

SUGAR MARKET AND DEVELOPMENT FUND (SMDF)

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WHEREAS, Circular Letter No. 42 dated April 25, 1990, Series of 1989-1990, authorized the imposition and collection of a lien of P0.50 per picul of sugar produced by planters and millers as Export Market Development Fund (EMDF) to be remitted to the National Council of Sugar Producers (NCSP), c/o Philippine Sugar Association as Trustee, the said lien and collection thereof to continue indefinitely until otherwise revoked;

WHEREAS, by a letter dated July 1, 1991, the Philippine Sugar Millers Association, Inc. (PSMA) has requested that it be relieved of the trusteeship of the Export Market Development Fund;

WHEREAS, as a consequence of the aforesaid PSMA letter, the Confederation of Sugar Producers Associations, Inc. (CONFED) and the National Federation of Sugarcane Planters (NFSP) have requested that starting crop year 1991-1992, the above mentioned Circular Letter be amended to provide that the aforesaid lien be collected and remitted directly to the respective national associations or federations of planters or millers as the trustees of the fund, which will separately administer the same and pursue programs for the benefit of the sugar industry;

WHEREAS, a group of sugar millers has submitted a similar request, suggesting further that the proceeds of the lien shall constitute a SUGAR MARKET AND DEVELOPMENT FUND (SMDF);

WHEREAS, there is a consensus in the sugar industry that such a fund is necessary to further the interests of the sugar industry, which can be accomplished even if the national associations or federations were to administer separately the collections corresponding to their respective members;

NOW, THEREFORE, by virtue of the authority vested in the Sugar Regulatory Administration, it is hereby ordered that:

SECTION 1. All mill companies are hereby authorized to continue imposing and collecting a lien of P0.50 per picul (P0.395 per Lkg.) of sugar produced by all planters and millers from start of milling of the 1991-1992 crop as a SUGAR MARKET AND DEVELOPMENT FUND (SMDF), the said lien and collection thereof to continue indefinitely until otherwise revoked by this Office. The amounts so collected shall be remitted to the respective trustees as herein-after provided, the same to be administered by them and to pursue programs for the benefit of the sugar industry;

SECTION 2. In the case of millers, the liens so collected for the Philippine Sugar Millers Association, Inc. (PSMA), Association of Integrated Millers (AIM), and Non-Affiliated Mills shall be remitted to the Philippine Sugar Millers Association, Inc. (PSMA) as trustee for said funds:

SECTION 3. In the case of planters, the liens so collected shall be remitted to either the Confederation of Sugar Producers Associations, Inc. (CONFED) or the National Federation of Sugarcane Planters (NFSP), as the trustees of the funds corresponding to their respective members, in accordance with the guidelines set forth in the following subsections:

Subsection 3-A. - The CONFED and the NFSP shall advise in writing each mill company concerned and identify the planters associations/cooperatives in that mill district which are affiliated with either of them. Copies of said written advice shall be furnished to the planters associations/cooperatives concerned and to this

Office.

In case of conflicting claims of affiliation by the CONFED and the NFSP, the planters associations/cooperatives concerned shall advise the mill company in writing, copies also furnished to the CONFED, the NFSP and this Office, which of the aforesaid national organizations it is affiliated with.

Subsection 3-B - In the case of non-affiliated planters associations/cooperatives, the same shall advise in writing the mill company concerned of their choice between the CONFED and the NFSP as their trustee, copies furnished this Office and the CONFED or NFSP, as the case may be. If any non-affiliated planters association/cooperative fails or refuses to advise the mill company concerned of their choice of trustee as aforesaid within thirty (30) days from date hereof, the Sugar Regulatory Administration shall designate which of the two organizations shall be the trustee and to which the said liens shall be remitted.

SECTION 4. All mill companies shall submit to this Office itemized monthly statements of collections and remittances of the SMDF, showing the amounts corresponding to the mill and the planters associations/cooperatives in their respective mill districts and the recipients of said amounts.

SECTION 5. Copies of this Circular Letter shall be furnished to all mill companies and planters associations/cooperatives, and to the PSMA, AIM, CONFED, and NFSP.

SECTION 6. All provisions of sugar orders, circular letters, rules and regulations inconsistent with or contrary to this Order are hereby revoked, modified or amended accordingly.

Adopted: 23 Oct. 1991

(Sgd.) ARSENIO B. YULO, JR.
Administrator

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