



Republic of the Philippines
 Department of Finance
BUREAU OF CUSTOMS
 1099 Manila

MEMORANDUM

TO : **DEPUTY COMMISSIONERS, EG and IG
 ALL DISTRICT COLLECTORS
 ALL OTHERS CONCERNED**

FROM : **REY LEONARDO B. GUERRERO**
 Commissioner

SUBJECT : **STRICT IMPLEMENTATION OF THE RULES ON ISSUANCE
 OF ALERT ORDERS**

DATE : 19 December 2018



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1. All concerned Bureau officials and personnel are hereby directed to ensure that Alert Orders will not in any manner cause delay, obstruct or impede the regular clearance procedure of cargoes.
2. Basis for recommendation/issuance of Alert Orders must be in accordance with Section 1111 of the Customs Modernization and Tariff Act (CMTA), which reads:

"Derogatory information shall indicate the violations and other necessary specifics thereof. For this purpose, the following shall not be considered derogatory information:

- (a) **General allegations of undervaluation;**
- (b) **General allegations of misclassification** without providing the appropriate tariff heading and duty of the shipment to be alerted;
- (c) **General allegations of over-quantity** without indicating the source of information supporting the allegation;
- (d) **General allegations of misdeclaration** in the entry without indicating the suspected actual contents thereof; and
- (e) **General allegations of importations contrary to law without indicating the specific law or rule to be violated.**

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No alert order shall be issued on account of allegations of undervaluation unless said undervaluation is caused by the submission to customs of forged or spurious invoice or other commercial documents."

3. Alert Orders shall only be issued if the basis for the request complies with the provisions of the CMTA on Alert Orders. District Collectors, Deputy Commissioners IG and EG shall conduct their profiling operations in the highest degree of diligence so as not to hamper the processing and clearance of goods.
4. For proper monitoring, recommendations for issuance of Alert Order by the Deputy Commissioners, Intelligence Group (IG) and Enforcement Group (EG) must be approved by the Office of the Commissioner.
5. All District Collectors, Deputy Commissioners IG and EG shall submit a report pursuant to Memoranda dated 22 November 2018 and 5 December 2018 on Submission of Weekly Report of Pending Alert Orders. The findings/results of the recommending units shall be evaluated. Negative findings/results shall be construed a violation of existing customs laws, rules and regulations and shall be dealt with accordingly.
6. For strict and immediate compliance.