;

WHEREAS, despite the relatively stable supply of sugar noted at the start of the milling season for Crop Year 2022-2023, the SRA, in the exercise of its regulatory authority, taking into consideration the production losses due to the early start of milling in August, plus unfavorable weather conditions and related factors, the foregoing premises and the anticipated increase in demand of sugar due to the easing of restrictions¹, the first Sugar Order No.06, Series of 2022-2023 was released to help stabilize the supply and prices for the Production Crop Year 2022-2023.

WHEREAS, despite the release of Sugar Order 06 import program Series of 2022-2023, the further reduction of sugar production volume for Crop Year 2022-2023 is forecasted due to early start and early end of milling, and in anticipation of the possible shortfall of supply and to bridge the gap between the supply and the

Certified True Copy

for

CONCEPCION C. RUBY
Records Officer III
Sugar Regulatory Administration
North Avenue, Diliman, Quezon City



Management System
ISO 9001:2015



www.tuv.com
ID: 910505567

demand, the SRA finds it imperative to open a second import program to address the demand for CY 2022-2023.

NOW, THEREFORE, by authority vested in the Sugar Regulatory Administration, the following is hereby ordered:

Section 1. This shall be the 3rd Sugar Import Program for Crop Year 2022-2023 and the 2nd Import Program for the Calendar Year 2023. The intention of this sugar import program is to ensure sufficient actual supply of sugar for domestic consumption, as well as a 2 month buffer stock.

Section 2. Eligible Participants. This Sugar Import Program shall be open to duly registered SRA International Sugar Traders in good standing; and Compliant to Documentary requirements of the SRA/government; amongst others. ("**Eligible Importer**")

Section 3. Volume and Type of Sugar. The maximum volume of imported sugar covered by this Order shall be:

3.1 ONE HUNDRED FIFTY THOUSAND METRIC TONS (150,000 MT) of refined sugar.

Section 4. Definition of Terms. For purposes of this Sugar Order, and unless the context shall otherwise provide, the following terms shall mean:

- (a) Refined sugar – sugar with color range of 1-100 ICUMSA unit and a minimum polarization of 99.8 polarization.
- (b) Consumers - shall refer to institutional users, retailers, wholesalers, traders, and manufacturers/industrial users.
 - a. Wholesalers and traders refer to those engaged in selling raw/refined sugar in bulk to retailers, institutional users, and other industries requiring the use of raw and/or refined sugar regardless of quantity, and such other similar businesses.
 - b. Retailers and re-packers refer to those engaged in selling of raw or refined sugar in small quantities to the general public for consumption such as groceries, public markets, convenience stores and the like.
 - c. Institutional users refer to institutions using raw or refined sugar in any of their social, religious, charitable, educational activities or business-related functions These include but are not limited to restaurants, fast food chains, schools, churches, nursing homes, penal institution resorts, hotels, hospitals and other similar institutional users. (new)

Certified True Copy


CONCEPCION C. RUBY
Records Officer III

Sugar Regulatory Administration
North Avenue, Diliman, Quezon City

- d. Manufacturer/Industrial Users are those that are engaged in manufacturing activities and who, in the manufacture of their finished product that are for sale or use EXCLUSIVELY in the DOMESTIC market, uses mechanical and/or chemical process, using raw and/or refined sugar among others. This shall include but are not limited to manufacturers of beverages, carbonated drinks, bakery products, confectionaries, candies, milk, juice processed fruits, pharmaceuticals.

Section 5. Volume. The volume allocated to an eligible importer shall be approved by the SRA Board.

Section 6. Period for Submission of Applications and Award of Allocation. The SRA Regulation Department in Quezon City and Bacolod City shall begin accepting applications and requirements for importation under this Sugar Import Program from the date of effectivity of this order, for three (3) calendar days. The award of the foregoing allocations shall be given within three (3) calendar days from the last day of acceptance of applications.

Section 7. Requirements and Application for Importation and Allocation. The Eligible Importer shall submit to the SRA Regulation Department in Quezon City and/or Bacolod City the following requirements:

- 7.1. A duly notarized application letter signed by the President/Chief Executive Officer, Chief Operating Officer, Partner or Owner to participate in the Sugar Import Program with the following details:


- 7.1.a. The volume of sugar applied for under Section 3;
7.1.b. Country of origin;
7.1.c. Specific address of SRA-registered warehouse where the imported sugar shall be stored;
7.1.d. Undertaking stating the following:

1. That the Eligible Importer shall purchase or shall have purchased for CY 2022-2023, an equal volume of locally produced refined sugar as the volume of imported sugar that may be allocated to it under this Sugar Import Program. Should the Eligible Importer purchase or has purchased for CY 2022-2023 locally produced raw sugar, the conversion shall be on a 1:1.2 basis. The deadline for the purchase of locally produced refined/raw sugar shall be on August 31, 2024.
2. That the Eligible Importer shall completely distribute its allocation to its clients, within one (1) month from actual arrival of the shipment, but not later than October 15, 2023.

Certified True Copy 3. That the Eligible Importer shall comply with this Order and other resolutions or circulars of SRA on sugar importation.


CONCEPCION C. RUBY
Records Officer III

Sugar Regulatory Administration
North Avenue, Diliman, Quezon City





7.2 Original or certified true copies of the following:

- 7.2.a. Valid Food and Drug Administration Certificate of Product Registration of the refined sugar to be imported;
- 7.2.b. Valid Food and Drug Administration License to Operate for Registered International Sugar Traders;
- 7.2.c. Latest valid applicable Bureau of Internal Revenue (BIR) Certificate of Tax Clearance/Certificate of No tax Liability;
- 7.2.d. Certificate of Good Standing/No Derogatory Record from Securities and Exchange Commission (SEC) for corporations and partnerships, from the Department of Trade and Industry (DTI) for single proprietorships, and from the Cooperative Development Authority (CDA) for cooperatives;

7.3 Proof of Payment of Performance Bond required in Section 13 hereof.

Section 8. Period of Arrival of Imports. The Eligible Importers who are granted allocations under this Sugar Import Program shall ensure that their respective allocated volumes shall arrive in the Philippines not later than September 15, 2023. Thereafter, each Eligible Importer shall be given one (1) month from actual arrival of shipment to completely distribute their allocations and submit to SRA within 30 calendar days thereafter written proof of compliance to the said actual distribution. Any imported volume of refined sugar that arrives under this sugar order shall be classified as "C" ("Reserve Sugar") subject to future disposition or reclassification, as SRA deems necessary.

Furthermore, Eligible Importers that fail to bring in any volume of their imported refined sugar allocation or raw sugar allocation on or before September 15, 2023, may be subject to sanctions and penalties as the SRA may deem fit and proper.

Section 9. Requirements for Issuance of SRA Clearance for Release. Eligible Importers under this Sugar Import Program shall submit to the SRA Regulation Department in Quezon City or Bacolod City the following requirements for issuance of SRA Clearance for release of imported sugar:

- 9.1 Duly notarized application letter for issuance of SRA Clearance indicating the volume of imported sugar applied for;
- 9.2 Bill of Lading;
- 9.3 Commercial Invoice of imported sugar;
- 9.4 Packing List;
- 9.5 Certificate of Analysis (from country of origin);
- 9.6 Proof of payment of applicable SRA fees provided under relevant sugar orders;
- 9.7 Proof of Payment of Performance Bond of P750 per 50-kilo bag;
- 9.8 Reimbursement of performance bond, faithful compliance of the provisions of this order, and upon submission of Sugar Release Order as proof of purchase of domestic sugar of CY 2022/23 and 2023/24 not later than August 31, 2024; and
- 9.9 Other requirements as the SRA Board may require.

Certified True Copy

FOR
CONCEPCION C. RUBY
Records Officer III

Sugar Regulatory Administration
North Avenue, Diliman, Quezon City

Section 10. SRA Clearance Fees. The SRA shall collect a fee of Thirty Three Pesos (P33.00) per 50-kilo bag of imported refined sugar as SRA Clearance Fee.

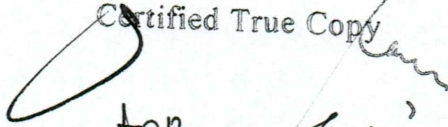
Section 11. Classification and Reclassification. Necessary conversion fees shall be paid upon application for import processing and such conversion of imported volume for this particular Sugar Order shall be approved by the SRA BOARD. Only after approval from SRA BOARD has been obtained can the stocks be released from SRA registered warehouses or from the vessel, for sale to the domestic market.



Section 12. Warehousing and Monitoring of Imported Sugar.

- 12.1 Imported sugar classified under this Sugar Order shall only be stored in an SRA-registered warehouse or directly to the Consumer's warehouse as indicated in the importer's application. However, the declared Consumer's warehouses must be pre-inspected to avoid co-mingling of imported sugar stocks and domestic sugar stocks.
- 12.2 Imported sugar may be stored in the same SRA-registered warehouse where domestically produced sugar is stored. Provided that imported sugar shall be segregated as a separate pile for monitoring of SRA.
- 12.3 All warehouses storing imported sugar shall each maintain onsite a ledger that shall record, among others, dates of delivery of the imported sugar to the SRA-registered warehouse and the dates and volume of withdrawal of reclassified "B" sugar from the same warehouse.
- 12.4 Non-compliance with the above warehousing rules shall be subject to fines as determined by the SRA.

Section 13. Performance Bond. Every allocation of imported refined sugar shall be subject to a bond of **Seven Hundred Fifty Pesos (P750.00)** per 50-kg bag. The total amount of the bond shall be payable to the Sugar Regulatory Administration in the form of a Manager's Check. The bond shall be made to answer for violations or non-compliance by the Eligible Importers to the orders, resolutions or circulars of SRA.

Provided, this performance bond shall be released upon submission of proof of purchase (Sugar Release Order/ Sugar Delivery Order/ Refined Sugar Quedan) of an equal volume of locally produced sugar contemporaneous with the importation and compliance to the undertaking stated in Section 7 item 7.1.d. Otherwise, the bond shall be forfeited in favor of SRA which shall then be allocated to finance fertilizer subsidy programs and such other developmental programs to alleviate the plight of the sugarcane farmers.

Certified True Copy

CONCEPCION C. RUBY
Records Officer III
Sugar Regulatory Administration
North Avenue, Diliman, Quezon City

Provided further, that these local sugar purchases, in the case of refined sugar shall be on 1:1 basis and in the case of raw sugar shall be on a 1:1.2 basis.

Section 14. Sanctions.

14.1 Non-compliance with or violation of any provision of this Sugar Order or any orders, resolutions or circulars of SRA by Eligible Importers shall result in the forfeiture of the entire Performance Bond without prejudice to other sanctions as the SRA may deem proper including those provided in the SRA Book of Penalties and existing laws, rules, regulations and issuances.

14. 2 Any natural or juridical person that imports sugar but is not an Eligible Importer or does so without the approved allocation granted by SRA shall be considered as engaged in sugar smuggling and will be prosecuted under RA 10845 or the Anti-Agricultural Smuggling Act and other existing laws, rules, regulations and issuances.

Section 15. Provisions of other sugar orders, circulars, letters and or rules and regulations contrary to or inconsistent with this Sugar Order are hereby amended, modified or revoked accordingly.

Section 16. A copy of this Sugar Order shall be filed with the Office of the National Registrar, UP Law Center, Diliman Quezon City.

Section 17. This Sugar Order shall take effect three (3) days from its filing with the Office of the National Registrar, UP Law Center, Diliman, Quezon City.

Certified True Copy

for
CONCEPCION C. RUBY
Records Officer III
Sugar Regulatory Administration
North Avenue, Diliman, Quezon City

Approved By:

[Signature]
H.E. PRESIDENT FERDINAND R. MARCOS, JR.
Secretary of Agriculture

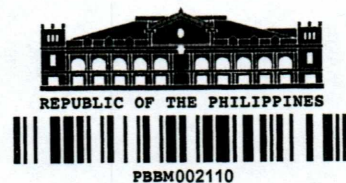


[Signature]
DOMINGO F. PANGANIBAN
Senior Undersecretary
Department of Agriculture

[Signature]
PABLO LUIS S. AZCONA
Acting SRA Administrator / CEO

[Signature]
MA. MITZI V. MANGWAG
Acting Board Member
Millers' Representative

VACANT
Acting Board Member
Planters' Representative



FBBM002110