

FIXING NEW CEILING PRICES OF ALL COMMODITIES AND FOR OTHER PURPOSES

EXECUTIVE ORDER NO. 91, February 05, 1946

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WHEREAS, it has become necessary to revise and issue a new schedule of ceiling prices during the present emergency in view of changed conditions in trade and commerce; and

WHEREAS, the public interest requires that a reasonable schedule of ceiling prices be established and fixed for all articles, commodities and services;

NOW, THEREFORE, I, SERGIO OSMEÑA, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws of the Philippines, do hereby order:

SECTION 1. The following essential commodities shall not be sold at more than the maximum retail prices set opposite each:

(see image MOP, Book 4, Volume 4,5,and 6, 153)

SEC. 2. For articles or commodities not specified above and whose prices have not been specifically determined, following maximum retailer's mark-ups over landed cost a hereby prescribed and promulgated:

1) Foodstuffs of all kinds

50%

2) Hardware, Plumbing and Electrical Fixtures and Building materials

70%

3) Drugs, medicines and medical, dental and optical supplies and equipment

80%

4) Jewelry, watches, novelties, cosmetics, toys and other luxury articles

100%

5) Paper products, stationery and school supplies

70%

6) Newsprint and printing supplies

60%

7) Automobiles, trucks and automobile equipment

50%

8) Automobile and truck spare parts of all kind

100%

9) Office furniture, equipment and fixtures

80%

10) Shoes (new or old), ready-made clothes, thread buttons and milliners ' and athletic supplies

85%

11) Other tobacco products, pipes , cigarette holders, etc

70%

12) Textiles of all kinds

60%

13) Industrial and agricultural machineries, railway equipment, parts and accessories, including elevators and sewing machines

100%

14) Soap and all toilet articles and preparations

70%

15) All other products not specifically listed

50%

Retail sales as specified in this section shall be construed to mean sales made to ultimate consumers.

SEC. 3. The maximum ceiling prices for retailers of articles, commodities and merchandise, imported, into the Philippines under the provisions of the preceding section, shall be computed on the basis of the landed cost of any specific commodity plus a margin of profit not exceeding the mark-up prescribed in Section 2 hereof. The term "landed cost" shall consist of the CIF valued at Manila or any other port of landing, plus expenses for arrastre, brokerage, handling, discharge, banking and cable charges, insurance against theft and pilferage and delivery expenses

SEC. 4. The Philippine Relief and Rehabilitation Administration, through its agents in the Price Control Division, shall have the power to examine and investigate invoices, books, records, and accounts of any importer, wholesaler or retailer for the purpose of computing or determining the ceiling prices of any imported article, commodity or merchandises.

SEC. 5. For all places outside the City of Manila or outside the territorial jurisdiction of the port of landing, the ceiling prices of articles or commodities specified in Section 1 hereof, or all articles the maximum retailers' price of which are to be computed in accordance with Section 3 hereof, shall be increased by a reasonable amount per unit representing actual transportation and handling expenses and, other necessary and unavoidable expenses incurred or to be incurred by the retailer in taking the goods to the place of resale.

No article or commodity which is raised, produced or manufactured in the Philippines shall be sold in the City of Manila at a price in excess of the maximum fixed for the same or similar imported article or commodity. In the center of production or manufacture are of locally made products or articles, or in various places or areas where

products of the Philippines are raised, grown, produced or manufactured, the maximum selling price shall be ten per centum (10%) less than the maximum selling price fixed for the same or similar articles in the City of Manila. In areas or places where articles or commodities of the Philippines are not raised, grown or produced, the maximum selling price shall be the maximum selling price for the same or similar article or commodity in the City of Manila, plus ten per centum (10%) thereof, plus actual expenses for transportation, handling, and other expenses to the place where the said article is to be sold or consumed which, in no case, shall not exceed per centum (10%) of the maximum selling price thus fixed for the same or similar article in the City of Manila.

SEC. 6. There is hereby created a Price Fixing Committee to be composed of the Secretary of Agriculture and Commerce as Chairman, the Secretary of the Interior, the Secretary of Health and Public Welfare, and two representatives of the duly organized chambers of commerce in the City of Manila, as members. The Price Fixing Committee shall have the power to increase or decrease the price ceiling herein specified, or provide a higher or lower mark-up for wholesalers or retailers, depending upon changes in the cost of production, manufacture, transportation, and other factors affecting prices, provided that the retailer shall have a margin of profit of not less than 10% nor more than 15% over the operating expenses.

SEC. 7. Any person who shall refuse to sell any article, commodity or merchandise displayed in his store or place of business, where a maximum selling price is fixed, shall be punished, in accordance with the provisions of Section 3 of Commonwealth Act No. 600, as amended.

SEC. 8. All retailers or vendors of articles, commodities or merchandise, inside or outside of the public markets, are hereby required to post in a conspicuous place, at the entrance of their stores, or within said premises, a list of all the articles being sold by them with their respective retail selling prices. In addition, all such retailers or vendors are hereby ordered to place within plain view of the buying public price tags on all articles or commodities offered for sale or displayed on sale.

SEC. 9. All Executive Orders and all Emergency Control Administration Orders or any of the provisions thereof which are in conflict or inconsistent with this Order or any of its provisions are hereby repealed.

SEC. 10. This Executive Order shall take effect two days after the date of its promulgation. Done at the City of Manila, this 5th day of February, in the year of Our Lord, nineteen hundred and forty-six, and of the Commonwealth of the Philippines, the eleventh.

(Sgd.) SERGIO OSMEÑA
President of the Philippines

By the President:
(Sgd.) JOSE S. REYES
Secretary to the President

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