

2017-10-041

Popeye
MASTER COPY



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

MEMORANDUM

TO : **ALL DISTRICT COLLECTORS
SUB-PORT COLLECTORS
CHIEFS, EXPORT DIVISIONS OF THE PORTS**

SUBJECT : **SOLE AND AUTHORIZED EXPORTER OF YAKULT
PHILIPPINES INC.**

DATE : **OCTOBER 20, 2017**

In connection with the letter dated August 09, 2017 of Mr. Alberto R. Dy Sun, President, Yakult Philippines Inc., requesting assistance to advise the exporters not to engage in any anomalous practices and to encourage them to report the same for possible action. Please note that Yakult Philippines Inc. is the sole and authorized export of Yakult products to Yakult Middle East FZCO (YME).

Attached herewith is the letter for your reference.

For your appropriate action.

Atty. EDWARD JAMES A. DY BUCO
Deputy Commissioner, AOCG

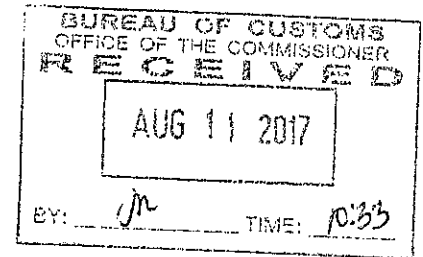
2017-10-041 P.2

Yakult
MASTER COPY

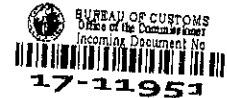
Yakult

August 9, 2017

HON. NICANOR E. FAELDON
Commissioner
Bureau of Customs
DEPARTMENT OF FINANCE
South Harbor, Gate 3, Port Area
Manila



Dear **Comm. Faeldon**,



Good day!

This pertains to Yakult products manufactured in the Philippines and are exported to Middle East Countries.

Yakult Philippines Inc. (YPI) and Yakult Middle East FZCO (YME) are parties to the Sales Distribution Agreement, whereby YPI shall manufacture Yakult products for YME, for distribution in five (5) countries in the Middle East, namely, United Arab Emirates, Qatar, Kuwait, Oman, and Bahrain. Yakult bottles for exportation are packed different from those locally distributed. *Please see attachments.* To this end, YME has appointed its Sales Agent, Truebell Marketing and Trading LLC, and forwarder, Quickflo Forwarders, Inc.

However, it has come to our knowledge that, the Yakult products that we manufacture and pack for local distribution are being exported to certain Middle East countries by unidentified exporters, with whom YPI has no business relations. Initially, YPI has undertaken steps to check this unauthorized exportation, by conducting investigation of reported incidents and suspected parties, sending cease and desist letters to reported exporters, and coordinating with authorized local distributors not to engage in such activities and to report unauthorized shipments.

As the exclusive licensee of trademarks for Yakult probiotic drinks in the Philippines, and the sole and authorized exporter of Yakult products to YME, it is YPI's main duty to protect the reputation and goodwill of its business, as well as the good quality of the product. Any unauthorized exportation of our products may result to the improper handling of the same, and eventually damage the end processing of our products for exports. If any, this may also damage the good repute of this Bureau, and consequently, of our country. For any such prohibited transaction, YPI may resort to legal suits and actions against any related person or entity in order to protect its interest.

For this reason, we respectfully request for your assistance to advise exporters not to engage in these anomalous practices, and to encourage them to report the same to us or to your office for possible action.

YAKULT PHILIPPINES, INC.
MANILA LIAISON OFFICE
1461 AGONCILLO COR. ESCODA STS.
ERMITA, MANILA TEL. 8-YAKULT / 8-925858
PLANT AND MAIN OFFICE
BO. MAKILING CALAMBA CITY
FAX: 523-55-13

2017-10-04 P.3

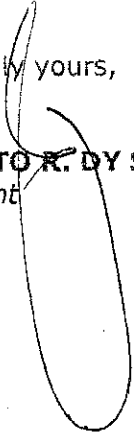
Dy Sun
MASTER COPY

We hope for your favorable response on this matter.

Thank you.

Very truly yours,

ALBERTO R. DY SUN
President

A large, stylized handwritten signature in black ink, appearing to be 'Alberto R. Dy Sun', written over the typed name and title.