

IMPOSITION OF SPECIAL SAFEGUARD DUTY ON CHICKEN IMPORTS

DA DEPARTMENT ORDER NO. 4, SEPTEMBER 25, 2002, September 25, 2002

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Pursuant to Republic Act 8800, referred to as the Safeguard Measures Act (chapter III, sections 21 and 23), we are requesting for the imposition of special safeguard (SSG) duty on chicken products eligible for SSG measure as follows:

A. Imposition of price-based SSG duty

HS Code (2001)

Product Description

SSG Duty to be Imposed

0207.11 20

Meat and offal of fowls of the species *Gallus domesticus*, not cut in pieces, fresh or chilled

Shall be on a shipment by shipment basis depending on the difference between the actual c.i.f. import price and the product's trigger price.

0207.12 20

Meat of fowls of the species *Gallus domesticus*, not cut in pieces, frozen

0207.14 12

Livers of the species *Gallus domesticus*, frozen

0207.14 92

Other cuts and offal of fowls of the species *Gallus domesticus*, frozen

1602.32 90

Meat and offal of fowls of the species *Gallus domesticus*, prepared or preserved other than in airtight containers

As shown, it is requested that additional duty be imposed for five (5) chicken products which are eligible for SSG because their respective trigger prices have been breached or that the actual c.i.f. import price of each product is less than its corresponding trigger price. The amount of SSG duty to be imposed shall be on a shipment-by-shipment basis and shall depend on the difference between the c.i.f. import price and the product's trigger price as illustrated in the example provided in Annex A.

B. Imposition of volume-based SSG duty

HS Code (2001)

Product Description

Regular out-quota customs duty (2002)

SSG Duty to be Imposed

1602.32 10

Meat and offal of fowls of the species *Gallus domesticus*, prepared or preserved in airtight containers

50%

15%

For "meat and offal of fowls of the species *Gallus domesticus*, prepared or preserved in airtight containers" or chicken product with HS code 1602.3210, SSG duty is requested to be imposed because its trigger volume has been breached or that its cumulative import volume for year 2002 has already exceeded its trigger volume. The amount of SSG duty to be imposed shall be 15% or one third of the applicable out-quota customs duty (chapter III, rule 23.1.b of RA 8800) Further, this SSG duty is requested to be made effective immediately but up to the end of the year only.

May we further request that the imposition of the SSG duty on the specified chicken products be made effective

immediately.

Adopted: 25 Sept. 2002

(SGD.) LEONARDO Q. MONTEMAYOR
Secretary

ANNEX A

An example:

Agricultural product — HS code 0207.14 12 (Livers of the species *Gallus domesticus*, frozen)

If current/actual c.i.f. price is 31.55 pesos per kg.

Price difference = Trigger price less current (2002) c.i.f. import price

= 423.55 - 31.55

= 392 pesos per kg

This price difference is equivalent to 93% of the trigger price. Using the formula provided under section 24 of the law, which applied to the computed price difference exceeding 75% of the trigger price, the special safeguard (SSG) duty which may be imposed shall be as follows:

SSG duty = $[90\% \times \{\text{price difference} - (75\% \times \text{trigger price})\}]$

$[70\% \times \{\text{price difference} - (60\% \times \text{trigger price})\}] +$

$[50\% \times \{\text{price difference} - (40\% \times \text{trigger price})\}] +$

$[30\% \times \{\text{price difference} - (10\% \times \text{trigger price})\}]$

= $[90\% \times \{392 - (75\% \times 423.55)\}] + [70\% \times \{392 - (60\% \times 423.55)\}] + [50\% \times \{392 - (40\% \times 423.55)\}] + [30\% \times \{392 - (10\% \times 423.55)\}]$

= 66.90 + 96.51 + 111.29 + 104.89

SSG duty = 379.59 pesos per kg

Therefore, in this example wherein the c.i.f. import price of chicken liver imports is 31.55 pesos per kg., the SSG duty which may be imposed over and above the regular out-quota customs duty, is 379.59 pesos per kg.

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