

[EXECUTIVE ORDER NO. 371, October 02, 1941]

**FIXING THE MAXIMUM SELLING PRICES OF CERTAIN ARTICLES
OF PRICE NECESSITY AND PROMULGATING RULES AND
REGULATIONS FOR THE ENFORCEMENT THEREOF**

Pursuant to the authority vested in me by Commonwealth Act No. 800, as amended by Commonwealth Act No. 680, and upon recommendation of the Emergency Control Board, I, MANUEL L. QUEZON, President of the Republic of the Philippines, do hereby determine and fix the maximum selling prices of articles of price necessity as specified in the attached schedules Nos. 1 to 65, and prescribe the following rules and regulations for the enforcement thereof:

1. (a) The basic maximum prices set in the attached schedules for motor fuel alcohol, reinforcing steel bars, cement, corn, corned beef, wheat flour, corn and tapioca flours (gewgaw), gasoline, vegetable lard, milk, meat, mongo, nails, petroleum, rice, sardines, centrifugal sugar, galvanized iron sheets and plain galvanized wire, shall apply in Manila and other chartered cities, in the various provincial capitals and distributing centers and in the special municipalities of the province of Romblon specified in the aforementioned schedules.

(b) No brand or class of article, the same as, or similar to, any of the basic commodities particularly described in the attached schedules for which a maximum price has not been fixed, shall be sold at prices higher than the maximum prices fixed for the lowest-priced brands or class of the same articles: unless, upon proper application, such other brand or class of article shall have been determined by Special Permit issued by the Emergency Control Administration to be of a class the same as, or similar to, any of the higher-priced basic commodities.

2. The maximum prices at the various municipalities and municipal districts in each province outside of the provincial capital or distributing centers shall be the basic prices specified in the attached schedules or any other schedule which in the future may be appended hereto, or which may be fixed by Special Permit issued by the Emergency Control Administration, plus the usual cost of transportation from the provincial capital or distributing centers to the price of sale, until such time as determination such usual cost of transportation shall have been made by the Provincial Committee of the Agency Control Board and such determination shall have been given the publicity required in paragraph 9 hereof.

3. (a) The Committee created in every province by Executive Order No. 233, dated November 8, 1939, composed of the Governor as chairman, and the Provincial Treasurer and the District Engineer as members, shall continue to function with the duties hereinbelow specified and shall hereafter be known as the Provincial Committee of the Emergency Control Board. The Provincial Treasurer shall set us the secretary of the Committee.

(b) It shall be the duty of the Provincial Committee, within three days from the date of receipt of this Executive Order or its amendments or of any Special Permit issued by the Emergency Control Administrator, to determine the usual cost of transportation between the provincial capital or other distributing center and each of this various municipalities or municipal districts within this province for the purposes of paragraph 8 hereof.

(c) The determination by the Provincial Committee on this matter shall be embodied in a Provincial Emergency Control Order, serially numbered, fixing the maximum retail selling price of each essential article in each municipality or municipal district, for which a basic maximum selling price has been fixed by the Executive Order of Special Permit for the capital of the province or other distributing center. (The form of the schedules to be used in connection with the fixing of maximum selling prices by the Provincial Committees should be patterned after the form attached hereto and marked Appendix A.) The Provincial Emergency Control Order thus issued shall be given the publicity required in paragraph 9 of this Order.

4. (c) The Emergency Control Administrator is hereby empowered to issue Special Permits to importers, producers, manufacturers, wholesalers and retailers to trade at prices higher than those fixed in this Executive Order or in other Executive Orders amendatory hereto, when said importers, producers, manufacturers, wholesalers and retailers submit satisfactory evidence that:

(i) The c.i.f price Philippine port of the commodity to be traded in has increased over the c.i.f. price Philippine port of the dealers' present stock;

(ii) That the cost of production has so increased as to allow producers or manufacturers no reasonable margin of profit if required to sell their products and manufactures at the prices fixed for such commodities, and

(iii) That the stock of the importer, producer, manufacturer, wholesaler or retailer at the time of the issuance of this Executive Order has been exhausted or will soon be exhausted and that now replacement stock must be imported, produced or manufactured at a higher cost.

(b) Upon receipt of evidence that the c.i.f prices of any of the commodities mentioned in paragraph 1 of this Executive Order have declined, or are sold in a distributing center or centers at prices far below the maxima fixed in the attached schedule, the Emergency Control Administration shall have the power to reduce by Emergency Order the maximum selling prices set forth in the attached schedules of such commodities and shall further have the authority to direct the Provincial Committee to reduce proportionately the prices thereof in the municipalities and municipal districts of their respective provinces.

(c) No such Special Permit to sell at prices higher than those fixed in this Executive Order shall authorize a seller in every transaction for a price higher than twenty per cent over the cost price thereof.

5. The Emergency Control Administrator shall also be authorized:

(a) To appoint agents, or officers or employees of the National, provincial or municipal governments and government-owned or controlled