NATIONAL ADMINISTRATIVE REGISTER · APRIL 21, 1994

ILLEGAL IMPORTATION, SELLING, OR OFFERING FOR SALE AND/OR UNAUTHORIZED POSSESSION OF IMPORTED RICE

NFA LETTER-CIRCULAR NO. IR-94-01, April 21, 1994

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Pursuant to NFA Council Resolution No. 60-94 issued by virtue of the provision of P.D. No. 4, as amended, as well as Executive Order No. 1028 and Magna Carta of Small Farmers, (RA 7607), mandating that the National Food Authority (NFA) shall continue to have the exclusive authority to import rice when necessary and when authorized by the President, the following acts are declared unlawful and prohibited:

1. Importation by any person, natural or juridical, of rice irrespective of variety and milling degree such as but not limited to Calrose of different brands like Sun West, Sun Harvest and Sun Valley as well as Kokuhu, Fuji, Jasmine, Vialone and Basmati, among others;

2. Selling or offering for sale by any person, natural or juridical, any of the aforementioned imported rice, irrespective of their quantity.

Accordingly, possession by any person, natural or juridical, of said imported rice shall be prima facie evidence that the same has been produced through illegal means or from an unauthorized source.

Any person who violates any provision of this Letter-Circular shall subject the offender to prosecution under Sec. 29 of Presidential Decree No. 4, as amended, which imposes a penalty of imprisonment or fine or both such fine and imprisonment at the discretion of the Court upon conviction and the imposition of administrative sanctions at the discretion of the NFA Administrator like warning, suspension, and/or cancellation of NFA license, or a fine ranging from One Thousand Pesos (P1,000.00) to Four Thousand Pesos (P4,000.00). The Administrator may likewise issue preventive measures such as but not limited to the issuance of an order of desistance pending investigation and/or litigation and to order the seizure of the commodities and to dispose the same in a manner as directed by the court.

If the violation is committed by a corporation, partnership, or association, the penalty shall be imposed upon the President, Directors, Manager, Managing Partner, as the case maybe, or other officials thereof, responsible for such violation.

Pursuant further, to Section 6, paragraph a, subsection (x) of Presidential Decree No. 4, as amended, and to be able to enforce the provisions of this Letter-Circular, the Administrator is hereby authorized to call upon and to deputize any NFA officials and employees or officials of other government agencies as may be necessary to assist the National Food Authority in carrying out its functions.

This Letter-Circular shall take effect fifteen (15) days following its publication once in three (3) newspapers of general circulation and filing three (3) certified copies with the U.P. Law Center.

Adopted: 21 Apr. 1994

(SGD.) ROMEO G. DAVID
Administrator

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