

[ADMINISTRATIVE ORDER NO. 13, September 26, 2018]

REMOVING NON-TARIFF BARRIERS AND STREAMLINING ADMINISTRATIVE PROCEDURES ON THE IMPORTATION OF AGRICULTURAL PRODUCTS

Adopted: 21 September 2018

Date Filed: 26 September 2018

WHEREAS, Republic Act (RA) No. 7581 or the "Price Act," as amended, declares that it is the policy of the State to:

(i) Ensure the availability of basic necessities and prime commodities at reasonable prices at all times without denying legitimate business a fair return on investment;

(ii) Provide effective and sufficient protection to consumers against hoarding, profiteering and cartels with respect to the supply, distribution, marketing and pricing of said goods, especially during periods of calamity, emergency, widespread illegal price manipulation and other similar situations;

(iii) Develop, adopt and promulgate measures to stabilize prices at reasonable levels; and

(iv) Establish a mechanism that will readily protect consumers from inadequate supply and unreasonable price increase on occasions of calamities, emergencies and like occurrences;

WHEREAS, Section 2(b) of Executive Order (EO) No. 18 (s. 1986), mandated the Sugar Regulatory Administration (SRA) to establish and maintain such balanced relation between production and requirement of sugar and such marketing conditions that will insure stabilized prices at a level reasonably profitable to the producers and fair to consumers;

WHEREAS, Section 61(c) of RA No. 8550 or the "Philippine Fisheries Code of 1998," as amended, provides that fishery products may be imported when certified necessary by the Department of Agriculture (DA);

WHEREAS, RA No. 8178 or the "Agricultural Tarrification Act of 1996," as amended, allows importation of certain agricultural products beyond the Minimum Access Volume (MAV) upon payment of appropriate rates of duties and compliance with other conditions specified therein;

WHEREAS, non-tariff barriers and certain administrative constraints, procedures

and fees unduly add to the costs of importation and limit supply, which in turn, push up the prices of agricultural commodities to the detriment of Filipino consumers, especially the poor;

WHEREAS, there is an urgent need to tame price spikes of basic agricultural commodities by adopting measures that remove non-tariff barriers and streamline administrative procedures to allow importation that will address shortfall on supply and ensure stable prices of agricultural products in the domestic market; and

WHEREAS, Section 17, Article VII of the 1987 Constitution vests in the President the power of control over all executive departments, bureaus and offices, as well as the mandate to ensure the faithful execution of laws;

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

Section 1. Removal of Non-Tariff Barriers and Streamlining of Administrative Procedures. Subject to conditions imposed by applicable laws and consistent with their respective legal mandates, the National Food Authority (NFA), SRA, and DA, in coordination with the Department of Trade and Industry (DTI), shall undertake immediate measures to remove administrative constraints and other non-tariff barriers on the importation of agricultural products, such as but not limited to the following:

- (a) Streamline procedures and requirements in the accreditation of importers and minimize the processing time of applications for importation;
- (b) Exempt traders that are already accredited from registration requirements;
- (c) Facilitate importation of certain agricultural products beyond their authorized MAV and, where applicable, reduce or remove fees relative thereto in order to ensure their sufficient supply in the domestic market at more affordable prices;
- (d) Liberalize issuance of permits and accreditation of traders who want to import rice to break monopoly, and
- (e) As may be necessary, temporarily allow direct importation by sugar-using industries to lower their input cost, subject to reasonable regulations.

Section 2. Additional Rice Importation. As a result of a short-fall in production, a critical demand-supply gap, or other verified circumstances that may warrant the need for importation, the NFA Council is hereby authorized to approve additional rice importation beyond the MAV commitment specified under EO No. 23 (s. 2017) for allocation to the private sector, subject to conditions imposed by RA No. 8178, as amended, as well as other applicable laws.

Section 3. Importation of Fishery Products. The DA, in accordance with Section 61(c) of RA No. 8550, as amended, shall issue the appropriate Certificate of Necessity to allow importation of adequate volumes of fish to augment the 17,000 metric tons of fish imports already being distributed in the