REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF INTERNAL REVENUE
Quezon City

Sec. 109 (1)(A) of the Tax Code of 1997;
BIR Ruling No. 221-17
VAT 321-2020
JUN 15 2020

QUICKGROW GENETICS PHILS., INC.
Sitio Sili, Brgy. Ungib, San Quintin,
Pangasinan 2444

Attention : **Mr. Aristotle O. Santos**
President

Gentlemen:

This refers to your letter dated January 18, 2017, requesting on behalf of QUICKGROW GENETICS PHILS., INC. for value-added tax (VAT) exemption on its importation and distribution of corn seeds and livestock, pursuant to Section 109 (1)(A) of the 1997 Tax Code, as amended.

Documents submitted show that QUICKGROW GENETICS PHILS., INC., with Taxpayer's Identification Number (TIN) [illegible], is a corporation organized and existing under Philippine laws; that it is duly registered with the Securities and Exchange Commission (SEC) under SEC Reg. No. [illegible]; and that as shown in its Articles of Incorporation, its primary purpose is to be able to produce superior pig genetics with the introduction of imported lines from reputable pig sources from around the world and making it available to local pig farmers to help uplift the hog industry.

Records also show that QUICKGROW GENETICS PHILS., INC. is a registered importer of plant product(s) such as Corn seeds with Certificate of Registration No. [illegible] issued by the Bureau of Plant Industry; is an accredited importer of live animals, semen and other genetic materials with Certificate of Accreditation No. [illegible] issued on October 24, 2017, by the Bureau of Animal Industry, valid for a period of two (2) years.

In reply, please be informed that Section 109 (1)(A) of the Tax Code of 1997, as amended by Republic Act No. 9337, provides for the exemption from VAT on the sale or importation of corn seeds and livestock. The aforesaid provision reads, viz.:

> "SEC. 109. Exempt Transactions. — (1) Subject to the provisions of subsection (2) hereof, the following transactions shall be exempt from the value-added tax:
>
> xxx xxx xxx

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A) Sale or importation of agricultural and marine food products in their original state, livestock and poultry of a kind generally used as, or yielding or producing foods for human consumption; and breeding stock and genetic materials therefor."

xxx xxx xxx

Based on the above-cited provision, the importation and distribution/sale of corn seeds in their original state and livestock used as, or yielding or producing foods for human consumption, is considered exempt from VAT pursuant to Section 109 (1)(A) of the Tax Code of 1997, as amended. It is not subject to twelve percent (12%) VAT imposed under Sections 106 (A) and 107 (A) of the 1997 Tax Code, as amended. It is understood that the necessary government permit/accreditation/authority for the importation/distribution/sale of said corn seeds and livestock have been properly secured.

This ruling is being issued on the basis of the foregoing facts as represented. However, if upon investigation, it will be disclosed that the facts are different, then this ruling shall be considered null and void.

Very truly yours,

CAESAR R. DULAY
Commissioner of Internal Revenue

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