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MANILA TRADING & SUPPLY CO.

20th STREET • PORT AREA

TEL. 3-34-51

At the time that the Company's complaint was filed, the Company prayed for the issuance of a writ of preliminary injunction against PRATRA, its officers, directors, agents, employees, and representatives, restraining them during the pendency of the case from enforcing the above orders given by PRATRA to the Company, and from in any manner interfering with the conduct of the Company's business.

ON December 19, 1949, "without prejudging the merit of the principal action," the court denied the Company's petition for a writ of preliminary injunction because, in the opinion of the trial judge, "there is no sufficient ground for the issuance of a writ of preliminary injunction." His Honor was of the opinion that the orders given by PRATRA to the Company were mere "directives," and that the defendants had no intention of enforcing them by "acts of coercion."

The Company's complaint alleged that it believed that PRATRA would attempt to seize the Company's stock of Chesterfield, Piedmont, and Cycle cigarettes, but the trial judge was of the opinion that PRATRA had not actually threatened to seize the Company's stock of cigarettes, and that there was no necessity for a preliminary injunction pending trial on the merits of PRATRA'S authority to tell an importer how to conduct his business.

Manila, December 29, 1949

Executive Order No. 297

AMENDING EXECUTIVE ORDER NO. 295, DATED
NOVEMBER 29, 1949

By virtue of the powers vested in me by Republic Act No. 330, entitled "AN ACT AUTHORIZING THE PRESIDENT OF THE PHILIPPINES TO ESTABLISH A SYSTEM OF IMPORT CONTROL BY REGULATING IMPORTS OF NON-ESSENTIAL AND LUXURY ARTICLES, CREATING AN IMPORT CONTROL BOARD, AUTHORIZING THE ISSUANCE OF RULES AND REGULATIONS TO CARRY INTO EFFECT SUCH CONTROL AND PENALIZING VIOLATIONS OF THIS ACT," I, ELPIDIO QUIRINO, President of the Philippines, do hereby order:

SECTION 1. Appendices A and B of Executive Order No. 295 are hereby amended as follows: Insert "except oranges and apples" after "all fresh and frozen fruits" in Item No. 17.1 and after Item 17.3 insert 17.4 orange and apples with a percentage cut of 30%; Item 20.1 from 90% to 60%; Item 20.3 from 90% to 60%; Item 20.4 Coffee (Ground or as candy) from 90% to 50%; insert in Item 21.2 the words "corned beef and" between "except" and "those"; Item 21.3 delete the word "hams" and insert "except hams" after the words "and the like"; change the cut in Item 21.6 from 80% to 70%; insert Item 21.8 Corned beef with a percentage cut of 50%; insert Item 21.9 Hams with a percentage cut of 60%; delete Item 22.5; insert the words "and salmon" after "except sardines" in Item 23.1; insert "and salmon" after "Sardines" in Item 23.4 and change percentage cut to ceiling instead of 50%; insert "Quaker Oats" between the words "except" and "those" in Item 24.3; delete "wheat flour" and insert "Quaker Oats" in Item 24.8 with a percentage cut of 30%; insert the words "plastic raincoats, garments" between "belts" and "novelties" in Item 25.6; delete "cardboards (any weight) and boxes" and in lieu thereof insert "chipboard (From No. 40 to No. 70)" in Item 27.3; delete from Item 27.4 the words "Wallboards and"; insert Item 27.5 Bond, writing and tablet paper, any weight, white or colored — 80%; change Item 29.3 to read "wall and floor tiles except white glazed tiles"; reduce the percentage cut of Item 33.3 Matches from 95% to 60%; delete the word "prohibited" and insert 90% in lieu thereof in Item 33.7; insert Item 33.38 Wallboards — 95%; insert Item 33.39 Gas or kerosene refrigerators — 50%; and insert Item 33.40 Commercial hydrochloric acid (Muriatic acid) — 95%.

SEC. 2. Articles or materials included in Appendix A which are necessary for the operation of locally established industries, as determined by the Import Control Board, shall not be subject to the percentage reductions fixed in Appendix B, but the manufacturer shall apply for import permits therefor.

SEC. 3. This Order shall take effect on December 1, 1949 except the control on new items added herein which shall take effect upon the promulgation of this Order.

Done in the City of Baguio, this 24th day of December, in the year of Our Lord, nineteen hundred and forty-nine, and of the independence of the Philippines, the fourth.

(SGD.) ELPIDIO QUIRINO
President of the Philippines