



BUREAU OF CUSTOMS
MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

October 4, 2021

CUSTOMS MEMORANDUM CIRCULAR
NO. 215-2021

To: All Deputy Commissioners
All Service Directors
All District/Port Collectors
All Others Concerned

SUBJECT: NON-ISSUANCE OF BUREAU OF PLANT INDUSTRY (BPI) OF ANY SANITARY AND PHYTOSANITARY IMPORT CLEARANCE (SPSIC) FOR THE IMPORTATION OF FRESH CARROTS

Attached is a copy of the letter dated September 26, 2021 from George Y. Culaste, Ph D, Director, BPI- Department of Agriculture (DA) informing this Bureau that BPI has not issued any Sanitary and Phytosanitary Import Clearance (SPSIC) for the importation of fresh carrots from the People's Republic of China (PROC).

The said Office also requests for the conduct of a joint inspection of all consignments of plant origin to its Plant Quarantine Services (PQS) offices at the port/s of entry and to seize and confiscate all importations of carrots and other agricultural products without the required SPSIC issued by the BPI.

In addition, assistance is also requested to operationalize Section 3 of Customs Memorandum Order (CMO) No. 4-2007 with subject: Implementation of the Memorandum of Agreement (MOA) between the Department of Finance and Department of Agriculture (DA) on Anti-Smuggling.

For information and guidance.

For record purposes, please confirm the dissemination of this Circular throughout your Offices within fifteen (15) days from receipt thereof.

REY LEONARDO B. GUERRERO

Commissioner



BOC-09-24940

MASTER COPY

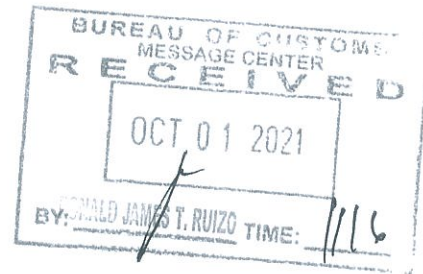


BUREAU OF PLANT INDUSTRY
692 San Andres Street, Malate, Manila, Philippines
Email Address: bpi.information@yahoo.com
Tel. No.: (02) 8525-7909, (02) 8525-2987 | Website: bpi.da.gov.ph

September 26, 2021

REY LEONARDO GUERRERO

Commissioner
Bureau of Customs
G/F OCOM Building, Port Area
Manila, Philippines



Dear Commissioner Guerrero:

Greetings from the Bureau of Plant Industry!

We are writing in relation to the reports of importation of fresh carrots from PROC into the Philippines.

In this regard, we would like to inform you that the BPI has not issued any Sanitary and Phytosanitary Import Clearance (SPSIC) for the importation of fresh carrot. In line with this, may we respectfully request your good office for assistance through endorsement for the conduct of a joint inspection of all consignment of plant origin to our PQS offices at the port/s of entry and to seize and confiscate all importations of carrots and other agricultural products without the required SPSIC issued by the BPI.

Further, may we likewise request your assistance in the operationalization of the Section 3 of Customs Memorandum Order No. 4-2007 with the subject Implementation of the Memorandum of Agreement (MOA) between the Department of Finance and Department of Agriculture on Anti-smuggling.

Kindly refer to the attached table containing summary of operations stipulated and copy of the said MOA and Order for your reference.

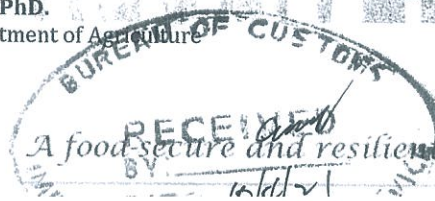
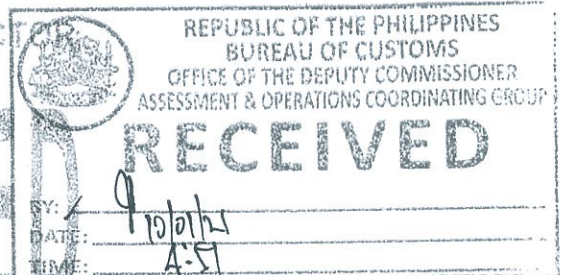
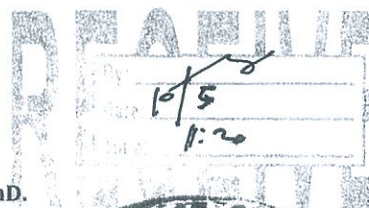
Thank you in anticipation for your usual support and cooperation.

Very truly yours,

GEORGE Y. COLASTE, PhD.
Director

cc : **William D. Dar, PhD.**
Secretary, Department of Agriculture

OFFICE OF THE DIRECTOR
IAS



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<p>Director, Planning & Systems Development Service (PSDS) under the supervision of the Deputy Commissioner, Management Information System and Technology Group (MISTG)</p> <p>(Section 3.1)</p>	<p>Shall be responsible for the coordination and establishment of the requirements of the electronic linkages/information & Communication Technology (ICT) plans and activities in accordance with the policy directions of National Single Window.</p>
<p>District Collector</p> <p>(Section 3.2)</p>	<p>Shall be responsible in establishing a Monitoring Unit which shall perform functions provided in third row.</p>
<p>Monitoring Unit</p> <p>(Section 3.2)</p>	<p>Shall monitor and prepare/consolidate reports pertaining to all agricultural and fishery products imported/released and/or seized/abandoned and shall coordinate with Department of Agriculture (DA) counterpart;</p> <p>Shall prepare monthly reports (in Microsoft Excel) summarizing the released/seized/abandoned agricultural products/fishery products based on the following format:</p> <ol style="list-style-type: none"> a. For shipments under Imported/Released under Formal consumption entries (Annex 1) b. For shipments under Imported/Released under Informal consumption entries (Annex 2) c. For shipments Imported/Released under Warehousing entries (Annex 3) d. For shipments Imported/Released under Transshipment permits (Annex 4) e. For seized/abandoned shipments (Annex 5) <p>Shall submit the report to the Central Monitoring Unit under the supervision of the Deputy Commissioner for Assessment and Operations Coordinating Group.</p>
<p>Central Monitoring Unit</p>	<p>Shall consolidate all reports for submission to DA. The CMU shall be composed of the following:</p> <p>Assessment Coordination and Monitoring Division, Import Assessment Services (IAS) for Imported/Released shipments under Formal and Informal consumption entries;</p>

<p>(Section 3.3)</p>	<p>Warehousing Coordination Division for Imported/Released shipments under warehousing entries;</p> <p>Port Operations Coordination Division, Port Operations Service (POS) for Imported/Released shipments Transshipment entries; and,</p> <p>Auction Cargo and Disposal Coordination Division, Port Operations Service (POS) for seized and abandoned shipment.</p>
<p>Deputy Collector of Operations; Chief, Formal Entry Division; Chief, Informal Entry Division; and/or Chief, Warehousing Assessment Division or equivalent unit, as the case maybe</p> <p>(Section 3.4)</p>	<p>Shall maintain a record of all necessary cargo inspection and clearance documents being endorsed between BOC and DA during the process of cargo inspection, clearance and release of the shipment. One BOC/DA personnel, duly designated to inspect and/or clear a shipment shall be allowed to secure any of these documents for purposes of facilitating the release of such goods.</p>
<p>Duly designated BOC/DA personnel</p> <p>(Section 3.4)</p>	<p>Shall exercise due diligence in the proper recording, monitoring and custody of inspection and clearance of documents duly processed by BOC and DA.</p>
<p>Deputy Collector for Administration</p> <p>(Section 3.4)</p>	<p>Shall issue the accountable logbook which shall contain all transmittal of records/documents between offices or divisions and personnel to establish responsibility on such documents and for consistency.</p>
<p>District/Subport Collectors</p> <p>(Section 3.5)</p>	<p>Shall require their concerned personnel to participate in technical workshops, consultations and familiarization of the DA processes in relation to agricultural and fishery products covered by SPSIC, MAV Certificate, other IPs and clearances issued by the DA offices.</p>
<p>Piers and Inspection Division or its equivalent unit</p>	<p>Shall provide DA with photocopy of Import Cargo Manifest/Inward Forward Manifest (ICM/IFM) upon its request and the cost of which shall be borne by the latter, covering cargoes of agricultural and fishery (AF) products and those cargoes with declarations as "general/mixed/assorted" or "catch-all" descriptions, which may have included AF products, to ensure that mandatory DA quarantine and product safety/quality inspection and clearance are conducted thereon.</p>

(Section 3.6)	The responsibility of BOC to provide DA with advance and/or real time access to ICM/IFM shall be performed upon the activation of the NSW system which shall be effected by MISTG.
Duly designated representative of the Deputy Collector for Operations; Chief, FED; Chief, IED; Chief, WAD; Chief, PID and/or its equivalent (Section 3.7)	Shall be responsible for informing and coordinating immediately with the DA On-duty Border Inspector (DABI), for the mandatory BOC physical examination and DA quarantine and product safety/quality inspection and clearance. Whenever applicable, the DABI is allowed to be accompanied by one (1) private sector representative/observer who is duly accredited by the DA.
Principal Appraiser, Principal Examiner, Custom Examiner and recording clerk/messenger involved in the examination, recording and transmittal of documents (Section 3.8)	Shall, under pain of administrative sanctions, exercise due diligence and ensure that those not covered by SPSIC ... and those that have not undergone DA quarantine and product safety/quality inspection and clearance will not be released. If warranted, they shall recommend for the immediate issuance of Warrant of Seizure and Detention against shipments subject to seizure and forfeiture proceedings under existing laws, rules and regulations.
Joint BOC-DA quarantine and product safety quality inspection and clearance (Section 3.9)	Shall subject to mandatory and joint BOC-DA quarantine and product safety/quality inspection and clearance the following AF shipments: <ul style="list-style-type: none"> a. those processed under transshipment permits; b. those with general and vague declarations; and, c. those which are in refrigerated containers. Preliminary inspection of the shipments mentioned herein shall be conducted at the Designated Examination Area (DEA), prior to the 100% examination at the importers premises/cold storage. When the mandatory x-ray of containers is implemented, the preliminary inspection is dispensed with but the 100% examination at the importer's premises/cold storage shall still be conducted jointly by the DA and BOC.
Concerned BOC office	Shall be responsible, in case of derogatory information, for the issuance/request for the issuance of Alert/Hold Order/s against the AF shipments and inform DA

<p>(Section 3.10)</p>	<p>quarantine, for purposes of joint BOC-DA quarantine examination.</p> <p>The same originating office shall initiate seizure and forfeiture or abandonment proceedings, as the case maybe, on shipments subject to derogatory information for the following violations:</p> <ul style="list-style-type: none"> a. Shipment is not covered by SPSIC; b. Shipment is found in violations of prescribed preborder and border SPS standards and measures; and/or. c. For other violations of the TCCP, or related laws. <p>The appropriate DA offices shall be furnished by the District Collector with a copy of Warrant of Seizure and Detention as well as copy of the decision/order in forfeiture and abandonment proceedings.</p>
<p>Auction & Cargo Disposal Division (ACDD) or its equivalent</p> <p>(Section 3.11)</p>	<p>Forfeited and/or abandoned AF products shall be disposed immediately in accordance with pertinent Customs laws, rules and regulations in coordination with appropriate DA office and only under the following modes:</p> <p>Return it to the country of origin without costs to BOC and DA; Destruction; or, Re-exportation, whichever is more appropriate.</p> <p>The other modes of disposition, namely: auction, redemption or settlement thereof, shall in no case be allowed.</p>
<p>Collector</p> <p>(Section 3.12)</p>	<p>Where a port of entry does not have any regular shipments of AF commodities, the Collector concerned shall create an ad hoc Monitoring Unit to ensure compliance to ensure compliance with the provisions of this Order.</p>