IMPOSITION OF PRICE CEILINGS ON CERTAIN PRIME AND ESSENTIAL COMMODITIES IN THE AREAS DECLARED UNDER A STATE OF PUBLIC CALAMITY AS A RESULT OF THE CONTINUING ERUPTION AND OTHER V...

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Pursuant to Executive Order No. 467 dated June 26, 1991 and Executive Order No. 913, Series of 1983 the following guidelines are hereby prescribed and promulgated for the compliance, information and guidance of all concerned:

SECTION 1. Price Ceilings. — Price ceilings on certain prime and essential commodities shall be imposed, when necessary, in areas declared under a state of public calamity as a result of the continuing eruption and other volcanic activities of Mt. Pinatubo.

SECTION 2. Public Hearing. — A public hearing shall be conducted by the Regional and/or Provincial Director of the Department of Trade and Industry for the purpose of determining the prime and essential commodities to be covered and their respective price ceilings. The list of prime and essential commodities to be covered and their respective price ceilings shall be submitted to the Secretary of Trade and Industry for the issuance of a Department Administrative Order.

The list of prime and essential commodities and their price ceilings shall take effect two (2) days after publication in a local newspaper or posting in at least three (3) conspicuous public places within the city/municipality where the price ceilings shall be imposed.

SECTION 3. Provincial and City Price Task Forces. — The Provincial Directors of the Department of Trade and Industry (DTI) are hereby authorized and deputized to implement the provisions of Executive Order No. 467, Series of 1991 as well as this Order. They are likewise authorized to create Provincial and City Price Task Forces composed of the following:

Chairman —

Provincial Governor/City Mayor

Vice-Chairman —

DTI Provincial Director

Members —

One representative each from the Department of Agriculture, National Food Authority and a Non-Governmental Organizations (NGOs) concerned with consumer welfare, to be selected by the Task Force Chairman and Vice Chairman

SECTION 4. Powers and Functions of the Provincial/City Price Task Forces. — They shall exercise the following powers and functions:

a. To enforce the price ceilings;

b. To deputize all government agencies and instrumentalities including the Philippine National Police and other law enforcement agencies to strictly implement this Order and Executive Order No. 467;

c. To harness the support of the private sector and the various Non-Governmental Organizations (NGOs) for the effective implementation of this Order and Executive Order No. 467;

d. To submit weekly reports to the Department of Trade and Industry;

e. To receive complaints and act on the same in accordance with the provisions of Executive Order Nos. 467 and 913 and this Order;

f. To exercise the following visitorial powers:

- To require any person concerned to submit periodically or otherwise, any pertinent report, data, information, document or paper;

- To enter any pertinent establishment, office, factory, store, warehouse, including any pertinent means of transportation, used as a store/office/storage area and the like and to conduct one or more of the following visitorial activities:

a. to inspect any pertinent book of account, record, document, paper and the like;

b. to inspect any pertinent inventory, stock, equipment, finished/unfinished product, container, packaging, wrapping and the like;

c. to inspect any pertinent work/activity being undertaken thereat;

d. to take pictures/video recording of any of the real and personal properties and of the work/activity mentioned in (2)(c) above;

e. to secure copies of the things mentioned in (2)(a) above;

f. seize evidence of the offense, to be used in the administrative and/or criminal cases that will be filed against the violator; and

g. to interview any person who may be found at the premises entered.

The above visitorial activities shall be conducted in the following manner:

- The visitorial activities shall be conducted in the presence of the owner or person who has charged of the property visited at the time entrance is to be made, or any occupant thereof, or their representative;

- The visitorial activities shall be conducted with reasonable promptness and in a professional manner and;

- Receipts shall be issued for copies and evidence taken and shall state specifically the area in the premises from which the same were taken, and describe briefly the copies and evidence taken.

SECTION 5. Additional Allowable Costs. — Transport and handling add-costs shall be allowed for far flung areas by the Provincial Task Forces.

SECTION 6. Penalties. — Any or all of the penalties provided in Executive Order No. 913, such as a maximum fine of P150,000, closure of the establishment for 3 to 15 days, seizure and forfeiture of goods and cancellation or

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suspension of permits/licenses/certificates of registration issued by the DTI, shall be imposed on violations of the price ceilings imposed without prejudice to criminal and civil prosecutions under applicable laws.

SECTION 7. Effectivity. — This Order shall take effect immediately upon its publication in a newspaper of general circulation and shall remain in full force and effect until revoked.

Adopted: 8 July 1991

(SGD.) PETER D. GARRUCHO, JR.
Acting Secretary

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