

MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER No. 305

REGULATING THE IMPORTATION OF WHEAT FLOUR, AUTHORIZING THE PHILIPPINE RELIEF AND TRADE REHABILITATION ADMINISTRATION (PRATRA) TO EFFECTUATE CONTROL OF ITS IMPORTATION AND DISTRIBUTION, AND FOR OTHER PURPOSES.

By virtue of the powers vested in me by the Constitution and laws of the Philippines, and in order to implement and carry into effect the commitments of the Government of the Republic of the Philippines under the International Wheat Agreement, which was duly accepted by the Government of the Republic of the Philippines on February 17, 1950, in accordance with its constitutional processes, I, Elpidio Quirino, President of the Philippines, do hereby order:

SECTION 1. From and after the date of effectivity of this Order, no wheat flour shall be imported into the Philippines without an import license duly issued by the Philippine Relief and Trade Rehabilitation Administration (PRATRA) in accordance with the provisions of this Order. Such license shall be signed "By authority of the President: General Manager, PRATRA."

SEC. 2. The yearly guaranteed purchases of the Philippines of 196,000 metric tons of wheat shall be imported in the name of the Republic of the Philippines during the effectivity of the International Wheat Agreement ending July 31, 1953. Said quantity shall, in turn, be allocated to local consumers, dealers and/or importers of flour who may be authorized by the General Manager of the PRATRA pursuant to the rules and regulations to be promulgated by a Board hereinafter constituted.

SEC. 3. There is hereby created a Board composed of the General Manager of the PRATRA as Chairman, a representative each of the Departments of Commerce and Industry, Foreign Affairs, and the Central Bank of the Philippines, and the President of the Chamber of Commerce of the Philippines, as members. The Board is hereby authorized to issue the rules and regulations referred to in the next preceding section governing the allocation and transfer of quotas, issuance of licenses, and such other

matters as may be necessary to effectuate the proper enforcement of the rights and obligations of the Government of the Republic of the Philippines under the International Wheat Agreement.

SEC. 4. A person, firm, or establishment to be entitled to a grant of yearly wheat flour quota under the International Wheat Agreement must be:

- (a) One duly licensed or registered to do business in the Philippines and has paid all lawful taxes and fees due therefrom.
- (b) Registered with the PRATRA for quota allocation and licensing.

SEC. 5. Any consumer, dealer and/or importer of flour who may be granted yearly wheat flour quota as provided for in the preceding sections shall file his application therefor with the PRATRA, stating his:

- (a) Name and address of business;
- (b) Corresponding license or registration papers;
- (h) Date of arrival in Manila or in any other port of landing.
- (c) Flour consumption or importation into the Philippines or local flour purchases during the year of 1948 and 1949, giving the name of steamer bringing in the flour, the date of arrival, the port of origin and destination, the supplies, the date of invoice, c.i.f. Manila price, brands and the quantity unloaded in term of 50-pound bags; or intention to import flour, specifying suppliers, brands, approximate monthly value of imports, etc.;
- (d) Other data that may be required.

SEC. 6. To guarantee the importation and arrival of the yearly guaranteed purchases of the Philippines under the terms, conditions and stipulations of the International Wheat Agreement, direct consumers and/or importers or dealers who were granted yearly flour quotas shall be required by the PRATRA:

- (a) To execute contracts binding such person, firm or establishment to import or bring into the Philippines in equal regular monthly shipments their yearly flour quota within the period of one year from the date of such grant; and
- (b) To file the necessary performance bond.

SEC. 7. Before an import may be issued, the applicant shall file with the PRATRA a written application, under oath, containing the following information.

- (a) The name and place of business of the applicant;
- (b) Quota certificate number and quantity of flour covered;
- (c) The name and address of the flour mill or mills shipping the flour together with its brand and poundage;
- (e) The port of origin of the flour to be imported;
- (f) The port of destination;
- (g) C.i.f. Manila price; and

SEC. 8. An import license issued as provided shall remain valid during the quota period in which it was issued. If any of the consumers, dealers and/or importers shall fail

to bring in the flour shipment for which an import license had been issued, his license and contracts executed in connection therewith may be cancelled, the performance bond confiscated, and the flour may be reallocated to other consumer, dealer and/or importer, pursuant to such rules and regulations as may hereafter be promulgated by the Board.

SEC. 9. Flour shipments covered by payments made by the importer prior to the date of effectivity of this Order, or by irrevocable letters of credit or authorities to purchase issued prior to said date, and so certified by the issuing bank, shall be permitted to enter the country but shall be charged to present and/or future quotas of the importer; however, the importer shall first obtain a license and pay the corresponding fees before the shipment may be made or released from customs custody. Similarly, flour in inland transit from point of origin, or on dock, on lighter, or on exporting vessel, on the date of effectivity of this Order, if such circumstance can be proved to the satisfaction of the PRATRA shall be admitted into the country but shall be charged to present and/or future quotas of the importer; however, the importer shall first obtain a license and pay the corresponding fees before shipment may be made or released from customs custody.

SEC. 10. A filing fee of ₱2.00 shall be charged for every application for an import license. A license fee of ₱10.00 shall be charged for each ₱1,000 of the c.i.f. value of the wheat flour covered by an import license, and ₱1.00 for every ₱100 or fraction thereof.

SEC. 11. License fees collected in accordance with the preceding section shall be used to defray all administrative expenses incurred in the enforcement of the provisions of this Order.

SEC. 12. Wheat or wheat flour imported in violation of this Order and of the rules and regulations promulgated by the Board shall be subject to forfeiture in accordance with the procedure established under Chapter 39 of the Administrative Code and the importer thereof shall be disqualified from obtaining a license to import flour under the International Wheat Agreement.

SEC. 13. Any violation by an importer of the provisions of this Order and of the rules and regulations promulgated by the Board shall serve as a ground for the immediate revocation of his license to do business in the Philippines, and in the case of aliens shall be regarded as sufficient cause for his deportation.

SEC. 14. This Order shall take effect on March 17, 1950, and all flour shipments leaving any port of embarkation on or subsequent to said date shall be subject to the provisions of this Order.

Done in the City of Baguio, this 17th day of March, in the year of Our Lord, nineteen hundred and fifty and of the Independence of the Philippines, the fourth.

ELPIDIO QUIRINO

*President of the Philippines*

By the President:

TEODORO EVANGELISTA

*Executive Secretary*

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