AMENDMENT OF SUGAR ORDERS NO, 6 AND 8, SERIES OF 2007-2008 RE: REINSTATEMENT OF EXPIRED (HOMELESS) “A” QUEDANS INTO “A” OR U.S. QUOTA SUGAR AND REVISED VERIFICATION AND SHIPMENT...

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WHEREAS, the United States of America has allocated for the Philippines an initial quota of 142,160 Metric Tons Raw Value (MTRV) or 137,353 Metric Tons Commercial Weight (MTCW) for Quota Year 2007-2008.

WHEREAS, the SRA is mandated by Executive Order No. 18, Series of 19 protect the interest of the sugar industry in genera! and sugar producers in particular without compromising our export commitment to the U.S. in terms of quality of the "A" sugar and its shipment schedule;

WHEREAS, there is a need to ensure that the full U.S. Quota is actually shipped to the United States after the verification of "A"quedans has been accomplished;

WHEREAS, to facilitate the filling up of the U.S. Quota, the SRA has issued Sugar Order No. 6, Series of 2007-2008 dated 23 October 2007 and Sugar Order No. 8, Series of 2007-200S dated 28 January 2008, providing for the deadlines for verification and shipment/ nomination of the vessel;

WHEREAS, the said sugar orders provided that the failure to comply with the deadlines set for verification and shipment/nomination of the vessel will render the "A" quedans as "homeless" or "expired" and the sugar cannot be withdrawn from the mill;

WHEREAS, as of week ending March 23, 2008, only 81,174.54 MT was verified out of 128,863MT (24,413MT old crop and 104,450MT new crop) "A" or U.S. Market Sugar;

WHEREAS, the SRA has been receiving requests for reinstatement of homeless/ expired "A" or U.S. Market sugar quedans which have not complied with the verification deadlines earlier set by the SRA and despite the extension from January 9,2008 to February 29,2008;

WHEREAS, SRA's policy of reinstatement of homeless/expired "A" had been used and abused by "A" quedan holders who have wilifully disregarded the verification and shipment nomination deadlines,

WHEREAS, it has been observed that many "A" quedan holders have been verifying their "A" sugar quedans but have failed to nominate/shipped the "A" sugar on the scheduled dates, defeating the purpose of imposing verification deadlines;

WHEREAS, for equality purposes on fees, SRA should treat the "A" quedan holders proportionately according to the length of time their quedans have remained homeless/ unshipped.

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

SECTION 1. Reinstatement of "A" and deadline for Verification of "A" Quedans including those of Previous

Crop Years and those Homeless Quedans of the Present Crop Year.

1.1 "A" OF PREVIOUS CROP YEARS. The "A" sugar quedans that has been declared as "A" 'homeless' sugar pursuant to Sugar Order/s of the old crop years are hereby reinstated as "A" or U.S. Quota sugar.

For monitoring purposes, "A" quedans of previous crop years, whether unverified or previously verified but remained unshipped after the lapse of their shipping schedules should be verified/re-verified with SRA-Quezon City to be eligible for U.S. shipment for U.S. Quota Year 2007-2008 according to the schedules herein prescribed;

A reinstatement fee of P65.00 per LKg-Bag for "A" sugar produced for crop year (CY) 2008-2007 and an additional P35.00 per LKg-Bag for every crop year before CY 2006-2007 that it remained homeless shall be paid upon filing of the application for verification with the SRA.

1.2 HOMELESS "A1 OF PRESENT CROP YEAR. The "A" sugar quedans that have be declared as "A" homeless1 sugar pursuant to Sugar Order Nos. 6 and No 8 Series of 2007-2008 are hereby reinstated as "A" or U.S. Quota sugar.

Unverified "A" quedans of crop year2007-2008 should be verified with SRA-Quezo City to be eligible for U.S. shipment for U S. Quota Year 2007-2008;

1.2.1 For 'homeless' "A" sugar produced from weekending September 2, 2007 to November 25, 2007, a reinstatement fee of P10.00 per LKg-Bag plus an additional P1.00 per LKg-Bag per day computed from the original reinstatement deadline of February 29, 2008 until verification/ reinstatement application date shall be paid upon filing of the application for verification and reinstatement with the SRA.

1.2.2 For 'homeless' "A" produced from weekending December 2, 2007-January 27, 2008, a reinstate fee of P1.00 per LKg-Bag per day computed from the original deadline for verification of March 13, 2008 until verification/reinstatement application date, shall be paid upon filing of the application for verification and reinstatement with the SRA.

1.3 VERIFIED BUT UNSHIPPED "A" OF PRESENT CROP YEAR 2007-2008. "A" quedans of current crop year previously verified but remained unshipped after the lapse of their shipping schedules should be verified with SRA Quezon City to be eligible for U.S. Shipment for U.S. Quota Year 2007-2008 according to the schedules herein prescribed.

1.3.1 The "A" sugar quedans covering production period September 2, 2007 to November 25, 2007 that were verified but remained unshipped as of March 22, 2008 pursuant to Sugar Order No. 6, Series of 2007-2008 are hereby subject to re-verification in order to be eligible to U.S. shipment for U.S. Quota Year 2007-2008.

For verified "A" produced from week-ending September 2, 2007 to November 25, 2007 that remained unshipped, a re-verification fee of P1.00 per LKg-Bag per day computed from the original deadline for shipment/nomination of March 22, 2008 until nomination/shipment date shall be paid upon filing of the application for re-verification with the SRA.

1.3.2 The "A" sugar quedans covering production period December 2,2007 to January 27,2008 that were verified but will remain unshipped by April 27, 2008 pursuant to Sugar Order No. 6, Series of 2007-2008 shall be subject to re-verification in order to be eligible for U.S. shipment for U.S. Quota Year 2007-2008.

For verified "A" produced from week ending December 2, 2007 to January 27, 2008 that will remain unshipped by April 27, 2008 a re-verification fee of P1.00 per LKg-Bag per day computed from the original deadline for shipment/nomination of April 27, 2008 shall be paid upon filing of the application for re-verification with the SRA.

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1.4 In order to ensure the filling up of the U.S. quota at the appropriate time, the deadlines for verification and nomination of vessel of "A" sugar including those of the old crop years are hereto published as follows:

PRODUCTION PERIOD DEADLINE FOR

DEADLINE FOR

VERIFICATION NOMINATION OF VESSEL

Previous Crop Years

September 2, 2007

November 25,2007 May 1,2008 May 21, 2008

December 2, 2007

January 27,2008 May 1, 2008

May 23,2008

February 3, 2008

March 30,2008 May 14,2008 June 20,2008

April 6, 2008- June 1, 2008 June 23, 2008

July 31, 2008

It shall be herein understood that the herein published deadline for nomination of vessels supersedes the previous deadlines set in the Undertaking under Circular Letter No. 14, Series of 2006-2007.

1.5 The subject "A" quedans if not verified with the SRA Quezon City or failed to comply with the nomination of vessel on or prior to the above-mentioned deadlines shall be classified as "HOMELESS" or"EXPIRED" quedans and its covering sugar is a non-. status or non-marketable sugar which cannot be withdrawn from the mills. No further reinstatement shall be allowed until the end of crop year 2007-2008.

1.6 An Undertaking to Ship "A" Sugar to the United States shall be signed by the trader/exporter indicating his commitment to ship the "A" sugar on or before the schedule as agreed upon by the SRA and to comply with all the terms and conditions therein set forth, shall be part of the verification requirements".

SECTION 2. The "A" sugar quedans covering the "A" 'homeless' sugar shall be subject for verification prior to its reinstatement as "A" or U.S. Quota sugar.

SECTION 3. The application for reinstatement and verification of the subject "A" quedans shall be filed with the SRA, Quezon City attached thereto the "A" quedans and the corresponding list by miil/by quedan number.

SECTION 4. All "A" quedans subject of verification shall be stamped in the back thereof as "Reinstated "A"'homeless' sugar into "A" or U.S. Quota sugar per SO. No. 10, Series of 2007-2008".

SECTION 5. Consistency. Other provisions of Sugar Order No. 6, Series of 2007-2008 not contrary hereto shall remain in full force and effect.

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SECTION 6. Separability Clause. Provisions of Sugar Orders, Circular Letters rule and regulations contrary to or inconsistent with this Sugar Order are hereby revised, modified or revoked accordingly.

SECTION 7. Effcctivity. This Sugar Order shall take effect immediately.

Adopted: 14 April 2008

BY AUTHORITY OF THE SUGAR BOARD:

(SGD.) RAFAEL L. COSCOLLUELA
Administrator

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