



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
MANILA 1099

10 December 2001

CUSTOMS MEMORANDUM ORDER

NO. 38-2001

*All District Collectors
Others Concerned*

**SUBJECT : Safeguard Measures vs. Importations
of Gray Portland Cement**

Pursuant to instructions contained in the 3rd Indorsement, dated 04 December 2001 and received by this Office on 06 December 2001, issued by Sec. JOSE ISIDRO N. CAMACHO, Department of Finance, relative to Safeguard Case No. 02-2001 Re: IN THE MATTER OF THE PRELIMINARY DETERMINATION OF THE SAFEGUARD MEASURES CASE AGAINST THE IMPORTATION OF GRAY PORTLAND CEMENT FROM VARIOUS COUNTRIES;

Pursuant, further, to the 4th Indorsement dated 07 December 2001, issued by the Department of Finance in relation to the abovementioned 3rd Indorsement, informing on the notification of said safeguard measures to members of the ASEAN by Amb. Rodolfo C. Severino, Jr., ASEAN Secretary General, in compliance with Articles 6 and 8 of the ASEAN-CEPT Agreement;

It is hereby directed that all importations from all countries of gray Portland cement of all types, including blended Portland cement that contains pozzolan, slag or other additives, whether in bulk or bags, classified under HS Codes 2523.2900 and 2523.9000, shall be imposed, in addition to taxes and duties and other charges, a cash bond amounting to P20.60 per 40 kg. bag or its equivalent in bulk.

Upon the effectivity of this Order, covered shipments entered in or withdrawn from warehouses in the Philippines for consumption shall be subject to the aforestated safeguard measure.

This Order shall take effect on 10 December 2001 and shall remain in force for 200 days.

For compliance.


TITUS B. VILLANUEVA CESO I
Commissioner

Enclosures:

3rd Indorsement of DoF, 04/12/01

4th Indorsement of DoF 07/12/01

*Cc: Sec. Jose Isidro N. Camacho, DoF
Sec. Mar Roxas III, DTI*



Republic of the Philippines
DEPARTMENT OF FINANCE
 Roxas Boulevard Corner Pablo Ocampo, Sr. Street
 Manila 1004



for Anti-Dumping

CMD-38-2001

2.

RECEIVED BY THE COMMISSIONER
RECEIVED BY THE COMMISSIONER
DEC 05 2001

3rd Indorsement
 December 4, 2001



Respectfully referred to the **Commissioner of Customs TITUS B. VILLANUEVA** for implementation and appropriate action pursuant to Section 8 of Republic Act No. 8800 is the Order dated November 7, 2001 of the Department of Trade and Industry in Safeguard Case No. 02-2001 Re: **IN THE MATTER OF THE PRELIMINARY DETERMINATION OF THE SAFEGUARD MEASURES CASE AGAINST THE IMPORTATION OF GRAY PORTLAND CEMENT FROM VARIOUS COUNTRIES** with the information that the WTO Committee on Safeguards has already been notified per information from the Bureau of Import Services (BIS) in its letter dated 23 November 2001, copy attached.

The Bureau of Customs is hereby instructed to implement within three (3) days from receipt of this indorsement, the abovementioned Order from the Secretary of Trade and Industry.

[Signature]
JOSE ISIDRO N. CAMACHO
 Secretary

00014166

C-2871/125
12-401

12/05

CMO-38-2001

3.

23 November 2001

MR. JAMES ROLDAN *OR*
Director
Revenue Operations Group
Department of Finance
BSP Complex, Roxas Blvd.
Manila

Dear Mr. Roldan:

We are furnishing you a copy of the notification sent to the WTO Committee on Safeguards by the Philippine Permanent Mission to Geneva regarding the preliminary findings of DTI to impose a provisional safeguard measure on imports of gray Portland cement.

With this official confirmation from Geneva, we would like to inform you that you may now instruct the Bureau of Customs to issue the relevant Customs Memorandum Order to implement the imposition of the said safeguard measure pursuant to Section 8 of RA 8800 and its IRR.

Thank you very much.

Very truly yours,

Luis M. Catibayan
LUIS M. CATIBAYAN
Officer-in-Charge



00014166

Q-337



Republic of the Philippines
DEPARTMENT OF FINANCE
Roxas Boulevard Corner Pablo Ocampo, Sr. Street
Manila 1004



4th Indorsement
December 7, 2001

c- h 12/7/01
cmb-38-2001
4.

Respectfully referred to the **Commissioner of Customs TITUS B. VILLANUEVA** for information and in relation to our 3rd Indorsement dated December 4, 2001 regarding DTI Safeguard Case No. 02-2001 Re: **IN THE MATTER OF THE PRELIMINARY DETERMINATION OF THE SAFEGUARD MEASURES CASE AGAINST THE IMPORTATION OF GRAY PORTLAND CEMENT FROM VARIOUS COUNTRIES** is a letter dated December 7, 2001 from Mr. Luis Catibayan, Bureau of Import Services forwarding a copy of the notification of safeguard measures by the Philippines on imports of Portland cement sent by Amb. Rodolfo C. Severino, Head of the Secretariat of the Association of Southeast Asian Nations (ASEAN) to members of the ASEAN, in compliance with Articles 6 and 8 of the ASEAN-CEPT Agreement.


CORNELIO C. GISON
Undersecretary



ASSOCIATION OF SOUTHEAST ASIAN NATIONS

CMB38-2001

5.

D1/AFTA/01/1101

12 November 2001

H.E. PEHIN ABDUL RAHMAN TAIB
Minister of Industry and Primary Resources
Brunei Darussalam
Fax: (6732) 382-846

H.E. B. G. DAVID O. ABEL
Minister at the Office of the Chairman of
the State Peace and Development Council
Myanmar
Fax: (951) 254-961

H.E. MR. KONG VIBOL
Secretary of State of Economy and
Finance
Cambodia
Fax: (85523) 427-798

H. E. B.G. (NS) GEORGE YEO
Minister for Trade and Industry
Singapore
Fax: (65) 334-7113; 332-7260

H. E. MS. RINI M.S. SOEWANDI
Minister of Trade and Industry
Indonesia
Fax: 385-8191

H. E. MR. SOMKID JATUSRIPITAK
Minister of Finance
Thailand
Fax: (662) 273 9059

H. E. DR. BOUNTIEM PHISSAMAY
Minister to the Prime Minister's Office
Lao PDR
Fax: (85621) 414-351; 415-932

H. E. MR. NGUYEN SINH HUNG
Minister of Finance
Vietnam
Fax: (844) 826-2266

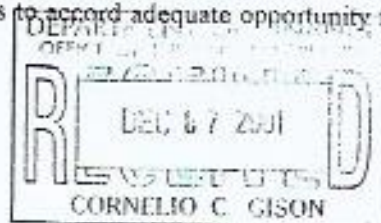
H.E. DATO' SERI RAFIDAH AZIZ
Minister of International Trade and Industry
Malaysia
Fax: (603) 631-0872

Excellencies:

Subject: Notification of Safeguard Action by the Philippines on Imports of Portland Cement

Please find a notification from Secretary Roxas on a preliminary determination of the safeguard measures case filed by the Philippine cement industry. The order provides for the imposition of a cash bond in the amount of P 20.50 per 40 kg. bag for a period of 200 days on all imported Portland cement.

Article 6 (3) of the CEPT Agreement states that when emergency measures are taken, immediate notice of such action shall be given to the AFTA Council and such action may be the subject of consultation as provided for in Article 8 of the CEPT Agreement. Article 8 obliges Member States to accord adequate opportunity for consultations regarding any representations made by



DTI-OSEC	
Fax No.:	
Received by:	<i>[Signature]</i>
Date:	11/12/01
DTS No.:	14987

Emb-38-2001

6

other Member States with respect to any matter affecting the implementation of the CEPT Agreement

Ministers may recall that this issue was discussed at the 15th AFTA Council in September 2001 where the Philippines confirmed that a preliminary investigation had been initiated against the importation of Portland cement originating from Taiwan, Japan and Indonesia.


RODOLFO C SEVERINO JR

Cc:

H. E. Mr. Mar A. Roxas II
Secretary of Trade and Industry
Philippines
Fax: (632) 896-1166