NOTIFICATION PURSUANT TO THE DECISION ON NOTIFICATION PROCEDURES  
FOR QUANTITATIVE RESTRICTIONS (G/L/59/Rev.1)

Philippines

The following communication, of which the first draft was received on 10 February 2023, is being circulated at the request of the delegation of the Philippines.

|  |
| --- |
| **A. Notifying Member:**  Philippines |
| **B. Date of notification:**  10 February 2023 |
| **C. First time notification:**  Yes  No, last notification was made in (doc. symbol): G/MA/QR/N/PHL/2 |
| **D. Type of notification:**  1. Complete (i.e. notification of all quantitative restrictions in force)  2. Changes to a notification previously made in (doc symbol) which are of the following nature:  2.1 Introduction of new restrictions, as listed in Section 1.  2.2 Elimination of restrictions, as described in G below.  2.3 Modification of a previously notified restriction, as described in Section 1.  3. Reverse notification of restrictions maintained by (Member): |
| **E. The notification provides information for the following biennial period (e.g. 2012‑2014):** 2022-2024 **and relates to restrictions in force as of** 10 February 2023 |
| **F. This notification contains information[[1]](#footnote-1)\* relating to:**  **Section 1:** List of quantitative restrictions that are currently in force.  **Section 2:** Cross-reference to other WTO notifications with information on quantitative restrictions that are currently in force and additional information. |
| **G. Comments of a general nature, including a description of the elimination of restrictions notified under D.2.2 and the date they ceased to be in force.** |

**Section 1: List of quantitative restrictions that are currently in force**

| **QR No.** | **General description of the restriction** | **Type of restriction** | **Tariff line code (s) affected, based on HS (2022)** | **Detailed Product Description** | **WTO Justification and Ground for Restriction, e.g. Other International Commitments** | **National legal basis and entry into force** | **Administration, modification of previously notified measures, and other comments** |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **1** | **2** | **3** | **4** | **5** | **6** | **7** |
| **1** | Import and export prohibition of written or printed goods advocating or inciting treason, rebellion, insurrection, sedition against the government of the Philippines | P  P-X | Various, including 49.01ex  49.02ex  49.06.00  49.09.00  49.10.00  49.11ex | Written or printed goods in any form containing any matter advocating or inciting treason, rebellion, insurrection, sedition against the government of the Philippines, or forcible resistance to any law of the Philippines, or written or printed goods containing any threat to take the life of, or inflict bodily harm upon any person in the Philippines | GATT XX (General Exceptions) -  (b) necessary to protect human, animal or plant life or health;  Article XXI (Security Exceptions):  (b)  to prevent any contracting party from taking any action which it considers necessary for the protection of its essential security interests | Title I, Chapter 3, Section 118 (Prohibited Importation and Exportation), paragraph a of Republic Act No. 10863, known as the Customs Modernization and Tariff Act or CMTA dated 30 May 2016  (Date of effectivity: 16 June 2016) | Superseded Section 101 of Presidential Decree (P.D.) No. 1464, as amended (Tariff and Customs Code of the Philippines) |
| **2** | Import and export prohibition of goods intended for producing an unlawful abortion | P  P-X | Various, including  2937.19.00  2937.29.00  2937.50.00  3004.39.00  3004.90ex  4911.10ex | Goods, instruments, drugs and substances designed, intended or adapted for producing unlawful abortion, or any printed matter which advertises, describes or gives direct or indirect information where, how or by whom unlawful abortion is committed | GATT XX (General Exceptions) -  (b) necessary to protect human, animal or plant life or health; | Title I, Chapter 3, Section 118 (Prohibited Importation and Exportation), paragraph b of Republic Act No. 10863, known as the Customs Modernization and Tariff Act or CMTA dated 30 May 2016  (Date of effectivity: 16 June 2016) | Superseded Section 101 of Presidential Decree (P.D.) No. 1464, as amended (Tariff and Customs Code of the Philippines) |
| **3** | Import and export prohibition of materials of obscene or immoral character | P  P-X | Various, including  Chapter 37ex  Chapter 49ex  85.23ex  Chapter 97ex | Written or printed goods, negatives or cinematographic films, photographs, engravings, lithographs, objects, paintings, drawings or other representation of an obscene or immoral character | GATT XX (General Exceptions) -  (a)  necessary to protect public morals; | Title I, Chapter 3, Section 118 (Prohibited Importation and Exportation) paragraph c of Republic Act No. 10863, known as the Customs Modernization and Tariff Act or CMTA dated 30 May 2016  (Date of effectivity: 16 June 2016) | Superseded Section 101 of Presidential Decree (P.D.) No. 1464, as amended (Tariff and Customs Code of the Philippines) |
| **4** | Import and export prohibition of gold, silver or other precious metals without marking of the fineness of their quality | P  P-X | Various,  including  71.13ex  71.14ex  71.15ex | Any goods manufactured in whole or in part of gold, silver or other precious metals or alloys and the stamp, brand or mark does not indicate the actual fineness of quality of the metals or alloys | GATT XX (General Exceptions) –  (c) relating to the importations of gold or silver; | Title I, Chapter 3, Section 118 (Prohibited Importation and Exportation), paragraph d of Republic Act No. 10863, known as the Customs Modernization and Tariff Act or CMTA dated 30 May 2016  (Date of effectivity: 16 June 2016) | Superseded Section 101 of Presidential Decree (P.D.) No. 1464, as amended (Tariff and Customs Code of the Philippines) |
| **5** | Import and export prohibition of adulterated or misbranded food or goods for human consumption | P  P-X | Various, including  02.10ex  Chapter 03ex  Chapter 04ex  Chapter 09ex  Chapter 11ex  Chapter 12ex  Chapter 15ex  Chapter 16ex  Chapter 17ex  Chapter 18ex  Chapter 19ex  Chapter 20ex  Chapter 21ex  Chapter 22ex  Chapter 30ex | Any adulterated or misbranded food or goods for human consumption or any adulterated or misbranded drug in violation of relevant laws and regulations | GATT XX (General Exceptions) -  (b) necessary to protect human, animal or plant life or health; | Title I, Chapter 3, Section 118 (Prohibited Importation and Exportation), paragraph e of Republic Act No. 10863, known as the Customs Modernization and Tariff Act or CMTA dated 30 May 2016  (Date of effectivity: 16 June 2016) | Superseded Section 101 of Presidential Decree (P.D.) No. 1464, as amended (Tariff and Customs Code of the Philippines) |
| **6** | Import and export prohibition of goods infringing intellectual property law | P  P-X | Various | Infringing goods as defined under the Intellectual Property Code and related laws | GATT XX (General Exceptions) -  (d)  necessary to secure compliance with laws or regulations which are not inconsistent with the provisions of this Agreement, including those relating to customs enforcement, the enforcement of monopolies operated under paragraph 4 of Article II and Article XVII, the protection of patents, trademarks and copyrights, and the prevention of deceptive practices;  To protect and secure the exclusive rights of scientists, inventors, artists and other gifted citizens to their intellectual property and creations, particularly when beneficial to the people, for such periods as provided in the Intellectual Property Code of the Philippines  TRIPS Agreement | Title I, Chapter 3, Section 118 (Prohibited Importation and Exportation), paragraph f of Republic Act No. 10863, known as the Customs Modernization and Tariff Act or CMTA dated 30 May 2016  (Date of effectivity: 16 June 2016) | Superseded Section 101 of Presidential Decree (P.D.) No. 1464, as amended (Tariff and Customs Code of the Philippines) |
| **7** | Import prohibition of used clothing and rags | P | Various, including  63.09.00  63.10ex | Used clothing and rags | GATT XX (General Exceptions) -  (b) necessary to protect human, animal or plant life or health; | Republic Act No. 4653 (An Act to Safeguard the Health of the People and Maintain the Dignity of the Nation by Declaring it a National Policy to Prohibit the Commercial Importation of Textile Articles Commonly Known as Used Clothing and Rags) dated 17 June 1966  (Date of effectivity: n/a) |  |
| **8** | Import prohibition of hazardous wastes | P | Various, including  28.44ex  3006.92ex  38.25ex | Hazardous wastes, even in transit into the Philippine territorial limits | GATT XX (General Exceptions) -  (b) necessary to protect human, animal or plant life or health;  Article XXI (Security Exceptions):  (b)  to prevent any contracting party from taking any action which it considers necessary for the protection of its essential security interests  (i)   relating to fissionable materials or the materials from which they are derived;  Basel Convention | Section 24 of the Implementing Rules and Regulations of Republic Act No. 6969 (Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990)  (Date of effectivity: n/a)  DENR Administrative Order (DAO) 2013-22, Chapter 10 of the *Revised Procedure and Standards for the Management of Hazardous Wastes (Revising DAO 2004-36)*  Date of effectivity: 04 December 2013 |  |
| **9** | Import prohibition of Polychlorinated Biphenyls (PCBs) | P | Various,  including  2710.91.00  3824.82.00 | Polychlorinated Biphenyls (PCBs) | GATT XX (General Exceptions) -  (b) necessary to protect human, animal or plant life or health; | Section 5 of Department of Environment and Natural Resources Administrative Order No. 01, Series of 2004 – Chemical Control Order (CCO) for Polychlorinated Biphenyls (PCBs)  (Date of effectivity: 19 March 2004) |  |
| **10** | Import prohibition of Amosite (Brown Asbestos) and Crocidolite (Blue Asbestos) | P | Various,  including  25.24ex  68.11ex  68.12ex  68.13ex | Amosite (Brown Asbestos) and Crocidolite (Blue Asbestos) | GATT XX (General Exceptions) -  (b) necessary to protect human, animal or plant life or health; | Section VI No. 3(B) of DENR Administrative Order No. 2, Series of 2000 – Chemical Control Order for Asbestos  (Date of effectivity: 17 July 2000) |  |
| **11** | Import and export prohibition of Carbon Tetrachloride, Chlorofluorocarbons, Trichloroethane and Halons | P  P-X | Various,  including  29.03ex  38.24ex | Carbon Tetrachloride, Chlorofluorocarbons, Trichloroethane and Halons | GATT XX (General Exceptions) -  (b) necessary to protect human, animal or plant life or health; | Department of Environment and Natural Resources Administrative Order No. 2013-25 – Revised Regulations on the Chemical Control Order for Ozone Depleting Substances  (Date of effectivity: 15 January 2014) |  |
| **12** | Import prohibition of Right-hand drive vehicles | P | Various, including  Chapter 87ex | Right hand drive vehicles | GATT XX (General Exceptions) -  (b) necessary to protect human, animal or plant life or health; | Republic Act No. 8506 (An Act Banning the Registration and Operation of Vehicles with Right-Hand Steering Wheel in any Private or Public Street, Road or Highway, Providing Penalties Therefor, and for Other Purposes)  (Date of effectivity: n/a) |  |
| **13** | Import prohibition of live piranhas | P | 0301.99.49  0301.99.50 | Live piranha | GATT XX (General Exceptions) -  (b) necessary to protect human, animal or plant life or health; | Fisheries Administrative Order (FAO) No. 126, Series of 1979 (Rules and Regulations Prohibiting the Importation and/or Possession of any Live Piranha)  (Date of effectivity: n/a) |  |
| **14** | Import prohibition of live shrimps and prawns of all stages | P | Various,  including  0306.35ex  0306.36ex | Live shrimps and prawns of all stages | GATT XX (General Exceptions) -  (b) necessary to protect human, animal or plant life or health;    To prevent the introduction and spread of exotic disease agents which may endanger the prawn industry | FAO No. 207, Series of 2001 (Prohibiting the Importation and Culture of Imported Live Shrimp and Prawn of All Stages)  (Date of effectivity: 15 June 2001) | No Longer In Force.  (Date of termination: 25 January 2007)  Superseded by FAO No. 225 s. 2007 and FAO 225-1 s. 2007.  (Date of effectivity: 25 January 2007)  FAO 225 and 225-1 are currently being reviewed. PH will notify the WTO once amended. |
| **15** | Cross-border transfer of legal tender exceeding PHP 50,000.00 | P-X | Various, including  4907.00ex  7108.20  7118.90ex | Legal tender exceeding PHP 50,000.00 | GATT XX (General Exceptions) -  (d)  necessary to secure compliance with laws or regulations which are not inconsistent with the provisions of this Agreement, including those relating to customs enforcement, the enforcement of monopolies operated under paragraph 4 of Article II and Article XVII, the protection of patents, trademarks and copyrights, and the prevention of deceptive practices;  For control of liquidity and overall monetary conditions | Section 4.1 of the Manual of Regulations on Foreign Exchange Transactions, as amended  (Date of effectivity of the latest amendment [Circular No. 1146]: 2 July 2022 | (Refer to PHL ILP N3 Notification G/LIC/N/3/PHL/14/Rev.1 dated 20 December 2021) |
| **16** | Importation of Ozone Depleting Substances (ODS) | Global Import Quotas  P | Various, including  29.03ex  38.13.00  38.24ex | Ozone Depleting Substances (ODS) | GATT XIII:2(a) - Wherever practicable, quotas representing the total amount of permitted imports (whether allocated among supplying countries or not) shall be fixed, and notice given of their amount in accordance with paragraph 3 (b) of this Article  To phase out in compliance to Montreal Protocol on Substances that Deplete the Ozone Layer | DENR Administrative Order No. 2013-25 (Revised Regulations on Chemical Control Order for Ozone-Depleting Substances)  (Date of effectivity: 15 January 2014)  DENR Administrative Order No. 2021-31, entitled *“Chemical Control Order for Hydrofluorocarbons (HFCs)”*  Date of effectivity: 28 October 2021 | (Refer to PHL ILP N3 Notification G/LIC/N/3/PHL/13 dated 16 September 2020) |
| **17** | Unregistered or unauthorized and misbranded medical devices | P | Various, including  Chapter 90 | Any unregistered or unauthorized and misbranded medical devices in violation of relevant laws and regulations | GATT XX (General Exceptions) -  (b) necessary to protect human, animal or plant life or health; | Chapter 3, Section 118, item (g) of Republic Act No. 10863, known as the Customs Modernization and Tariff Act  Section 11, item (a) of RA No. 9711, otherwise known as the "FDA Act of 2009" provides the manufacture, importation, exportation, sale, offering for sale, distribution, transfer, promotion, advertising or sponsorship of health products without proper authorization from FDA. |  |

**Section 2: Cross-reference to other WTO notifications with information on quantitative restrictions that are currently in force**

This section shall be filled by Members in case a notification made pursuant to another notification requirement (e.g. set in the Agreement on Agriculture, Agreement on Balance of Payments, Agreement on Safeguards, and the Agreement on Import Licensing Procedures, etc.) contains information on a quantitative restriction in force and which is not listed in Section 1.

**1. Agreement on Agriculture**

A. Was a notification made with information on a quantitative restriction? Yes  No

B. If yes, then list below the relevant document symbol and include any information element missing in the notification:

**2. Agreement on Balance of Payments**

A. Was a notification made with information on a quantitative restriction? Yes  No

B. If yes, then list below the relevant document symbol and include any information element missing in the notification:

**3. Agreement on Safeguards**

A. Was a notification made with information on a quantitative restriction? Yes  No

B. If yes, then list below the relevant document symbol and include any information element missing in the notification:

**4. Agreement on Import Licensing Procedures (non-automatic licences)**

A. Was a notification made with information on a quantitative restriction? Yes  No

B. If yes, then list below the relevant document symbol and include any information element missing in the notification:

| **Document symbol of notification** | **General description** | **Type of restr.** | **Tariff line code(s) affected, based on HS(2007)** | **Detailed Product Description** | **WTO Justification and Grounds for Restriction, e.g., Other International Commitments** | **National legal basis and entry into force** | **Administration; modification of prev. notified measures; and other comments** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **1** | **2** | **3** | **4** | **5** | **6** | **7** | **8** |
| G/LIC/N/3/PHL/15  dated 18 November 2022 |  |  |  |  |  |  |  |

**5. Other notifications**

A. Was a notification made with information on a quantitative restriction in other notifications? Yes  No

B. If yes, then list below the relevant document symbol and include any information element missing in the notification:

**\_\_\_\_\_\_\_\_\_\_**

1. \* In English only. [↑](#footnote-ref-1)