

FILLING UP THE U.S. QUOTA FOR QUOTA YEAR 2005-2006

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WHEREAS, the United States of America has allocated for the Philippines an initial quota of 156,975 Metric Tons Raw Value (MTRV) or 151,667 Metric Tons Commercial Weights (MTCW) for Quota Year 2005-2006;

WHEREAS, under the Tariff Rate Quota (TRQ) country allocations for raw sugar for the said Quota Year, the United States Trade Representative (USTR) has waived the quarterly shipment requirement (no shipping pattern restrictions) of our regular allocation of 151,667 MTCW;

WHEREAS, Certificate for Quota Eligibility (CQE) will be issued to the Philippines to ship any volume of raw sugar at any given time/period as part of our regular allocation of 151,667 MTCW within the Quota Year 2005-2006;

WHEREAS, it is in the national interest that the "First Come-First Served" policy of allocating the U.S. Quota among sugar traders/exporters shall apply;

WHEREAS, it is to the best interest of the Philippines to fill up the U.S. Quota for Quota Year 2005-2006 with good quality sugar;

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

SECTION 1. Sugar exporters with "A" or U.S. Quota sugar quedan-permits issued during the current Crop Year 2005-2006 and the previous Crop years 1996-1997 to 2004-2005 (unshipped old crop "A" sugar) are hereby advised to apply with the SRA for export allocations attached thereto the aforesaid quedan-permits for verification/processing in order to fill up the allocations of the U.S. Quota for Quota Year 2005-2006.

SECTION 2. The U.S. Quota Allocation for Quota Year 2005-2006 shall be allocated among the sugar exporters on a "First Come-First Served" basis.

Likewise, all sugar shipments to the U.S. shall be made on a "First-In, First-Out" basis.

In the event the exporter shall have sold his verified "A" quedan-permits to another party, the allocation of the said exporter is deemed cancelled, in which case, the said "A" quedan-permits shall be subject to verification again by the SRA for allocation on a "First Come-First Served" basis.

SECTION 3. The "A" or U.S. Quota Sugar to fill up the 2005-2006 U.S. Quota should be of good quality and preferably near the bulk terminals/loading ports.

In order to ensure that good quality sugar shall be exported to the U.S. exporters with "A" quedan-permits of previous crop year/s, eligible for export pursuant to this Order, are hereby required to procure "B" or Domestic quedan-permits issued during the current Crop Year 2005-2006 and have the said "B" quedans swapped against "A" quedans of previous crop year/s or to provide the SRA with a certification from the sugar mill (duly notarized) that good quality sugar shall be exported.

SECTION 4. The "A" quedan-permits of previous crop year/s and the "B" quedan-permits of the current Crop

Year 2005-2006 when submitted to the SRA for regular swapping shall be stamped at the back thereof as: `SURCHARGED AS "B" OR DOMESTIC SUGAR OF PREVIOUS CROP YEAR PER S.O. NO. _____, SERIES OF 2005-2006', and surcharged per S.O. No. ____ series of 2005-2006, respectively.

SECTION 5. All fees and charges due the SRA for the processing of documents relative to the filling up of the 2005-2006 U.S. Quota Allocation shall be subject to SRA General Administrative Order No. 1, Series of 2002-2003 dated 20 February 2003.

SECTION 6. All forms and/or documents relevant to export of sugar to the U.S. market as prescribed in Circular Letter No. 44, Series of 1995-1996, shall remain in force.

SECTION 7. This Sugar Order shall take effect immediately.

SECTION 8. Provisions of Sugar Orders, Circular Letters, and/or other rules and regulations contrary to or inconsistent with this Sugar Order, are hereby amended, modified or revoked accordingly.

Adopted: 26 Sept. 2005

By Authority of the Sugar Board:

(SGD.) JAMES C. LEDESMA
Administrator

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