

April 27, 2005

**MEMORANDUM OF UNDERSTANDING BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE
GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA ON THE
EARLY HARVEST PROGRAMME UNDER THE FRAMEWORK
AGREEMENT ON COMPREHENSIVE ECONOMIC COOPERATION
BETWEEN THE ASSOCIATION OF SOUTH EAST ASIAN NATIONS
AND THE PEOPLE'S REPUBLIC OF CHINA**

The Government of the Republic of the Philippines and the Government of the People's Republic of China (hereinafter referred to as the "Parties"),

PURSUANT to the meeting between H.E. Gloria Macapagal-Arroyo, President of the Republic of the Philippines, and H.E. Hu Jintao, President of the People's Republic of China, in Manila, the Philippines, on 27 April 2005, during which they agreed to conclude the negotiation between the Parties on the Early Harvest Programme (EJIP) under the Framework Agreement on Comprehensive Economic Cooperation between the Association of South East Asian Nations and the People's Republic of China (hereinafter referred to as the "Framework Agreement"),

RECALLING Article 6 and the relevant Annexes of the Framework Agreement on the implementation of the EH with a view to accelerating the implementation of the Framework Agreement

HAVE AGREED AS FOLLOWS:

The Philippines and China agreed to eliminate the tariffs of the products as set out in the ANNEX at the 8-digit level (HS Code) by 1 January 2006.

The Philippines agreed to expeditiously complete the Pest Risk Analyses for the importation of vegetables, in particular, carrots, cabbages, gingers and potatoes from China in accordance with the provisions of the WTO SPS Agreement. The relevant authorities and enterprises in China shall provide the necessary information for reference of the Philippine authorities to facilitate the expeditious completion of the Pest Risk Analysis process.

The ANNEX of this Memorandum of Understanding shall be viewed as its integral part.

DONE in Manila, on this 27th day of April, 2005 in duplicate copies in the English language, both copies being equally authentic.

FOR THE GOVERNMENT OF THE
REPUBLIC OF THE PHILIPPINES

(Sgd.) **JUAN B. SANTOS**
SECRETARY OF TRADE AND
INDUSTRY

FOR THE GOVERNMENT OF
THE PEOPLE'S REPUBLIC OF
CHINA

(Sgd.) **BO XILAI**
MINISTER OF COMMERCE

Inclusion List Under Early Harvest Programme

S/NO.	HS CODE	DESCRIPTION
1	0101.11	Pure-bred breeding animals (live horses)
2	00	Other than pure-bred horses
3	0101.19	Live asses, mules and ninnies
4	00	Pure-bred breeding animals (live bovine animals)
5	0101.20	animals)
6	00	Pure-bred breeding animals (live swine)
7	0102.10	Live Sheep
8	00	Pure-bred breeding animals (live goats)
9	0103.10	Chicks, for breeding (of the species Gailus
10	00	domesticus weighing not more than 185 g)
11	0104.10	Turkeys, for breeding weighing not more than
12	00	185 g
13	0104.	Ducks and geese for breeding, weighing not
14	2010	more than 185 g
15	0105.11	Chicken, for breeding, of the species Gailus
16	10	domesticus, weighing not more than 2,000 g
17	0105.12	Chicken, for breeding, of the species Gailus
18	10	domesticus, weighing more than 2,000 g
19	0105.19	Primates
20	10	Whales, dolphins and porpoises (mammals of
21	0105.92	the order Cetacea), manatees and
22	10	dugongs (mammals of the order Sirenia)
23	0105 93	Other mammals
24	10	Reptiles (including snakes and turtles)
25	0106.11	Birds of prey
26	00	Psittaciformes (including parrots, parakeets,
27	0106.12	macaws and cockatoos)
28	00	Other birds
29	0106.19	Other live animals
30	00	Carcasses and half-carcasses of lamb, fresh or
31	0106.20	chilled
32	00	Carcasses and half-carcasses
33	0106.31	Other cuts with bone in
34	00	Boneless
35	0106.32	Carcasses and half-carcasses of lamb, frozen
36	00	Carcasses and half-carcasses of sheep, frozen
37	0106.39	Other cuts with bone in
38	00	Boneless
39	0106.90	Meat of horses, asses, mules or ninnies, fresh,
40	00	chilled or frozen.
41	0204.10	Edible offal of bovine animals, fresh or chilled
42	00	Tongues of bovine animals, frozen
43	0204.21	Frozen livers of bovine animals
44	00	Other edible offal of bovine animals, frozen
45	0204.22	Edible offal of swine, fresh or chilled
	00	Livers of swine, frozen
	0204.23	Other edible offal of swine, frozen
	00	Other edible offal, fresh or chilled
	0204.30	Other edible offal, frozen
	00	Pig fat, free of lean meat, and poultry fat, nor

46	00	rendered or otherwise extracted, fresh,
47	0204.41	chilled, frozen, salted, in brine, dried or
48	00	smoked.
	0204.42	Of rabbits or hares
	00	Frogs' legs
49	0204.43	Other meat and edible meat offal, of primates,
	00	fresh, chilled or frozen
50	0205.00	Other meat and edible meat offal, of whales,
51	00	dolphins and porpoises (mammals of the
	0206.10	order Cetacea), manatees and dugongs
52	00	(mammals of the order Sirenia), fresh. Chilled
53	0206.21	or
54	00	frozen
55	0206.22	Other meat and edible meat offal, of reptiles
	00	(including snakes and turtles), fresh, chilled
	0206.29	or frozen
	00	Other
56	0206.30	Meat of bovine animals, salted, in brine, dried
57	00	or smoked
58	0206.41	Other meat and edible offal, including edible
59	00	flours and meals, of primates
60	0206.49	Other meat and edible offal, including edible
61	00	flours and meals, of whales, dolphins and
62	0206.80	porpoises (mammals of the order Cetacea),
63	00	manatees and dugongs (mammals of the
64	0206.90	order Sirenia)
65	00	Other meat and edible offal, including edible
66	0209.00	flours and meals, of reptiles (including
67	00	snakes and turtles)
68		Live ornamental fish
69	0208.10	Trout (<i>Salmo trutta</i> , <i>Oncorhynchus mykiss</i> ,
70	00	<i>Oncorhynchus clarki</i> , <i>Oncorhynchus</i>
71	0208.20	<i>aguabonita</i> , <i>Oncorhynchus gilae</i> , <i>Oncorhynchus</i>
72	00	<i>apache</i> and <i>Oncorhynchus</i>
73	0208.30	<i>chrysogaster</i>)
74	00	Eels (<i>Anguilfa</i> spp.)
	0208.40	Carp
75	00	Other live fish
76		Trout (<i>Salmo trutta</i> , <i>Oncorhynchus mykiss</i> ,
77		<i>Oncorhynchus clarki</i> , <i>Oncorhynchus</i>
78	0208.50	<i>aguabonita</i> , <i>Oncorhynchus gilae</i> , <i>Oncorhynchus</i>
79	00	<i>apache</i> and <i>Oncorhynchus</i>
80		<i>chrysogaster</i>), fresh or chilled
81	0208.90	Pacific salmon fresh/chilled
82	00	Other fresh/chilled fish
83	0210.20	Plaice (<i>Pleuronectes platessa</i>), fresh or chilled
84	00	Sole (<i>Solea</i> spp.), fresh or chilled
85	0210.91	Albacore or longfinned tunas (<i>Thunnus</i>
86	00	<i>alalunga</i>)
87	0210.92	Yellowfin tunas (<i>Thunnus albacares</i>)
88	00	Skipjack or stripe-bellied bonito
89		Other
90		Herrings (<i>Clupea harengus</i> , <i>Clupea pallasii</i>),
91	0210.93	excluding livers and roes
92	00	Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus</i>

93		macrocephalus), excluding livers and roes
94	0301.10	Sardines (Sardina...)
95	00	Haddock (Melanogrammus aeglefinus)
96	0301.91	Coalfish (Pollachius virens)
97	00	Mackerel (Scomber...}
98		Livers and roes, fresh or chilled
99	0301.92	Trout (Salmo trutta,)
100	00	Atlantic Salmon
101	0301.93	Other
102	00	Halibut (Reinhardtius hippoglossoides,
103	0301.99	Hippogiossus hippoglossus, Hippoglossus
104	90	stenolepis), frozen
105	0302.11	Plaice (Pleuronectes platessa), frozen,
106	00	Sole (Soiea spp.), frozen
107		Albacore or longfinned tunas (Thunnus
108		alalunga), frozen
109		Yellowfin tunas (Thunnus albacares)., frozen
110	0302.12	Skipjack or stripe-bellied bonito, frozen
111	00	Other, frozen
112	0302.19	Herrings (Clupea harengus, Clupea pallasii),
113	00	excluding livers and roes
114	0302.22	Cod (Gadus morhua, Gadus ogac, Gadus
115	00	macrocephalus)
116	0302.23	Sardines (Sardina...), frozen
117	00	Haddock (Melanogrammus aeglefinus), frozen
	0302.31	Coalfish (Pollachius virens), frozen
118	00	Mackerel (Scomber...), frozen
	0302.32	Dogfish and other sharks
119	00	Eels
	0302.33	Seabass
120	00	Hake
	0302.39	Livers and roes
121	00	Flours meals and pellets offish
	0302.40	Livers and roes, dried, smoked, salted or in
122	00	brine
	0302.50	Pacific salmon Smoked including fillet
123	00	Herrings (Clupea harengus, clupea pailasii)
	0302.61	Other smoked fish including fillet
124	00	Cod (Gadus morhua, Gadus ogac, Gadus
	0302.62	macrocephalus)
125	00	Herrings salted (Clupea harengus, Clupea
126	0302.63	pallasii)
127	00	Cod salted {Gadus morhua, Gadus ogac,
128	0302.64	Gadus macrocephalus)
	00	Rock lobster frozen
	0302.70	Lobster (Homarus spp) frozen
129	00	Rock lobsters and other sea crawfish (Palinurus
	0303.21	spp., Panulirus spp., Jasus spp.)
130	00	Lobsters (Homarus spp.)
131	0303.22	Other, including flours, meals and pellets of
132	00	crustaceans, fit for human consumption
133	0303.29	Oyster
134	00	Scallops live, fresh or chilled
135	0303.31	Other scallops
	00	Mussels live, fresh chified

136		Other mussels fit for human consumption
	0303.32	Cuttle fish, live, fresh or chilled ' 0
137	00	Other cuttlefish preparations
138	0303.33	Octopus, live, fresh or chilled
139	00	Other octopus preparations
140	0303.41	Snails other than sea snails
141	00	Other live, fresh or chilled aquatic invertibrates
142	0303.42	Other than live, fresh or chilled aquatic
143	00	invertibrates
144	0303.43	Milk and cream, not concentrated nor
145	00	containing added sugar or sweetening matter,
146	0303.49	of a
	00	fat content, by weight not exceeding 1%.
147	0303.50	Milk and cream, not concentrated nor
148	00	containing added sugar or sweetening matter,
149	0303.60	of a
150	00	fat content, by weight exceeding 1% but not
151	0303.71	exceeding 6%.
152	00	Milk and cream, not concentrated nor
	0303.72	containing added sugar or sweetening matter,
	00	of a
153	0303.73	fat content, by weight exceeding 6%.
154	00	Milk and cream, concentrated or containing
	0303.74	added sugar or sweetening matter, in
	00	powder or granules or other solid forms, of a
155	0303.75	fat content by weight not exceeding 1.5%
156	00	Milk and cream, not containing added sugar or
157	0303.76	sweetening matter, in powder or granules
158	00	or other solid forms, of a fat content by weight
159	0303.77	exceeding 1.5%
	00	Milk and cream, containing added sugar or
160	0303.78	sweetening matter, in powder or granules or
161	00	other solid forms, of a fat content by weight
162	0303.80	exceeding 1.5%
163	00	Milk and cream, not containing added sugar or
164	0305.10	sweetening matter, other than in powder
165	00	or granules or other solid forms, of a fat
166	0305.20	content by weight exceeding 1.5%
167	00	Milk and cream, containing added sugar or
168	0305.41	sweetening matter, other than in powder or
169	00	granules or other solid forms, of a fat content
170	0305.42	by weight exceeding 1.5%
171	00	Yogurt, containing fruits, nuts, cocoa or
172	0305.49	flavouring matter; liquid yogurt
173	00	Other yogurt
174	0305.51	Buttermilk
175	00	Curdled mifk and cream, kephir and other
176	0305.61	fermented or acidified milk and cream, whether
177	00	or not concentrated or containing added sugar
178	0305.62	or other sweetening matter or flavoured or
179	00	containing added fruit, nuts or cocoa
180	0306.11	Whey and modified whey, whether or not
181	00	conctrated or containing added sugar or other
182	0306.12	sweetening matter
183	00	Other than whey and modified whey