

No. 18243

PHILIPPINES
and
UNITED STATES OF AMERICA

**Trade Agreement (with schedules). Signed at Manila on
30 October 1979**

Authentic texts of the Agreement: English and Pilipino.

Authentic text of the schedules: English.

Registered by the Philippines on 29 January 1980.

PHILIPPINES
et
ÉTATS-UNIS D'AMÉRIQUE

**Accord commercial (avec listes). Signé à Manille le 30 octo-
bre 1979**

Textes authentiques de l'Accord : anglais et pilipino.

Texte authentique des listes : anglais.

Enregistré par les Philippines le 29 janvier 1980.

TRADE AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA

The Government of the Republic of the Philippines and the Government of the United States of America, have, through their respective plenipotentiaries, reached the following agreement on the trade concessions and contributions exchanged between them within the framework of the Declaration of Ministers in Tokyo on September 14, 1973, otherwise known as the Multilateral Trade Negotiations.

Article I. Articles, the growth, produce, or manufacture of the Philippines enumerated in schedules I and I-A, annexed to this agreement and made a part thereof, subject to the conditions specified herein, shall be upon importation into the United States subject to customs duties not in excess of those set forth in the said schedules on and after the dates specified therein.

Article II. Articles, the growth, produce, or manufacture of the United States enumerated in schedules II and II-A annexed to this agreement and made a part thereof, subject to the conditions specified herein, shall be upon importation into the Philippines, subject to customs duties not in excess of those set forth in the said schedules on and after the dates specified therein.

The tariff concessions on the articles enumerated in schedules II and II-A shall be acceptable to the United States as the tariff contribution of the Philippines towards its accession to the General Agreement on Tariffs and Trade (GATT)² which will be annexed to the Protocol of Accession.

Article III. All the tariff concessions enumerated in the schedules shall be incorporated in each country's GATT schedule.

Article IV. No measure shall be adopted or modified by either Government adversely affecting the concessions granted in the schedules which is inconsistent with the provisions of the General Agreement on Tariffs and Trade. The United States takes note that the Philippines, as part of its accession to the General Agreement on Tariffs and Trade, has provided a list of products which cannot be freely imported.

Article V. Any problem affecting the implementation of the concessions in the schedules shall be resolved through consultation and negotiations.

Article VI. The United States agrees to reexamine the requests of the Philippines for tariff concessions on scrap tobacco (TSUS 170.6020) in the light of the total Multilateral Trade Negotiations package.

Article VII. This agreement shall enter into force upon its signature.

¹ Came into force on 30 October 1979 by signature, in accordance with article VII.

² United Nations, *Treaty Series*, vol. 55, p. 187.

DONE in two (2) original copies, each copy in English and Pilipino, both texts being equally authentic, at Manila, this 30th day of October 1979.

[Signed — Signé]¹

For the Republic of the Philippines

[Signed — Signé]²

For the United States of America

¹ Signed by Manuel Collantes — Signé par Manuel Collantes.

² Signed by Richard Murphy — Signé par Richard Murphy.

SCHEDULE I

7SUS	Short description	Present rate	Final rate ^a	January 1				
				1980	1981	1982	1983	1984
1) 112.01	Anchovies, not in oil, in airtight containers N/O 15 lbs. each	12.5%	5.0%	9.5%	6.5%	5.0%		
2) 145.08	Coconut meat, except copra, shredded and desiccated	1c/lb.	Free	Free				
3) 146.44	Bananas, not fresh or dried, otherwise prepared	7.5%	3.0%	4.5%	3.0%			
4) 176.17	Coconut oil	1c/lb.	Free	0.25c/lb.	Free			
5) 202.40	Lumber, Philippine mahogany, lauan, etc...	75c/1,000 ft. board measure	Free	Free				
6) 206.95	Mahogany, household utensils	14.0%	7.0%	11.0%	8.0%	7.0%		
7) 240.02	Philippine mahogany, lauan veneers	10.0%	4.0%	7.0%	4.0%			
8) 240.17	Plywood, whether or not face finished: — Not face finished, or face finished with a clear or transparent material which does not obscure the grain, texture, or markings of the face ply: with a face ply of Philippine mahogany (almon (<i>Shorea almon</i>), bagitikan (<i>Parishorea plicata</i>), red lauan (<i>Shorea negrosensis</i>), white lauan (<i>Pentacme contorta</i> and <i>P. mindanensis</i>), mayapis (<i>Shorea squamata</i>), tangile (<i>Shorea polysperma</i>) and tiaong (<i>Shorea</i> spp.))	20.0%	8.0%	17.0%	14.0%	12.0%	10.0%	8.0%
9) 240.38	Wood veneer panels, veneer faces on both sides, n.e.s.	10.0%	4.0%	7.0%	4.0%			
10) 240.40	Wood veneer panels, both sides face finished	10.0%	4.0%	7.0%	4.0%			
11) 304.04	Abaca fibers, processed but not spun	4.0%	Free	1.0%	Free			
12) 304.20	Hemp, raw, waste and advanced waste	0.6%	Free	Free				

13) 305.40	Yarns and roving of other vegetable fibers.	10.0%	4.0%	7.0%	4.0%
14) 315.35	Abaca cordage stranded 3/16" or over but under 3/4" in diameter.	14.5%	6.8%	0.7¢/lb. + 10%	8.5% 6.8%
15) 315.50	Abaca cordage 3/4" or over in diameter, stranded.	2¢/lb.	Free	0.7¢/lb.	Free
16) 315.60	Cordage, hard vegetable fiber stranded 3/4" or over in diameter, n.e.s.	2¢/lb.	Free	Free	Free
17) 316.50	Cordage of silk.	13.5%	7.0%	10.5%	7.5% 7.0%
18) 602.30	All copper-bearing ores, n.e.s.	0.8¢/lb.	Free	Free	Free
19) 741.30	Beads, bugles and spangles.	7.0%	4.7%	4.7%	4.7%
20) 745.20	Buttons, pearl or shell.	0.8¢ per line gross plus 12.5%	0.35¢ per line gross plus 5%	0.75¢ per line gross plus 10.7%	0.63¢ per line gross plus 8.9%
21) 792.50	Articles of shell, n.s.p.f.	8.5%	3.4%	5.5%	3.4%

^a This rate shall be staged-in as set forth in the succeeding columns.

SCHEDULE I-A

	<i>TSUSI 4</i>	<i>Short description</i>	<i>Present rate</i>	<i>Final rate**</i>
1)	111.37	Herring, pickled or salted	6.0%	4.0%
2)	111.60	Fish, n.a.p.f., pickled or salted in containers N/O 15 lbs. each	12.5%	10.0%
3)	111.84	Mackerel, smoked or kippered	3.0%	2.5%
4)	111.92	Fish, n.e.s., smoked or kippered	3.0%	Free
5)	113.01	Fish pastes and fish sauces	4.0%	Free
6)	145.09	Coconut meat	10.0%	4.0%
7)	146.42 ²	Bananas, dried	3.5%	Free
8)	147.96 ²	Mangoes, prepared or preserved	3.75¢/lb.	1.5¢/lb.
9)	148.98	Pineapples, prepared or preserved	0.75¢/lb.	0.25¢/lb.
10)	149.60	Other fruits, n.e.s., prepared or preserved	17.5%	7.0%
11)	150.01	Mixtures of two or more fruits, prepared or preserved not containing apricots, citrus fruits, peaches or pears	17.5%	7.0%
12)	170.35 ³	Cigarette leaf, not over 35 pct.	45¢/lb.	20¢/lb.
13)	170.45 ³	Tobacco filler leaf, including cigar, stemmed, n.e.s.	23¢/lb.	20¢/lb.
14)	176.01	Castor oil valued not over 20¢ per pound	7.5%	3.0%
15)	176.16	Corn oil	10.0%	4.0%
16)	206.45	Mahogany forks and spoons	7.0%	4.5%
17)	206.98	Other wooden household utensils	8.0%	5.1%
18)	222.34	Woven material of raffia for blinds, shutters, curtains, etc	5.0%	3.5%
19)	222.42	Baskets and bags, of rattan or of palm leaf	25.0%	10.0%
20)	222.44	Other baskets and bags	8.5%	4.5%
21)	222.62	Articles, n.e.s., of raffia	4.0%	3.0%
22)	222.64	Articles of unspun fibrous materials, n.a.p.f.	5.0%	3.0%
23)	240.21 ¹¹	Plywood with a face ply of softwood	20.0%	8.0%
24)	351.40 ³	Leavers mach. lace 12 points or finer of other than man-made fibers	25.0%	10.0%
25)	351.46 ³	Lace piece or motif, n.e.s., leaver made, not 12 points or finer	45.0%	18.0%
26)	361.22	Floor coverings, n.e.s.	8.0%	5.1%
27)	365.86	Net furnishings ornamented or non-ornamented	20.0%	12.8%
28)	366.54 ³	Vegetable fibers except cotton napkins	5.0%	3.7%
29)	366.84	Other furnishings of vegetable fibers except cotton and not Damask	6.5%	2.5%
30)	370.04	Lace handkerchiefs not hand ornamented nor containing hand made lace of cotton not valued over \$1.50 per doz.	18.7%	7.5%
31)	370.08	Cotton lace handkerchiefs over \$1.50 per doz.	9.2%	7.5%

	<i>7.SU/SLA</i>	<i>Short description</i>	<i>Present rate</i>	<i>Final rate**</i>
32)	370.12	Lace handkerchiefs of vegetable fibers except cotton	8.6%	7.5%
33)	370.21	Lace handkerchiefs ornamented or man-made fibers	12.1%	4.5%
34)	378.05	Lace or not underwear ornamented or not	42.5%	17.0%
35)	379.00	Men's or boys' cotton wear apparel certified hand-loomed	35.0%	14.0%
36)	Ex 379.54*	Men's or boys' cotton shirts no ornament no knit, certified hand loomed and folklore products	21.0%	8.4%
37)	Ex 383.00*	Women's, girls' and infants' cotton wear, certified hand loomed and folklore products	35.0%	14.0%
38)	Ex 383.03	Women's, girls', infants', playsuits, etc. cotton knit ornamented	35.0%	14.0%
39)	Ex 383.20	Girls' and infants' ornamented knit dresses of man-made fibers	42.5%	17.0%
40)	Ex 383.20†	Women's, girls' and infants' knit pajamas, etc., of man-made fiber	42.5%	17.0%
41)	Ex 383.20‡	Women's, girls' and infants' other knit wear apparel, of man-made fiber	42.5%	17.0%
42)	Ex 383.08	Women's, girls', infants' playsuits, etc., cotton not knit, ornamented, etc.	35.0%	14.0%
43)	Ex 383.03	Cotton knit infants' sets up to and including 24 months of age, lace or net with or without ornaments, other ornaments	35.0%	14.0%
44)	Ex 383.20	Women's, girls' and infants' knit playsuits, etc., of man-made fibers, ornamented	42.5%	17.0%
45)	Ex 383.20	Infants' sets up to and including 24 months of age, lace, knit, of man-made fibers	42.5%	17.0%
46)	Ex 383.23	Girls' or infants' dresses of man-made fibers ornamented, not knit	42.5%	17.0%
47)	Ex 383.23	Women's, girls' and infants' ornamented dressing gowns of man-made fibers, not knit	42.5%	17.0%
48)	Ex 383.23	Women's, girls', infants' ornamented pajamas, etc., of man-made fibers, not knit	42.5%	17.0%
49)	Ex 383.23	Women's, girls', infants' of man-made fibers playsuits, not knit	42.5%	17.0%
50)	Ex 383.23	Infants' sets up to and including 24 months of age, lace or net with or without ornaments, not knit, of man-made fiber	42.5%	17.0%
51)	Ex 383.86	Girls' and infants' dresses knit man-made fibers, n.e.s., not ornamented	37.7%	17.0%
52)	702.37	Headwear, not cap, vegetable fiber, not sewed, not blocked, not bleached and not colored	10.0%	4.0%
53)	704.32	Lace or net gloves, etc., of man-made fibers	30.0%	20.0%

	<i>15US/A</i>	<i>Short description</i>	<i>Present rate</i>	<i>Final rate**</i>
54)	704.34	Gloves and glove linings of materials other than vegetable fibers or wool, n.e.s.	30.0%	20.0%
55)	704.65	Wool gloves, not lace or not over \$4/dozen pairs .	37.5g/lb. + 18.5%	15g/lb. + 7.4%
56)	704.85	Gloves not of lace or net, not ornamented, etc., of knit man-made fibers	25g/lb. - 32.5%	13g/lb. + 17.1%
57)	704.95*	Gloves and glove linings textile	10.0%	4.0%
58)	705.30	Gloves and glove linings of fur on the skin	10.0%	4.0%
59)	705.46	Men's leather gloves, not lined handseamed over \$24 per 12 pairs	25.0%	14.0%
60)	705.50	Men's leather gloves, not lined not handseamed over \$20 per 12 pairs	25.0%	14.0%
61)	705.54	Gloves, leather, men's lined, handseamed, over \$30 per dozen pairs	25.0%	14.0%
62)	705.57	Men's leather gloves, lined, not handseamed, over \$20 but not over \$26 per 12 pairs	25.0%	14.0%
63)	705.58	Men's leather gloves, lined, not handseamed over \$26 per 12 pairs	25.0%	14.0%
64)	705.62	Gloves, leather, women's, unlined, handseamed over \$20 per dozen pairs	30.0%	14.0%
65)	705.70*	Gloves, leather, women's, not lined, not handseamed, over \$20 per dozen pairs	30.0%	14.0%
66)	705.71	Gloves, leather, women's, not lined, handseamed, over \$20 per 12 pairs over 12 inches	30.0%	14.0%
67)	705.72	Women's leather gloves, lined, handseamed, not over \$32 per 12 pairs	\$7/doz. pairs	\$3.75/doz. pairs
68)	705.74	Gloves, leather, women's, etc., lined handseamed, over \$36 per 12 pairs	22.0%	14.0%
69)	705.76	Women's leather gloves, lined, not handseamed, not over \$32 per 12 pairs	\$7/doz. pairs	\$3.50/doz. pairs
70)	705.78	Gloves, leather, women's, lined, not handseamed, over \$32 per dozen pairs	22.0%	14.0%
71)	706.18	Luggage and handbags of unspun vegetable materials, n.s.p.f.	8.5%	5.3%
72)	706.20	Luggage, handbags and flat goods of textile materials wholly or in part of braid	21.8%	8.4%
73)	706.22*	Luggage, handbags, and flat goods of cotton not pile or tufted	15.0%	7.2%
74)	727.10 ^{(a)(2)}	Furniture and parts, unspun vegetable fibers	16.0%	7.5%
75)	730.27*	Rifles, valued over \$10 not over \$25 each	\$1.20 ea. + 9%	6.3%

	<i>TSUSA</i>	<i>Short description</i>	<i>Present rate</i>	<i>Final rate**</i>
76)	750.32*	Brooms and brushes of vegetable materials	25.0%	10.0%

* The United States will implement these concessions provided it receives satisfaction from other trading partners.

** The final rate shall be implemented in the manner set forth in the Geneva (1979) Protocol of the General Agreement on Tariffs and Trade¹ (GATT Doc. L/4812).

¹ United Nations, *Treaty Series*, vols. 1187 to 1193, No. 814, XC.

⁽¹⁾ Final rate to be specified later (Canadian conditions).

⁽²⁾ This concession will be implemented provided the Government of the Philippines and the Government of the United States reach a satisfactory agreement concerning access to supply of rattan poles by United States importers. In this regard representatives from both Governments will examine the rattan supply situation in the Philippines.

SCHEDULE II

Tariff heading number	Short description	Present rate	Final rate ^a	January 1			
				1980	1981	1982	1983
1) Ex 02.02	Turkey, killed or dressed, chilled or frozen ...	70%	50%	65%	60%	55%	50%
2) Ex 07.05 B	Dried green peas in bulk containers	50%	30%	45%	40%	35%	30%
3) Ex 08.04	Grapes, dried	100%	50%	87.50%	75%	62.50%	50%
4) Ex 08.06	Apples, fresh	100%	50%	87.50%	75%	62.50%	50%
5) Ex 15.02	Tallow	30%	20%	27.50%	25%	22.50%	20%
6) Ex 15.07 B	Cottonseed oil	50%	30%	45%	40%	35%	30%
7) Ex 21.07 B	Vegetable protein concentrates in bulk containers	100%	50%	87.50%	75%	62.50%	50%
8) Ex 33.04	Synthetic flavor materials and others for drug, food, drink and related use	50%	30%	45%	40%	35%	30%
9) Ex 35.04	Vegetable protein isolates	30%	20%	27.50%	25%	22.50%	20%
10) Ex 38.11 A	Fungicides, other than medicinal	20%	10%	17.50%	15%	12.50%	10%
11) Ex 48.01 A 3	Kraft paper, other than those wholly of sulfate	100%	50%	87.50%	75%	62.50%	50%
12) Ex 85.13	Telegraph apparatus	30%	20%	27.50%	25%	22.50%	20%

^a This rate shall be staged-in as set forth in the succeeding columns.

SCHEDULE II-A

<i>Tariff heading number</i>	<i>Description of articles</i>	<i>Present rate</i>	<i>Final rate^a</i>
1) 12.01 A	Soybeans	10%	10%
2) Ex 15.07 A	Soybean oil	20%	20%
3) Ex 20.07 A	Orange juice concentrates in bulk containers	30%	30%
4) Ex 23.04 A	Soybean meal	10%	10%
5) Ex 28.10	Phosphorous pentoxide and phospheric acids	10%	10%
6) Ex 28.22	Electrolytic manganese dioxide	20%	20%
7) Ex 29.01	Hydrocarbons, chemically pure (e.g., acetylene) .	10%	10%
8) Ex 29.15 A	Polycarboxylic acids and their anhydride, halides, peroxides and peracids and their halogenated, sulphonated, nitrated or nitrosated derivatives except phthalate esters and phthalic anhydrides ..	10%	10%
9) 29.39	Hormones, natural or reproduced by synthesis; derivatives thereof, used primarily as hormones; other steroids used primarily as hormones	10%	10%
10) Ex 30.03	Erythromycin	20%	20%
11) Ex 32.05	Food color	20%	20%
12) Ex 32.06	Artificial color lakes	20%	20%
13) Ex 35.02	Albumin	20%	30%
14) Ex 39.03	Cellulosics (excluding vulcanised fiber, cellophane and celluloid sheets and strips)	30%	30%
15) Ex 40.11 A	Traetor tubes other than sizes 5.50-16, 600-16 and 11.2/10-36	30%	30%
16) Ex 48.07 A	Clay coated boxboard in rolls or sheets	30%	30%
17) Ex 48.07 A	Carbonless copying paper in rolls or sheets	30%	30%
18) 55.01	Cotton (other than linters not carded or combed) .	10%	20%
19) Ex 68.13 A	Asbestos packing and gaskets	30%	30%
20) Ex 68.13 A	Other asbestos, n.e.s. excluding building materials	30%	30%
21) Ex 83.01	Locks, padlocks, spring livebolt latches and parts thereof of base metals (excluding locks for drawers, cabinets and other furniture)	30%	30%
22) 84.06 A-1	Parts of internal combustion engines (except cylinder liners or sleeves and engine valves)	10%	10%
23) Ex 84.11 A	Portable or stationary air compressors and vacuum pumps with free air delivery of over 33 cfm; open type compressors rated over 400,000 BTU/Hr.; hermetically sealed compressors with ratings over 400,000 BTU/Hr.; air pumps	30%	30%
24) Ex 84.11 B	Air pumps, vacuum pumps and air or gas compressor parts	30%	30%
25) Ex 84.11 C	Other vacuum pumps and air or gas compressors	50%	50%

<i>Tariff heading number</i>	<i>Description of articles</i>	<i>Present rate</i>	<i>Final rate^a</i>
26) Ex 84.18	Centrifuges, filtering and purifying apparatus, water filtration and purification equipment except water filters (sand type, pressure or gravity) and air cleaner for motor vehicle	10%	20%
27) Ex 84.19 A	Bottling machines, including those for filling, closing, sealing, capsuling or labelling bottles, cans, bags, and similar containers	10%	10%
28) Ex 84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg. or better) including weight-operated counting and checking machines	20%	20%
29) Ex 84.28	Poultry equipment including incubators and brooders	10%	20%
30) Ex 84.30	Food and beverage processing machinery (excluding food and meat grinders and choppers) .	30%	30%
31) Ex 84.34	Machinery apparatus and accessories for type-founding or type-setting; machinery (other than the machine tools of subgroup 728.1 or group 736) for preparing or working printing blocks, plates or cylinders	10%	10%
32) Ex 84.48	Parts of sawmill and logging machinery and equipment	10%	10%
33) Ex 84.52	Accounting and bookkeeping machines	20%	20%
34) Ex 84.53	Automatic data processing machines and units thereof; magnetic or optical readers machines for transcribing data onto data media in coded form and machines for processing such data, n.e.s. (electrical data processing machines)	20%	20%
35) 84.62	Ball, roller or needle roller bearings	10%	10%
36) Ex 84.63	Shafts, gearing, gear-boxes, flywheels, clutches, pulleys, bearing blocks, shims, and other transmission equipment for machinery	10%	30%
37) Ex 85.01 B	Generators (dynamos, alternators and turbo generators)	30%	30%
38) Ex 85.13	Telephone apparatus excluding telephone sets ...	30%	30%
39) Ex 85.19 B	Electrical apparatus for making and breaking circuits, fixed and variable potentiometers, printed circuit board; switches except switches of a kind used in domestic electrical wiring; and switchboard and control panels	50%	50%
40) 87.01 A	Tractors other than power tillers or walking tractors or hand tractors	10%	10%
41) Ex 87.06	Oil seals and grease retainers for car and truck ..	30%	30%
42) Ex 88.02	Airplanes	10%	10%
43) 90.17	Medical, dental, surgical and veterinary instruments and apparatus (including electro-medical apparatus and ophthalmic instruments)	10%	10%

<i>Tariff heading number</i>	<i>Description of articles</i>	<i>Present rate</i>	<i>Final rate^a</i>
44) Ex 90.28	Electronic measuring, checking, analyzing, or automatically controlling instruments and apparatus, n.e.s., other than electronic automatic regulators and electronic instruments and apparatus for measuring or detecting ionizing radiations	20%	20%
45) Ex 90.28	Electrical (non-electronic) measuring, checking, analyzing, or automatically controlling instruments and apparatus, n.e.s., other than electro-mechanical (non-electronic) automatic regulators (control units)	20%	30%
46) Ex 90.28	Electronic instruments for measuring or detecting ionizing radiations	20%	20%
47) Ex 90.29 A	Parts and accessories for measuring, controlling and scientific instruments	20%	30%
48) 98.05 A	Pencil leads, rubber erasers and metal ferrules for pencil manufacture; tailors' chalks	30%	30%

^a The final rate in schedule II-A shall be implemented on January 1, 1980.