NATIONAL ADMINISTRATIVE REGISTER · MAY 25, 1993

GUIDELINES AND PROCEDURES FOR THE IMPLEMENTATION OF CENTRAL BANK CIRCULAR NO. 1337

FPA MEMORANDUM CIRCULAR NO. 93-03 s. 1993, May 25, 1993

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In accordance with the provision of Central Bank (CB) Circular No. 1337 dated 27 April 1992, importations of fertilizers shall no longer require an FPA clearance prior to opening Letters of Credit (L/C). As a policy of Government, it is however required that all importations shall: (a) only be made by FPA-licensed importers; and (b) cover only FPA-registered fertilizers.

This FPA Circular sets the following guidelines and procedures to implement CB Circular No. 1337.

SECTION 1. Product Coverage - All fertilizers, whether finished, intermediate or raw materials, shall be covered by this FPA Circular. It shall include, but shall not be limited to, fertilizers under Chapter 31 of the Tariff and Customs Code of the Philippines (TCCP) dated August 1991.

The inclusion of all fertilizers in CB Circular No. 1337 is further confirmed by CB Circular No. 1348 dated July 28, 1992 which excludes fertilizers as one of the government-regulated commodities.

SECTION 2. Procedures -

1. All fertilizer importers shall no longer obtain from FPA a Certificate Authorizing Importations of Fertilizer or Fertilizer Inputs (CAIF) as a prerequisite in opening L/Cs or for other modes of importation.

2. For importations of fertilizers with no customs duty as per the TCCP or with customs duty which shall be paid by the importers, the following procedures shall be followed:

a.

The name of FPA, as a consignee for the account or end-use of a specific fertilizer importer, shall be deleted from all import documents.

b.

The FPA shall not issue a letter-endorsement to the Department of Finance (DOF) requesting for the withdrawal of fertilizer importations from the custody of the Bureau of Customs (BOC) without the prepayment of taxes and duties.

c.

The Certificate of Official Importation (Form 1) and Certificate of Undertaking required by the BOC per Customs Memorandum Order (CMO) No. 23-92 and 114-92, respectively, shall no longer be prepared by FPA.

d.

To enable FPA to monitor fertilizer importations, importers shall report to FPA all the information required in Attachment A, supported by certified true or duplicate copies of the Commercial Invoice and Bill of Lading.

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These documents shall be submitted to FPA Head Office three (3) days before arrival of the shipment/s, or at the latest, immediately after arrival of the shipment/s.

3. For importations of fertilizers which have customs duty per the TCCP but are subsidized by the Government, as approved by the Fiscal Incentives Review Board, the existing procedures shall apply as follows:

a.

All import documents shall bear the name of FPA as a consignee, for the account of end-use of a specific fertilizer importer.

b.

FPA shall issue the letter-endorsement to the DOF as well as the Certificates of Official Importation and Undertaking as required under CMO No. 23-92 and 114-92, respectively, after the submission by the importers of all documents referred to in Section 2.2.d.

SECTION 3. Fees - Importers shall pay to FPA an amount of Three Hundred Pesos (P300.00) as processing fee for the documents referred to in Section 2.3.b.

SECTION 4. Penalties -

1. Sections 8 and 9 of Presidential Decree (PD) No. 1144 provide that any fertilizer should be duly registered with FPA and the business license to engage in the importation of fertilizers should be secured from FPA. Violations of these provisions shall be dealt with accordingly.

2. Non-submission of the required documents referred to in Section 2.2.d shall be treated as a violation of this FPA Circular. Penalties shall be imposed on these violators which shall include, but shall not be limited to, revocation of their product registration and business license after due notice and hearing.

SECTION 5. Repealing Clause - All previous circulars or orders which are inconsistent with the provisions of this Memorandum Circular are hereby revoked, amended or modified accordingly.

SECTION 6. Effectivity - This FPA Circular shall be effective on July 1, 1993.

For your information and/or compliance.

Adopted: 25 May 1993

(Sgd.) FRANCISCO C. CORNEJO
Executive Director III

ATTACHMENT A

FPA Memorandum Circular No. 93-03 Series of 1993
The Executive Director
Fertilizer and Pesticide Authority
6F Raha Sulayman Bldg., Benavides St.
Legaspi Village, Makati, M.M.

In compliance with FPA Memorandum Circular No. 93-03, Series of 1993, please be advised of our fertilizer importations which are described as follows:

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Product/Guaranteed Analysis _____

Quantity/Unit of Measure/ _____

Packing (bagged or bulk)

Unit Price/Currency _____

Cost _____

Freight _____

Insurance _____

Supplier/Seller _____

Country of Origin _____

Arrival Date _____

Port of Discharge _____

Bill of Lading No. _____

LC No. (or other reference no. for other modes of importation) _____

Clean Report of Findings (CRF) No. _____

Attached are copies of the Commercial Invoice, Bill of Lading and a description of the bag markings (if applicable).

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DESIGNATION

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