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CMO 48-2019

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Introduction

This Order prescribes the operational guidelines for submission of advance cargo declaration, inward foreign manifest and consolidated cargo manifest (CCM) by the foreign carriers (sea vessels and aircraft) and their authorized agents to the Bureau's Cargo Targeting System (CTS).

Objectives

- Ensure that the cargo manifest and CCM are submitted in the prescribed form, with all the information required to be provided in the Goods Declaration, at the prescribed time and to the designated customs officials and offices
- Enhance the capability of the Bureau of Customs to collect information, assess risks, and target high-risk consignments moving through the supply chain
- Increase the Bureau's supply chain visibility and security, promoting fair and effective revenue collection, reducing levels of illicit trade, allowing better allocation of resources, and increasing benefits for engaging in greater government-industry partnerships
- Enable the Bureau to expedite the release of legitimate cargo upon arrival in the Philippines

Definition of Terms

Airway Bill – a transport document for airfreight used by airlines and international freight forwarders which specifies the holder or consignee of the bill who has the right to claim delivery of the goods when they arrive at the port of destination. It is a contract of carriage that includes carrier conditions, such as limits of liability and claims procedures. In addition, it contains transport instructions to airlines and carriers, a description of the goods, and applicable transportation charges

Authorized Agent – a person who represents a shipping company, airline, NVOCC, freight forwarder, cargo consolidator, deconsolidator, shipper, consignee, accredited cargo surveying company who by written authority has been designated to transact with the Bureau

CMTA, Title I, Chapter 2, Section 102 (d)

Bill of Lading (B/L) – a transport document issued by carriers and international freight forwarders or non-vessel operating common carrier for water-borne freight. It is a contract of carriage between the carrier and the shipper which defines the liabilities of each party. The holder or consignee of the bill has the right to claim delivery of the goods at the port of destination. It is a contract of carriage that includes carrier conditions, such as limits of liability and claims procedures. In addition, it contains transport instructions to shipping lines and carriers, a description of the goods, and applicable transportation charges

CMTA, Title I, Chapter 2, section 102(h)

Cargo Consolidator – a juridical entity which procures transport of goods by sea or air and issues house bill of lading or house airway bill to consignors of shipments under its solicitation, to whom it directly assumes the abilities and responsibilities of a carrier for the transportation of such goods from the point of receipt to the point of destination of such goods, and ships the shipment together in its name consigned to its Deconsolidation Agent in the Philippines

cf. CAO No. 01-2016 on "Advance Cargo Declaration, Inward Foreign Manifest and Consolidated Cargo Manifest Rule"

Cargo Manifest – the detailed list of cargo (freight) on board a vessel or aircraft giving the commercial particulars of the goods, such as transport document numbers, consignors, consignees, marks and numbers, number and kind of packages, descriptions, quantities of the goods and destination. This also refers to both Inward and Outward Foreign Manifests

cf. WCO Glossary of International Terms

Carrier – the juridical entities responsible for the transport of goods such as airlines, shipping lines, international freight forwarders, cargo consolidators, non-vessel operating common carriers and other international transport operators

cf. CMTA, Title I, Chapter 2, Section 102(j)

Co-loader – a consolidator who cannot fully fill up a container and utilizes the services of another consolidator (master loader) to assume the responsibility of transporting cargoes from named port/point of origin to named port/point of destination. Co-loader acts as the shipper in its relationship to the master loader. It could also refer to a shipping line using the services of another shipping line for the transport of the former's cargo from the port of origin to the port of destination.

Consolidated Cargo Manifest (CCM) – a true and accurate manifest, of all the individual shipments in the consolidation destined and intended to be unloaded at a port of entry in the Philippines, submitted as rider to the inward foreign manifest of the carrying vessel or aircraft

cf. CAO No. 01-2016

Cargo Targeting System (CTS) – a cargo manifest risk assessment solution developed by the World Customs Organization (WCO) to enable its Members to carry out international best practice on cargo risk assessment to manage risk and facilitate trade and thus implement key parts of the WCO's SAFE Framework of Standard to Secure and Facilitate Global Trade and the Revised Kyoto Convention

cf. World Customs Organization
Glossary of Customs International
Terms 2018

Freight Forwarder – a local entity that acts as a cargo intermediary and facilitates transport of goods on behalf of its client without assuming the role of a carrier, which can also perform other forwarding services, such as booking cargo space, negotiating freight rates, preparing documents, advancing freight payments, providing packing/crating, trucking and warehousing, engaging as an agent/representative of a foreign non-vessel operating as a common carrier/cargo consolidator named in a master bill of lading as consignee of a consolidated shipment, and other related undertakings

CMTA, Title I, Chapter 2, Section 102(aa)

House Bill of Lading (HBL) – a bill of lading covering a single, individual shipment or consignment issued by the international freight forwarder, NVOCC or a consolidator to the respective shippers, containing the names and addresses, respectively, of both the consignor or sender and the consignee or receiver and the detailed, specific description of the goods shipped through sea

cf. CAO No. 06-2016

International Maritime Organization (IMO) Number – a unique reference for ships, registered ship owners and management companies introduced to improve maritime safety and security and to reduce maritime fraud

International Freight Forwarder – persons responsible for the assembly and consolidation of shipments into a single lot, and assuming, in most cases, the full responsibility for the international transport of such shipments from point of receipt to the point of destination

Master Bill of Lading – an ocean bill of lading issued by ocean carrier to an international freight forwarder, Non-Vessel Operating Common Carrier (NVOCC) or a consolidator

CMTA, Title I, Chapter 2, Section 102(bb)

Non-Vessel Operating Common Carrier (NVOCC) – an entity, which does not own or operate a vessel, that provides a point-to-point service which may include several modes of transport of full container load and less container load (LCL) shipments and issues corresponding transport document

cf. CAO 06-2016

CAO 06-2019

Original Port of Loading – the port at which the cargo was loaded on the first mode of transport at the country of export

Place/Port of Discharge – the port where the goods shall be unloaded from the current vessel and dispatched to their respective consignees

CMTA, Title I, Chapter 2, Section 102 (ss)

Place of Receipt – where goods are accepted for carriage

Port of Entry – the domestic port open to both domestic and international trade, including principal ports of entry and subports of entry. A principal port of entry is the chief port of entry of the Customs District where it is situated and is the permanent station of the District Collector of such port. Subports of entry are under the administrative jurisdiction of the District Collector of the principal port of entry of the Customs District. Port of entry as used in the CMTA shall include airport of entry

cf. CMTA, Title I, Chapter 2, Section 102 (ss)

Port of Loading – the place where shipments are loaded and secured aboard a vessel. It may or may not be the same as Port of Origin

CMTA, Title I, Chapter 2, Section 201(hh)

Ship Agent – the local representative of the principal, providing local knowledge and expertise and ensuring that the principal's requirements are performed with utmost efficiency and dispatch; and accordingly, which possesses the capacity to be fully conversant with all the appropriate regulations and requirements relating to the port, area or sector in which it operates, to have a wide range of relevant contacts and be well-established to provide the level of service and support the principal needs.

Shipping Line – a juridical entity that transports cargoes aboard ships or vessels across oceans or seas

Transit – the customs procedure under which goods, in its original form, are transported under customs control from one customs office to another, or to a free zone

cf. CAO No. 01-2016

Value Added Service Provider (VASP) or Accredited Information Provider (AIP) – those entities accredited by the Bureau to facilitate electronic transactions with the Customs ICT System.

CMTA, Title I, Chapter 2, Section 102(rr)

Operational Provisions

Advance submission of Cargo Manifest, and CCM to CTS

Electronic submission of cargo manifest/CCM to CTS by the carrier shall be made in XML format or in any other format as may be prescribed by the Bureau. The carrier shall utilize the Bureau's accredited VASP/AIP facility or any other facility as may be prescribed for the submission of the IFM/CCM to CTS and to the E2M system.

Submission Time of Advance Cargo Manifest

- Cargo manifest shall be electronically sent by sea freight carrier at least twenty-four (24) hours before the arrival of the carrier.
- Air freight carrier shall submit cargo manifest at least one (1) hour before the arrival of the aircraft if the port of origin is in Asia. If the port of origin is other than Asia, cargo manifest shall be submitted at least four (4) hours before the arrival of the aircraft.

Contents of Cargo Declaration, IFM and CCM

The following mandatory information must appear in the IFM/CCM for each cargo listed therein:

- Port of Origin
- Port of Receipt
- Port of Loading
- Port of Delivery or Port of Discharge
- PH Customs registry number
- Bill of Lading or Airway Bill Number
- Type of Bill of Lading
- Nature of Bill of Lading
- Marks and numbers of cartons, drums, boxes, crates, and other forms of protective covering
- Container and seal number, for sea vessel if containerized and initials FCL, if full container load, and LCL, if less container load
- Number of packages
- Kinds of packages (cartons, boxes, crates, drums, etc.)
- Specific Contents of description of cargo with
- HS codes (6 digits)
- Name of Shipper
- Address of Shipper

- Name of Consignee
- Address of Consignee
- Name of Notify Party
- Address of Notify Party
- Gross Weight in Kilograms
- Measurement in cubic meters
- Carrier Name, for vessel/airline operator only
- Place of Registration, for vessel/airline operator only
- Nationality of the carrier, for vessel/airline operator only
- Registration Number, for vessel/airline operator only
- IMO Number or Tail Number, for vessel/airline operator only
- Registration Date of the carrier, for vessel/airline operator only

Submission of Updates

- Submission of updates for the previously submitted advance cargo declaration, inward foreign manifest, and consolidated cargo manifest can be done through the VASP.
- **Cargo Description** – Cargo Description in the Cargo Manifest shall be precise enough to enable the Bureau to identify the goods intended to be discharged in the port and take preemptive action if warranted. Generic descriptions stated in the Cargo Manifest of the carrying vessel such as FAK (Freight All Kinds), general cargo and/or similar terminologies shall not be allowed and shall be considered as failure to exhibit the required document. Only Master B/L or Master AWB are allowed to use cargo description as “Consolidated Balikbayan Box” (for freight forwarder handling balikbayan boxes only) or “Consolidated Cargo” (for freight forwarder handling non balikbayan boxes).

Monitoring of CTS

The Deputy Commissioner, Intelligence Group shall monitor the compliance of this Order by the shipping lines, airlines, and forwarders

Additional Rules and Regulations

The Commissioner of Customs may issue additional rules and regulations for the effective implementation of this Order.

Repealing Clause

All rules and regulations inconsistent with this Order are hereby repealed, superseded or modified accordingly.

Separability Clause

If any part of this Order is declared unconstitutional or contrary to existing laws, the other parts not so declared shall remain in full force and effect.

Transitory Provision

To give cargo carriers and other parties concerned sufficient time to comply with the new requirement, the fines provided for under Section 1412 of the CMTA shall not be imposed within six (6) months from the effectivity of this CMO.

Effectivity Clause

This order shall take effect fifteen (15) days from publication at the Official Gazette or in a newspaper of national circulation.

The Office of National Administrative Register (ONAR) of the UP Law Center shall be provided three (3) certified copies of this CMO.

CMC 239-2019

Issue Date: October 22, 2019

From DTI Department Administrative Order No. 19-13, Series of 2019

On 09 August 2019, the Department of Trade and Industry (DTI) received the Tariff Commission's Formal Investigation Report on the general safeguard measure against the importation of cement from various countries classified under ASEAN Harmonized Tariff Nomenclature AHTN Codes 2523.29.90 and 2523.90.00. The period covered by the investigation (POI) are the years of 2013 to 2017 with updated data of 2018.

The Commission, in accordance with the Safeguard Measure Act (RA 8800), concluded that:

- Eight (8) out of 10 local cement manufacturers represented the domestic cement industry in the formal investigation. This satisfies the domestic industry requirement under Section 4(f) of RA No. 8800
- Locally produced Type I and Type IP cement are "like" to imported Type I and Type IP cement
- Type I and Type IP cement were imported into the Philippines in increased quantities, both in absolute and relative domestic production, starting in 2016. The increase in volume of imports was recent enough, sudden enough, sharp enough, and significant enough
- While the domestic cement industry suffered injury, as evidenced by deteriorating trends in industry market share, sales, production, profits, and capacity utilization during the POI, the overall impairment in its position was not of a degree that may constitute serious injury
- There exists an imminent threat of serious injury and significant overall impairment to the position of the domestic cement industry in the near future, as shown by:
 - Significant rate of increase in cement importations starting 2016 until the first semester of 2019. Thus, indicating to the high likelihood that substantially increased importations will occur in the near future
 - The substantial freely disposable production capacities of exporters that can accommodate increasing exports to the Philippines and the importance of the Philippines as an

export market by top suppliers Vietnam and China indicates the high chance of increased exports of cement to the Philippines in the near future

- Significant deterioration in the overall position of the domestic cement industry during the period of import surge (i.e. declines in sales, market share, production, profits, and capacity utilization, and reduced ability to general capital and/or investments to further modernize and expand capacities)
- There is a direct causal relationship between increased imports of cement and the imminent threat of serious injury and significant overall impairment to the position of the domestic cement industry in the near future. While there were other factors that contributed to the impairment of the domestic cement industry, these were not substantial to cause serious injury to the local cement industry during the period of import surge
- Serious injury to the domestic cement industry would occur imminently if a definitive safeguard measure against importation of cement is not applied
- The circumstances provided in Article XIX or GATT 1994 need to be demonstrated since the product under consideration (Type I and Type IP cement) is not the subject of any Philippine obligation or tariff concession under the WTO Agreement. Nonetheless, such inquiry is governed by the national legislation (RA No. 8800) and the terms and conditions of the Agreement on Safeguards.

The Commission recommended that the imposition of the safeguard measure be imposed for a period of three (3) years, i.e. from 2019 to 2022.

Accordingly, the DTI has reviewed the Commission's findings and recommendations and has established that the imposition of the definitive general safeguard measure shall be in the public interest. While DTI is mandated to protect consumers, there is a need to balance this taking into account other sectors such as investors and industry which provide employment to Filipinos. There is also a need to moderate imports to balance trade. If local manufacturers can adequately supply domestic requirements, they need to be provided a level playing field to enable them to compete with imports. This will allow expansion of the country's manufacturing base and generate more jobs for Filipinos. Further, users of cement retain their option to choose between the local and imported cement since imports will still be allowed. The imposition of a safeguard measure is not expected

to cause a shortage of cement in the domestic market considering that the cement manufacturers have sufficient capacity to meet domestic demand.

WHEREFORE, IN VIEW THEREOF, and pursuant to Section 13 of RA 8800, the DTI hereby issued the following:

- A definitive safeguard duty effective for three (3) years shall be imposed on imported cement from various countries to encourage and challenge the local cement industries to be globally competitive. The amount of the safeguard duty to be imposed for the first year shall be Php250.00/MT or Php10.00 per 40kg bag; for the second year – Php 225.00/MT or Php 9.00 per 40kg bag; and for the third year – Php200.00/MT or Php8.00 per 40kg bag.
- The amount of the measure shall be subject to regular review to give the DTI the opportunity to modify the amount of the duty if necessary. The duty shall be applied to cement classified under AHTN Codes 2523.29.90 and 2523.90.00

Imports originating from developing countries listed in Annex A covered by Rule 8.8 of the IRR of RA 8800 shall not be subject to the definitive general safeguard measure. The composition of the developing countries on the de minimis list may change based on a review of the most recent data available as part of the annual review which will be conducted by the DTI during the implementation period

- Importers of cement originating from a country that is exempt from the safeguard duty shall submit a Certificate of Country of Origin (CO) issued by the authorized agency/office in the source country of manufacture subject to the affixation of "Apostille" to the document or authenticated by the Philippine Embassy/Consulate General, as applicable

The application of the definitive general safeguard measure shall be monitored and reviewed in accordance with Sections 15 and 16 of RA 8800. The domestic cement industry is also directed to comply with its adjustment plan.

The DTI Order of the definitive general safeguard measures can be accessed at the DTI website:

<https://www.dti.gov.ph/media/advisories/13172-advisory-dti-order-in-the-matter-of-the-definitive-general-safeguard-measure-on-the-importation-of-cement-from-various-countries>

The notification and consultation requirements under Article 12 of the WTO Safeguards Agreement and Section 17 of RA 8800 and its IRR shall be complied with. Imports originating from ASEAN Member states shall be governed by the provisions of Articles 11 and 23 of the ASEAN Trade in Goods Agreement (ATIGA).

Let this order be published in two (2) newspapers of general circulation and let individual notices be sent to all interested parties including the country members concerned.

This Order shall take effect upon the issuance of the relevant Customs Memorandum Order or fifteen (15) days after the publication of the Order in two (2) newspapers of general circulation, whichever comes earlier.

Annex A: List of Developing Countries and Separate Customs Territories Excluded from the Imposition of Definitive General Safeguard Measure on Cement

| East & Southern Africa | West Africa | North Africa | South Asia |
|-----------------------------------|----------------------|---------------------|--------------------------------|
| Angola | Benin | Algeria | Afghanistan |
| Botswana | Burkina Faso | Egypt, Arab Rep. | Bangladesh |
| Burundi | Cameroon | Libya | Bhutan |
| Comoros | Cape Verde | Morocco | British Indian Ocean Territory |
| Congo Dem. Rep. | Central African Rep. | Tunisia | East Timor |
| Djibouti | Chad | | India |
| Eritrea | Congo, Rep. | | Maldives |
| Ethiopia | Cote d'Ivoire | | Nepal |
| Kenya | Equatorial Guinea | | Pakistan |
| Lesotho | Gabon | | Sri Lanka |
| Madagascar | Gambia, The | | |
| Malawi | Ghana | | |
| Mauritius | Guinea | | |
| Mozambique | Guinea, Bissau | | |
| Namibia | Liberia | | |
| Reunion | Mali | | |
| Rwanda | Mauritania | | |
| Seychelles | Niger | | |
| Somalia | Nigeria | | |
| South Africa | Sao Tome & | | |
| Sudan | Principe | | |
| Swaziland | Senegal | | |
| Tanzania | Sierra Leone | | |
| Uganda | Togo | | |
| Zambia | | | |
| Zimbabwe | | | |

| Europe & Central Asia | Middle East | Americas | East Asia & Pacific |
|-----------------------|----------------------|------------------------------|-----------------------|
| Albania | Bahrain | Anguilla | American Samoa |
| Armenia | Iran, Islamic Rep. | Antigua & Barbados | Brunei Darussalam |
| Azerbaijan | Iraq | Argentina | Cambodia |
| Belarus | Israel | Aruba | Christmas Is. |
| Bosnia & Herzegovina | Jordan | Bahamas | Cocos (Keeling) Is. |
| Bulgaria | Kuwait | Barbados | Cook Is. |
| Croatia | Lebanon | Belize | Fiji |
| Cyprus | Oman | Bermuda | French Polynesia |
| Czech Republic | Qatar | Bolivia | Guam |
| Estonia | Saudi Arabia | Brazil | Hong Kong, China |
| Georgia | Syrian Arab Rep. | British Virgin Is. | Indonesia |
| Greenland | United Arab Emirates | Cayman Is. | Johnston Is. |
| Hungary | West Bank & Gaza | Chile | Kiribati |
| Kazakhstan | Yemen, Rep. | Colombia | Korea, Dem. Rep. |
| Kyrgyz Republic | | Costa Rica | Korea, Rep. |
| Latvia | | Cuba | Macau, China |
| Lithuania | | Dominica | Malaysia |
| Macedonia, FYR | | Dominican Rep. | Marshall Islands |
| Malta | | Ecuador | Micronesia, Fed. Sts. |
| Moldova | | El Salvador | Midway Is. |
| Poland | | Falkland Is. (Malvinas) | Mongolia |
| Romania | | French Guiana | Myanmar |
| Russian Federation | | Grenada | Nauru |
| Slovakia | | Guadaloupe | New Caledonia |
| Tajikistan | | Guyana | Niue |
| Turkey | | Haiti | Northern Marianas Is. |
| Turkmenistan | | Honduras | Palau |
| Ukraine | | Jamaica | Papua New Guinea |
| Uzbekistan | | Martinique | Pitcairn Is. |
| Yugoslavia, Fed. Rep. | | Mexico | Samoa |
| | | Montserrat | Singapore |
| | | Netherland Antilles | Solomon Islands |
| | | Nicaragua | Tokelau |
| | | Norfolk Is. | Tonga |
| | | Panama | Tuvalu |
| | | Paraguay | Vanuatu |
| | | Peru | Wake Is. |
| | | Puerto Rico | Wallis & Futuna Is. |
| | | St. Helena | |
| | | St. Kitts & Nevis | |
| | | St. Lucia | |
| | | St. Pierre & Miquelon | |
| | | St. Vincent & the Grenadines | |
| | | Suriname | |
| | | Trinidad & Tobago | |
| | | Turks & Caicos Is. | |
| | | Uruguay | |
| | | US Virgin Is. | |
| | | Venezuela | |

CMC 241-2019

Issue Date: October 17, 2019

With reference to the letter sent by Neil P. Catajay, Officer-in-Charge, Bureau of Product Standards (BPS), dated October 7, 2019, all concerned are informed regarding the issuance of Writs of Preliminary Injunction by the Regional Trial Courts Branch 141-Makati City and Branch 108-Pasay City on the implementation of Department Administrative Order (DAO) 19-05 Series of 2019 or **The New Technical Regulations Concerning the Mandatory Certification of Flat Glass, Heat-Strengthened and Fully Tempered Glass, Laminated Glass and Laminated Safety Glass in Building and Bent Glass.**

Relative thereto, imported products covered under the aforesaid DAO are not required to undergo the mandatory certification process from the BPS. Finally, the aforesaid products may be released without BPS certification, subject to BOC's Rules and Regulations.

For your information and guidance.

For records purposes, confirm the dissemination of this Circular throughout your offices within fifteen (15) days from receipt.

CMC 244-2019

Issue Date: October 22, 2019

From DTI Department Administrative Order No. 19-12, Series of 2019

The Philippine float glass industry, represented by Pioneer Float Glass Manufacturing, Inc. (PFGMI) filed a petition for safeguard measures on the importation of float glass, clear and tinted, including reflective glass under AHTN Codes 7005.29.90 (clear float glass), 7005.21.90 (tinted float glass), and 7005.10.90 (reflective glass) from various countries.

The period of investigation covered imports from 2013-2017. Updated data for 2018 were also presented. For injury determination, the Department considered relevant information for the same period.

WHEREFORE, IN VIEW THEREOF, the Department, acting under Section 7 of RA 8800, the "Safeguard Measures Act", found after preliminary determination that increased imports of the products under consideration have caused serious injury to the domestic industry, particularly in terms of declining market share, domestic sales, capacity utilization, production, employment, profitability and increased inventories. Landed costs of imports were found to be lower than the ex-plant prices of the domestic product.

Further, pursuant to Section 8 of RA 8800 which provides that "*in critical circumstances where a delay would cause damage which would be difficult to repair, and pursuant to a preliminary determination that increased imports are the substantial cause of serious injury to the domestic industry*", a provisional safeguard measure in the form of a cash bond amounting to Php2,552/MT for clear float glass under AHTN Code 7005.29.90 and Php2,835/MT for tinted float glass under AHTN Code 7005.21.90, including reflective glass under AHTN Code 7005.10.90 shall be imposed for a period of 200 days from the date of issuance by the Bureau of Customs (BOC) of the relevant Customs Memorandum Order or fifteen (15) days after the publication of the DTI order in two (2) newspapers of general circulation, whichever comes earlier.

Imports originating from countries listed in Annexes A and B covered by Rule 8.8 of the IRR of RA 8800 shall not be subject to the provisional safeguard measure.

Importers of clear and tinted float glass including reflective glass originating from a country that is exempt from the safeguard duty shall submit a Certificate of Origin (CO) issued by the authorized agency/office in the source country of manufacture subject to affixation of "Apostille" to the document or authentication by the Philippine Embassy/Consulate General, as applicable.

Moreover, Rule 5.2 of the Implementing Rules and Regulations (IRR) of RA 8800 provides that *"the Secretary when establishing that the application of a safeguard measure will be in the public interest shall take into consideration the following factors, among others: x x x (ii) the extent to which such imposition will cause a shortage of a product under consideration in the domestic market."*

The case records will be transmitted to the Tariff Commission for a formal investigation to determine whether or not there is a need to impose a definitive safeguard measure.

The non-confidential report of the preliminary safeguard measures investigation can be accessed at the DTI website: <https://www.dti.gov.ph/advisories/129990-preliminary-determination-of-the-safeguard-measures-case-against-the-importation-of-clear-and-tinted-float-glass-from-various-countries>

The notification and consultation requirements under Article 12 of the WTO Safeguards Agreement and Section 17 of RA 8800 and its IRR shall be complied with. Imports originating from ASEAN member states shall be governed by the provisions of Articles 11 and 23 of the ASEAN Trade in Goods Agreement (ATIGA).

Let this Order be published in two (2) newspapers of general circulation and let individual notices be sent to all interested parties including the country members concerned.

This Order shall take effect fifteen (15) days after publication or from the date of the issuance of relevant BOC-CMO, whichever comes earlier.

Annex A: List of Developing Countries and Separate Customs Territories Excluded from the Imposition of Provisional Safeguard Measure on Clear Float Glass

| East & Southern Africa | West Africa | North Africa | South Asia |
|-----------------------------------|----------------------|---------------------|--------------------------------|
| Angola | Benin | Algeria | Afghanistan |
| Botswana | Burkina Faso | Egypt, Arab Rep. | Bangladesh |
| Burundi | Cameroon | Libya | Bhutan |
| Comoros | Cape Verde | Morocco | British Indian Ocean Territory |
| Congo Dem. Rep. | Central African Rep. | Tunisia | East Timor |
| Djibouti | Chad | | India |
| Eritrea | Congo, Rep. | | Maldives |
| Ethiopia | Cote d'Ivoire | | Nepal |
| Kenya | Equatorial Guinea | | Pakistan |
| Lesotho | Gabon | | Sri Lanka |
| Madagascar | Gambia, The | | |
| Malawi | Ghana | | |
| Mauritius | Guinea | | |
| Mozambique | Guinea, Bissau | | |
| Namibia | Liberia | | |
| Reunion | Mali | | |
| Rwanda | Mauritania | | |
| Seychelles | Niger | | |
| Somalia | Nigeria | | |
| South Africa | Sao Tome & Principe | | |
| Sudan | Senegal | | |
| Swaziland | Sierra Leone | | |
| Tanzania | Togo | | |
| Uganda | | | |
| Zambia | | | |
| Zimbabwe | | | |

| Europe & Central Asia | Middle East | Americas | East Asia & Pacific |
|-----------------------|----------------------|------------------------------|-----------------------|
| Albania | Bahrain | Anguilla | American Samoa |
| Armenia | Iran, Islamic Rep. | Antigua & Barbados | Brunei Darussalam |
| Azerbaijan | Iraq | Argentina | Cambodia |
| Belarus | Israel | Aruba | Christmas Is. |
| Bosnia & Herzegovina | Jordan | Bahamas | Cocos (Keeling) Is. |
| Bulgaria | Kuwait | Barbados | Cook Is. |
| Croatia | Lebanon | Belize | Fiji |
| Cyprus | Oman | Bermuda | French Polynesia |
| Czech Republic | Qatar | Bolivia | Guam |
| Estonia | Saudi Arabia | Brazil | Hong Kong, China |
| Georgia | Syrian Arab Rep. | British Virgin Is. | Indonesia |
| Greenland | United Arab Emirates | Cayman Is. | Johnston Is. |
| Hungary | West Bank & Gaza | Chile | Kiribati |
| Kazakhstan | Yemen, Rep. | Colombia | Korea, Dem. Rep. |
| Kyrgyz Republic | | Costa Rica | Korea, Rep. |
| Latvia | | Cuba | Macau, China |
| Lithuania | | Dominica | Malaysia |
| Macedonia, FYR | | Dominican Rep. | Marshall Islands |
| Malta | | Ecuador | Micronesia, Fed. Sts. |
| Moldova | | El Salvador | Midway Is. |
| Poland | | Falkland Is. (Malvinas) | Mongolia |
| Romania | | French Guiana | Myanmar |
| Russian Federation | | Grenada | Nauru |
| Slovakia | | Guadaloupe | New Caledonia |
| Tajikistan | | Guyana | Niue |
| Turkey | | Haiti | Northern Marianas Is. |
| Turkmenistan | | Honduras | Palau |
| Ukraine | | Jamaica | Papua New Guinea |
| Uzbekistan | | Martinique | Pitcairn Is. |
| Yugoslavia, Fed. Rep. | | Mexico | Samoa |
| | | Montserrat | Singapore |
| | | Netherland Antilles | Solomon Islands |
| | | Nicaragua | Tokelau |
| | | Norfolk Is. | Tonga |
| | | Panama | Tuvalu |
| | | Paraguay | Vanuatu |
| | | Peru | Wake Is. |
| | | Puerto Rico | Wallis & Futuna Is. |
| | | St. Helena | |
| | | St. Kitts & Nevis | |
| | | St. Lucia | |
| | | St. Pierre & Miquelon | |
| | | St. Vincent & the Grenadines | |
| | | Suriname | |
| | | Trinidad & Tobago | |
| | | Turks & Caicos Is. | |
| | | Uruguay | |
| | | US Virgin Is. | |
| | | Venezuela | |

Annex B: List of Developing Countries and Separate Customs Territories Excluded from the Imposition of Provisional Safeguard Measure on Tinted Float Glass Including Reflective Glass

| East & Southern Africa | West Africa | North Africa | South Asia |
|-----------------------------------|----------------------|---------------------|--------------------------------|
| Angola | Benin | Algeria | Afghanistan |
| Botswana | Burkina Faso | Egypt, Arab Rep. | Bangladesh |
| Burundi | Cameroon | Libya | Bhutan |
| Comoros | Cape Verde | Morocco | British Indian Ocean Territory |
| Congo Dem. Rep. | Central African Rep. | Tunisia | East Timor |
| Djibouti | Chad | | India |
| Eritrea | Congo, Rep. | | Maldives |
| Ethiopia | Cote d'Ivoire | | Nepal |
| Kenya | Equatorial Guinea | | Pakistan |
| Lesotho | Gabon | | Sri Lanka |
| Madagascar | Gambia, The | | |
| Malawi | Ghana | | |
| Mauritius | Guinea | | |
| Mozambique | Guinea, Bissau | | |
| Namibia | Liberia | | |
| Reunion | Mali | | |
| Rwanda | Mauritania | | |
| Seychelles | Niger | | |
| Somalia | Nigeria | | |
| South Africa | Sao Tome & | | |
| Sudan | Principe | | |
| Swaziland | Senegal | | |
| Tanzania | Sierra Leone | | |
| Uganda | Togo | | |
| Zambia | | | |
| Zimbabwe | | | |

| Europe & Central Asia | Middle East | Americas | East Asia & Pacific |
|-----------------------|----------------------|------------------------------|-----------------------|
| Albania | Bahrain | Anguilla | American Samoa |
| Armenia | Iran, Islamic Rep. | Antigua & Barbados | Brunei Darussalam |
| Azerbaijan | Iraq | Argentina | Cambodia |
| Belarus | Israel | Aruba | Christmas Is. |
| Bosnia & Herzegovina | Jordan | Bahamas | Cocos (Keeling) Is. |
| Bulgaria | Kuwait | Barbados | Cook Is. |
| Croatia | Lebanon | Belize | Fiji |
| Cyprus | Oman | Bermuda | French Polynesia |
| Czech Republic | Qatar | Bolivia | Guam |
| Estonia | Saudi Arabia | Brazil | Hong Kong, China |
| Georgia | Syrian Arab Rep. | British Virgin Is. | Indonesia |
| Greenland | United Arab Emirates | Cayman Is. | Johnston Is. |
| Hungary | West Bank & Gaza | Chile | Kiribati |
| Kazakhstan | Yemen, Rep. | Colombia | Korea, Dem. Rep. |
| Kyrgyz Republic | | Costa Rica | Korea, Rep. |
| Latvia | | Cuba | Macau, China |
| Lithuania | | Dominica | Malaysia |
| Macedonia, FYR | | Dominican Rep. | Marshall Islands |
| Malta | | Ecuador | Micronesia, Fed. Sts. |
| Moldova | | El Salvador | Midway Is. |
| Poland | | Falkland Is. (Malvinas) | Mongolia |
| Romania | | French Guiana | Myanmar |
| Russian Federation | | Grenada | Nauru |
| Slovakia | | Guadaloupe | New Caledonia |
| Tajikistan | | Guyana | Niue |
| Turkey | | Haiti | Northern Marianas Is. |
| Turkmenistan | | Honduras | Palau |
| Ukraine | | Jamaica | Papua New Guinea |
| Uzbekistan | | Martinique | Pitcairn Is. |
| Yugoslavia, Fed. Rep. | | Mexico | Samoa |
| | | Montserrat | Singapore |
| | | Netherland Antilles | Solomon Islands |
| | | Nicaragua | Tokelau |
| | | Norfolk Is. | Tonga |
| | | Panama | Tuvalu |
| | | Paraguay | Vanuatu |
| | | Peru | Wake Is. |
| | | Puerto Rico | Wallis & Futuna Is. |
| | | St. Helena | |
| | | St. Kitts & Nevis | |
| | | St. Lucia | |
| | | St. Pierre & Miquelon | |
| | | St. Vincent & the Grenadines | |
| | | Suriname | |
| | | Trinidad & Tobago | |
| | | Turks & Caicos Is. | |
| | | Uruguay | |
| | | US Virgin Is. | |
| | | Venezuela | |

MEMORANDUM 2019-10-006

Issue Date: October 3, 2019

Pursuant to the provisions of section 1603 (f) of the Customs Modernization and Tariff Act (Republic Act 108(63), the Tariff Commission issued Advance Rulings (AR) on Tariff Classification with Tariff Classification Circulars (TCC/AR) issued on 27 September 2019, for various imported articles, and the same were submitted and reviewed by the Office, summarized as follows:

| TCC NO. | DESCRIPTION OF ARTICLES | 2017 AHTN CODE | 2019 RATES OF DUTY |
|---------|--|----------------|--|
| 19-403 | "WASHING MACHINE KIT 1 – TOP COVER ASSEMBLY PART NO: CBDYTA078PLA0" | 8450.90.10 | MFN – 3% Ad Valorem ACFTA – Zero* |
| 19-404 | "WASHING MACHINE KIT 1 – TOP COVER ASSEMBLY PART NO: CBDYTA072PLA0" | 8450.90.20 | MFN- 3% Ad Valorem ACFTA – Zero* |
| 19-405 | "WASHING MACHINE KIT 1 – TOP COVER ASSEMBLY PART NO: CBDYTA074PLA0" | 8450.90.20 | MFN- 3% Ad Valorem ACFTA – Zero* |
| 19-406 | "WASHING MACHINE KIT 1 – TOP COVER ASSEMBLY PART NO. CBDYTA076PLA0" | 8450.90.20 | MFN- 3% Ad Valorem ACFTA – Zero* |
| 19-414 | "SAMSUNG WASHING MACHINE ADD WASH FRONT LOAD WITH ECO BUBBLE TECHNOLOGY MODEL: WW10K6410QX/TC" | 8450.12.90 | MFN – 10% Ad Valorem ATIGA – Zero* ACFTA – Zero* AKFTA – Zero* |
| 19-415 | "SAMSUNG TWIN TUB W/ EZ WASH 7.5KG MODEL: WT75H4300MG/TC" | 8540.12.90 | MFN- 10% Ad Valorem ACFTA – 5% Ad Valorem* AKFTA – 5% Ad Valorem* ATIGA – Zero* |
| 19-418 | "SAMSUNG TWIN TUB W/ EZ WASH 12KG MODEL: WT12J4200EW/TC" | 8450.20.00 | MFN - 1% Ad Valorem ATIGA – Zero* ACFTA – Zero* AKFTA – Zero* |
| 19-422 | "SAMSUNG FRONT LOAD WASHER MODEL: WW60H5200EW/TC" | 8450.11.10 | MFN- 10% Ad Valorem ACFTA – 5% Ad Valorem* AKFTA – 5% Ad Valorem* ATIGA – Zero* |
| 19-424 | "SAMSUNG WASHING MACHINE TWIN TUB W/ EZ WASH TRAY 8.5 KG MODEL: WT85H3210MG/TC" | 8450.12.90 | MFN- 10% Ad Valorem ACFTA – 5% Ad Valorem* AKFTA – 5% Ad Valorem* ATIGA – Zero* |

| | | | |
|---|---|------------|--|
| 16-426 | "SAMSUNG WASHING MACHINE MODEL: WA90J5710SG/TC" | 8450.11.90 | MFN- 10% Ad Valorem ACFTA – 5% Ad Valorem* AKFTA – 5% Ad Valorem* ATIGA – Zero* |
| 19-429 | "SAMSUNG FRONT LOAD WASHER WITH ADD WASH MODEL: WW75K5210YW/TC" | 8450.11.90 | MFN- 10% Ad Valorem ACFTA – 5% Ad Valorem* AKFTA – 5% Ad Valorem* ATIGA – Zero* |
| 19-432 | "SAMSUNG WASHING MACHINE TWIN TUB W/ AIR TURBO DRYING SYSTEM 14 KG MODEL: WT16J7PHC/XTC" | 8450.20.00 | MFN- 1% Ad Valorem ATIGA – Zero* ACFTA – Zero* AKFTA – Zero* |
| <i>*Subject to submission of their corresponding CERTIFICATAE OF ORIGIN (CO)</i> | | | |

MEMORANDUM 2019-10-007

Issue Date: October 3, 2019

Pursuant to the provisions of Section 1603 (f) of the Customs Modernization and Tariff Act (Republic Act 10863), the Tariff Commission issued Advance Rulings (AR) on Tariff Classification with Tariff Classification Circulars (TCC/AR) issued 27 – 30 September 2019, for various imported articles, and the same were submitted and reviewed by the Office, summarized as follows:

| TCC NO. | DESCRIPTION OF ARTICLES | 2017 AHTN CODE | 2019 RATES OF DUTY |
|---------|--|----------------|---|
| 19-375 | "SAMSUNG CURVES MONITOR, MODEL: LU32R590CWEXXP" | 8528.52.00B | MFN – 15% Ad Valorem ACFTA – Zero* ATIGA – Zero* AKFTA – Zero* |
| 19-402 | "WASHING MACHINE KIT 1 – TOP COVER ASSEMBLY, PART NO: CBDYTA075PLA0" | 8450.90.20 | MFN – 3% Ad Valorem ACFTA – Zero* |
| 19-433 | "SAMSUNG WASHING MACHINE MODEL: WA10J5750SP/TC" | 8450.11.90 | MFN – 10% Ad Valorem ATIGA – Zero* ACFTA – 5% Ad Valorem* AKFTA – 5% Ad Valorem* |
| 19-444 | "POSTECH® TOUCH MONITOR MODEL: PT-TS-1501" | 8528.52.00A | MFN – Zero ACFA – Zero* |
| 19-446 | "U.S DISTILLERS DRIED GRAINS WITH SOLUBLES (DDGS)" | 2303.30.00 | MFN – 1% Ad Valorem |
| 19-448 | "HEAVY-DUTY STAINLESS STEEL EQUIPMENT LEG MODEL NO: A93-8048-C" | 7326.90.99 | MFN – 15% Ad Valorem ACFTA – Zero* |

***Subject to submission of their corresponding CERTIFICATE OF ORIGIN (CO).**

MEMORANDUM 2019-10-016

Issue Date: October 8, 2019

Pursuant to Sections 301,303 and 806 of the Customs Modernization and Tariff Act relative to customs control over CBWs and in order to ensure proper monitoring of CBW activities, you are hereby directed to furnish AOCG duly approved ITDI Formula of Manufacture/Conversion, Statement/s of Raw Material Importation Requirements (SMRIR), or Statement/s of Importable Materials/Articles Requirements of each CBW in your respective jurisdiction.

For immediate and strict compliance.

MEMORANDUM 2019-10-021

Issue Date: October 15, 2019

This is to reiterate the strict implementation of the use of the modified GDVS following the reports brought to the attention of this Office that some ports are exercising discretion in reassigning goods declaration.

Any BOC official or employee, or any entity and/or its responsible officer or representative who obstructs or attempts to obstruct and circumvent the implementation of the GDVS shall be subject to the appropriate civil, criminal, and/or administrative penalties.

The sanctions under the Customs Modernization and Tariff Act (CMTA) and Civil Service laws, rules and regulations, for any BOC official and/or employee found to be using discretion in reassigning goods declaration, or examiners/appraisers assessing goods declaration not assigned to them through GDVS shall be immediately relieved, transferred to another office, or assigned to a less sensitive position in the BOC.

The penalties are prescribed under Article 1420, 1431, 1432, and 1433 of the CMA, as may be pertinent or applicable, shall also be imposed for violations of this Order and its related rules and issuances, without prejudice to other penalties that may be imposed.

For immediate compliance.

MEMORANDUM 2019-10-023

Issue Date: October 18, 2019

Pursuant to the provisions of Section 1603 (f) of the Customs Modernization and Tariff Act (Republic Act 10863), the Tariff Commission issued Advance Rulings (AR) on Tariff Classification with Tariff Classification Circulars (TCC/AR) issued 01 – 10 October 2019, for various imported articles, and the same were submitted and reviewed by the office, summarized as follows:

| TCC. NO. | DESCRIPTION OF ARTICLES | 2017 AHTN CODE | 2019 RATES OF DUTY |
|---|--|----------------|-----------------------------|
| 19-291 | "CLIMAVER KD 16373 ALUMINIUM FOIL TAPE" | 7607.19.00 | MFN – 3% Ad Valorem |
| 19-302 | "GRANIFRIGOR™ GC 460 TROPIC GRAIN CONSERVATION UNIT" | 8419.89.19 | MFN – 1% Ad Valorem |
| 19-338 | "OPT ENGINE ASSY; WU" | 8528.62.00 | MFN – Zero ACFTA – Zero* |
| 19-443 | "POSTECH® ALL-IN-ONE POS TERMINAL, MODEL: PT-CM-01" | 8471.41.10 | MFN – Zero ACFTA – Zero* |
| <i>*Subject to submission of their corresponding CERTIFICATE OF ORIGIN (CO).</i> | | | |

MEMORANDUM 2019-10-030

Issue Date: October 16, 2019

This is to inform that Management Information System and Technology Group (MISTG) has implemented the enhanced version of Goods Declaration Verification System. The new features of the said system includes the additional roles for the following:

- X-ray Inspector
- Import and Assessment Service Evaluator

The new version of the system is now available and accessible in ALL Ports. User access of the additional roles has been created and user acceptance testing has been conducted.

For your information.

MEMORANDUM

2019-10-37

Issue Date: October 7, 2019

You are hereby instructed to strictly monitor and issue the corresponding Warrant of Seizure and Detention for the importation of the following **Ozone Depleting Substances (ODS)** which are banned/prohibited under DENR Administrative Order No. 2013-25 "Revised Regulations on the Chemical Control Order for ODS" issued pursuant to Republic Act. No. 6969, the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990:

- Chlorofluorocarbons (CFCs)
- Halons
- Carbon tetrachloride (CTC)
- Methyl chloroform
- Methyl bromide (except those covered by Quarantine and Pre-Shipment Permit issued by Fertilizer and Pesticide Authority pursuant to FPA Memorandum Circular No. 03 dated February 14, 2017, the Revised Guidelines for Methyl Bromide Transactions)

Require the presentation of Pre-Shipment Importation Clearance issued by the Environmental Management Bureau (EMB) for the following **Regulated Ozone Depleting Substances Alternatives** under EMB Memorandum Circular No. 2005-03 "List of Alternatives to Ozone Depleting Substances", issued pursuant to Republic Act no. 6969, and DENR Administrative Order No. 1992-29, the implementing Rules and Regulations of Republic Act No. 6969:

- Tetrafluoroethane (HFC-134a)
- Methylene Chloride or Dichloromethane
- Heptafluoropropane (HFC-227ea)
- Hexafluoropropane (HFC-236fa)
- Trifluoromethane (HFC-23)
- Tetrafluoromethane
- Hydrofluorocarbons (HFCs) blends

For your appropriate action and strict compliance.

MEMORANDUM

2019-10-039

Issue Date: October 29, 2019

Pursuant to the provisions of Section 1603 (f) of the Customs Modernization and Tariff Act (Republic Act 10863), the Tariff Commission issued Advance Rulings (AR) on Tariff Classification with Tariff Classification Circulars (TCC/AR) issued 18 October 2019, for various imported articles, and the same were submitted and reviewed by the Office, summarized as follows:

| TCC. NO. | DESCRIPTION OF ARTICLES | 2017 AHTN CODE | 2019 RATES OF DUTY |
|----------|--|----------------|---|
| 19-367 | "HAAS-MEINCKE INDIRECT-FIRED CONVECTION OVEN" | 8417.20.00 | MFN – 7% Ad Valorem |
| 19-419 | "SAMSUNG FRONT LOAD WASHER-DRYER, MODEL: WD16J7800KS/TC" | 8450.20.00 | MFN – 1% Ad Valorem ATIGA – Zero* ACFTA – Zero* AKFTA – Zero* |
| 19-423 | "SAMSUNG FLEXWASH WASHING MACHINE, MODEL: WR24M9960KV/TC" | 8450.20.00 | MFN- 1% Ad Valorem ATIGA – Zero* ACFTA – 5% Ad Valorem* AKFTA – 5% Ad Valorem* |
| 19-434 | "SAMSUNG FRONT LOAD WASHER-DRYER, MODEL : WD10K6410OX/TC" | 8450.20.00 | MFN – 1% Ad Valorem ATIGA – Zero* ACFTA – Zero* AKFTA – Zero* |
| 19-436 | "TYPE 2011 DOUGH FEEDER WITH METAL DETECTOR" | 8428.39.90 | MFN – Zero |
| 19-439 | "SHARP 42" LCD PANEL MODULE, MODEL: A3KUKBG1AP" | 8529.90.91B | MFN – Zero ATIGA – Zero* |
| 19-441 | "VALMER CHOCOLATE SANDWICH" | 1905.31.20 | MFN – 15% Ad Valorem ATIGA – Zero* |
| 19-447 | "TEKCOM ECO FORM 7-PLY AND 10-PLY PHENOLIC BOARD" | 4412.31.00 | MFN – 15% Ad Valorem ATIGA – Zero* |
| 19-449 | "APW WYOTT® COUNTERTOP FULL SIZE 12" X 20" WARMER, MODEL: W-3Vi" | 8419.81.10 | MFN - Zero |
| 19-450 | "HEAVY-DUTY STAINLESS STEEL EQUIPMENT LEG, MODEL NO: A92-8048-C" | 7326.90.99 | MFN -15% Ad Valorem ACFTA – Zero* |
| 19-455 | "HEAVY-DUTY STAINLESS STEEL EQUIPMENT LEG, MODEL NO. A95-8048-C" | 7326.90.99 | MFN – 15% Ad Valorem ACFTA – Zero* |
| 19-456 | "NATUFLY-X™ OA" | 2309.90.20 | MFN- Zero |

***Subject to submission of their corresponding CERTIFICATE OF ORIGIN (CO).**

MEMORANDUM

2019-11-001

Issue Date: October 30, 2019

In line with the soft launching of the **Parcel and Balikbayan Box Tracking System (PBBTS)** and in order to provide assistance to Filipinos living abroad in tracking the status of their "Balikbayan Boxes" sent to their relatives and loved ones, you are hereby directed to furnish thru email the Systems Development Division (SDD-MISTG) at mistg-helpdesk@customs.gov.ph with the following DAILY REPORT of consolidated shipment with goods declaration filed at your respective offices starting November 1, 2019.

| *PORT/ WHSE | CNTR NO | *MBL/AWB NO | *HBL/AWB NO | *CO | CONSOLI DATOR | *DECONSO LIDATOR | TRACKING NO | SENDER | RECIPIENT | NO OF BOX | *ENTRY NO |
|----------------|------------|----------------|----------------|-----|------------------|---------------------|----------------|--------|-----------|--------------|--------------|
| | | | | | | | | | | | |
| | | | | | | | | | | | |

The Informal Entry Division or its equivalent unit are hereby directed to update the status of each BL in the PBBTS. Take note of the mandatory fields in the report, namely **Port/Warehouse, Master BL/AWB, House BL/AWB (if applicable), Country of Origin, Deconsolidator/Freight Forwarder, Entry No.** Also, BL/AWB Column shall reflect the AWB/BL that was entered in the E2M system. The SDD-MISTG shall orient the concerned offices on the updating procedures.

To ensure that other fields are provided in the report and to facilitate the process, you are hereby directed to coordinate with the **Deconsolidators and/or Freight Forwarders** regarding the submission of soft copy of the said report to your office.

For strict compliance.

ABOUT US

Nague Malic Magnawa & Associates Customs Brokers (NMM) is a general professional partnership of customs brokers duly registered by the Securities and Exchange Commission and the Bureau of Customs. As the first general professional partnership of customs brokers registered with SEC and BOC, it complies with RA 9280, or the Customs Brokers Act of 2004. It has offices in Metro Manila and Cebu, and brokers in Clark, Subic, Davao, Cagayan de Oro, Batangas, and other major ports and special economic zones in the Philippines.

To learn more about the company, please visit our website at:

<http://www.nmmcustomsbrokers.com/>

If you have questions or comments, you may send them to:

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