



Republic of the Philippines  
Department of Finance  
**Bureau of Customs**  
1099 Manila

31 August 2009

**CUSTOMS MEMORANDUM CIRCULAR**

No. 160-2010

**TO: ALL Deputy Commissioners  
All Directors & Chiefs  
All District/Port Collectors  
And All Others Concerned**

**SUBJECT: APPLICABLE RATE OF DUTY ON WHEAT FLOUR  
(AHTN 1101.00.10) FROM CHINA**

Attached is the letter dated 26 August 2010 of Acting Commissioner Edgardo R. Maralit of the Tariff Commission informing the Bureau that the **applicable rate of duty for WHEAT FLOUR (AHTN 1101.00.10) from CHINA is 7% ad valorem.**

Please confirm the dissemination of this circular and the letter of Acting Commissioner Maralit throughout your offices within fifteen (15) days from receipt hereof.

  
**ANGELITO A. ALVAREZ**  
Commissioner





REPUBLIC OF THE PHILIPPINES  
**TARIFF COMMISSION**

CMC 160 - 2010

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Ref No. 10-1480

26 August 2010

**HONORABLE ANGELITO A. ALVAREZ**  
Commissioner  
Bureau of Customs  
Manila

<b>RECEIVED</b>	
OFFICE OF THE COMMISSIONER BUREAU OF CUSTOMS	
10 27 2010	
DATE: <u>10/27/2010</u>	TIME: <u>12:00</u>
BY: <u>[Signature]</u>	
BUREAU OF CUSTOMS Incoming Document No. 10-16032	

Dear Commissioner Alvarez:

This refers to your letter of 11 August 2010 requesting clarification on whether the zero duty levied on wheat flour (AHTN 1101.00.10) from China under the ASEAN-China Free Trade Area (ACFTA) is applicable.

Please be informed that in accordance with EO 814<sup>1</sup>, the ACFTA duty of wheat flour (AHTN 1101.00.10) is zero while the same is levied an MFN rate of duty of 65% ad valorem in China.

Paragraph 6(i), Annex 2 (Modality for Reduction/Elimination of Tariff Lines Placed in the Sensitive Track) of the Trade in Goods Agreement of the Framework Agreement on Comprehensive Economic Cooperation between the ASEAN and the People's Republic of China provides that the reciprocal tariff treatment of the tariff lines placed by a Party in the Sensitive Track must be at 10% or below in order for that Party to enjoy reciprocity.

Since wheat flour is listed under the Sensitive Track (ST) of China with 65% ad valorem, it does not qualify for reciprocity treatment and the applicable rate of duty for the same originating from China is 7% ad valorem.

Very truly yours,

**EDGARDO R. MARALIT**  
Acting Commissioner  
Officer-in-Charge



<sup>1</sup> EXECUTIVE ORDER NO. 814, S. 2009 (MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED FOR UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE 2009-2012 PHILIPPINE SCHEDULE OF TARIFF REDUCTION UNDER THE NORMAL TRACK OF THE ASEAN-CHINA FREE TRADE AREA ON CERTAIN PRODUCTS AND TO IMPLEMENT THE TRANSFER OF CERTAIN TARIFF LINES FROM THE SENSITIVE TRACK TO THE NORMAL TRACK OF THE ASEAN-CHINA FREE TRADE)