

EXECUTIVE ORDER NO. 173

AMENDING EXECUTIVE ORDER NO. 153, SERIES OF 1994, ENTITLED "MODIFYING THE RATES OF DUTY ON CERTAIN IMPORTED ARTICLES AS PROVIDED UNDER THE TARIFF AND CUSTOMS CODE OF 1978, AS AMENDED, IN ORDER TO IMPLEMENT THE MINIMUM NINETY PER CENTUM (90%) MARGIN OF PREFERENCE ON CERTAIN PRODUCTS INCLUDED IN THE NESTLE ASEAN INDUSTRIAL JOINT VENTURE (AIJV) PROJECTS, AS PROVIDED FOR IN ARTICLE III, PARAGRAPH 1 OF THE REVISED BASIC AGREEMENT ON AIJV"

WHEREAS, Executive Order No. 153, dated 25 January 1994, was issued implementing the minimum ninety per centum (90%) margin of Preference on certain products included in the NESTLE-ASEAN Industrial Joint Venture (AIJV) Projects;

WHEREAS, a review of the said Executive Order disclosed certain omissions and typographical errors in both the body and annex of the Executive Order;

WHEREAS, it is imperative that the errors be rectified to prevent confusion that may arise in the implementation of the Executive Order;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, pursuant to the powers vested in me under Section 402 of the Tariff and Customs Code of 1978, as amended, do hereby order:

SECTION 1. The fourth WHEREAS of Executive Order No. 153 dated 25 January 1994, is hereby amended to read as follows:

"WHEREAS, the commercial production of non-dairy creamer by Nestle ASEAN THAILAND, Ltd. started in November 1993; that of "Smarties" chocolate dragees and "Kitkat" chocolate wafers by Nestle Asean (Malaysia) Sdn. Bhd. in December 1993; and that of soya-based milk powder by P.T. Nestle ASEAN INDONESIA in January 1994;"

SEC. 2. Section 1 of Executive Order No. 153 dated 25 January 1994, is hereby amended to read as follows:

"SECTION 1. The articles specifically listed in Annex "A" as classified under Section 104 of the Tariff and Customs Code of 1978, as amended, shall be accorded a minimum ninety per centum (90%) MOP as specified in column 8 of said Annex "A". In effect, such articles shall be subject to the AIJV Preferential Tariff in accordance with the schedule indicated opposite each article as specified in columns 9, 10, 11, 12 and 13 of Annex "A".

SEC. 3. Annex "A" of Executive Order No. 153 dated 25 January 1994, is hereby amended to read as follows:

Annex "A"

ARTICLES GRANTED 90% MARGIN OF PREFERENCE UNDER THE NESTLE ASEAN INDUSTRIAL JOINT VENTURE (AIJV)

HS Code	Description	Rate of Duty (%)					MOP (%)	Applicable AIJV Preferential Tariff (%)				
		1 Nov 1993	1 Dec 1993	1 Jan 1994	1 July			1 Nov 1993	1 Dec 1993	1 Jan 1994	1 July	
					1994	1995					1994	1995
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
ex 1809.90 00	Chocolate dragees	50	50	50	50	50	90	-	5.0	5.0	5.0	5.0
1901.90 10	Soya-based milk powder	10	10	10	10	10	90	-	-	1.0	1.0	1.0
ex 1905.30 00	Chocolate Wafers	40	40	40	35	30	90	-	4.0	4.0	3.5	3.0
ex 2106.90 90	Non-Dairy creamer	40	40	40	35	30	90	4.0	4.0	4.0	3.5	3.0

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila this 27th day of April in the year of our Lord, Nineteen Hundred and Ninety-four.



BY THE PRESIDENT:



TEOFISTO T. GUINGONA, JR.
Executive Secretary

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