

RULE ON REQUIREMENT FOR NFA SHIPPING PERMIT TO TRANSPORT RICE AND/OR CORN AND/OR THEIR BY-PRODUCTS BY WATER FOR PURPOSES OF MONITORING THE STOCK POSITION AND MOVEMENTS OF TRADE ...

NFA LETTER CIRCULAR NO. AO-99-09-001, September 09, 1999

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Pursuant to the powers granted to the National Food Authority under Presidential Decree No. 4 as amended, to devise and maintain a system for regularly obtaining information on current stock positions of rice and/or corn and/or their by-products, their prices, and movements, and to forestall illegal trading activities, this Circular is hereby issued for the information and compliance of all concerned:

1. All shippers of rice and/or corn and/or their by-products by means of water transport, whether for commercial or for domestic consumption whose volume is fifteen (15) metric tons (i.e. 300 bags @50 kg net) and above, shall be required to apply to the nearest NFA office, for a NFA Shipping Permit prior to loading. Provided, however, that if the rice/corn to be shipped are of foreign origin, a volume of five (5) metric tons or quantity of one hundred (100) bags @ 50 kg net and above shall be covered by a NFA Shipping Permit. The application shall be accomplished in triplicate copies using the prescribed form stating among others the quantity, commodity (rice/corn), value, names of shipper and consignee.

For the purpose of this Circular, the term “water transport” shall mean and include, but not limited to vessel, boat, barge and other water crafts. Rice and/or corn commodities, could either be a full container load (FCL) and/or a less container load (LCL), which includes stocks loaded on trucks on board ferry boats.

2. Both shipper and consignee should be duly licensed by NFA as wholesaler/transporter. In case the rice/corn to be shipped are imported, the shipper/transporter should likewise be a licensed NFA importer and duly granted NFA Import Permit.

If the shipper/transporter is not the direct, importer and have just acquired/bought the commodities from wholesaler or importer, the shipper/transporter documentary evidences such as invoices issued by the seller/importer and the corresponding NFA licenses/permits of the same.

3. Consignees of all rice/corn shipments whether required a NFA Shipping Permit or not should be able to present for their protection, Sales Invoices and NFA licenses and/or other enforcement agencies. Absence of these documents or possession of spurious documents shall be a ground for seizure and detention and eventual confiscation of the stocks by NFA and/or by other enforcement agencies.

4. To ensure adherence and compliance to quality, packaging and labelling standards under L/C No. AO-97-08-001 known as Phil. Grains Standards for Rice and Corn, all shippers are required to show samples of empty sacks (polypropylene or polyethylene bags/sacks) of rice/corn to be shipped, before the NFA regional or provincial offices could issue the NFA Shipping Permit.

5. The NFA Shipping Permit which will be valid only for a period of fifteen (15) calendar days from date of issue,

shall be given on a per shipment/transaction basis in four (4) copies. It shall be signed by NFA Regional Director or Provincial Manager concerned or their duly authorized representatives before the rice and/or corn and/or their by-products shall be allowed to be loaded on the vessel, barge, boat, and other water crafts. A shipper/transporter who shall shipout rice/corn in succession (in a row), may secure the Permit in advance provided that the details of shipments are known before-hand.

6. All consignees of the shipped rice and/or corn and/or their by-products shall likewise be required to submit a Report to the NFA Provincial office having jurisdiction on the location where rice/corn shall be discharged/unloaded, within twenty-four (24) hours from receipt of the goods, in triplicate copies using the prescribed form.

7. The NFA Provincial Offices concerned when deemed necessary, shall conduct random inspection whether at the shipper's warehouse or at the pier/port of loading and at the port of discharge or consignee's warehouse, of the stocks covered with a NFA Shipping Permit.

8. A fee of One Hundred Pesos (P100.00) shall be paid by the applicant/shipper to the NFA office issuing the NFA Shipping Permit to cover the inspection and monitoring expenses and other administrative cost. ICASEH

9. The necessary forms shall be secured from the nearest NFA office.

Non-compliance with this Circular shall subject the offender, upon conviction, to a punishment by imprisonment of not less than one year nor more than six months or a fine of not less than One Thousand Pesos (P1,000.00) nor more than Four Thousand Pesos (P4,000.00), or both such fine and imprisonment, at the discretion of the court pursuant to Section 29 (c) of Presidential Decree No. 4. Provided, however, that non-compliance with the rules, regulations, decisions, orders, circulars or directives does not constitute a higher offense under P.D. 4. The offender may also be subject to administrative proceedings where the penalty of suspension and/or cancellation of his/her NFA license may be imposed. The NFA may issue cease and desist orders pending the termination of the administrative case.

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

This Letter-Circular supersedes Letter Circular No. A.O. 99-02-001 dated February 09, 1999 and shall take effect fifteen (15) days following its publication once in a newspaper of general circulation and filing with the U.P. Law Center.

Adopted: 9 Sept. 1999

(SGD.) EDUARDO NONATO N. JOSON II
Administrator

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