



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
BUREAU OF CUSTOMS  
MANILA

23 June 1999

CUSTOMS MEMORANDUM ORDER

NO. 14-99

To: All Collectors of Customs  
Division Chiefs, FED  
All Others Concerned

CMO 35A-98 is hereby amended to exclude Carbon Black from Taiwan from the list of articles subject to Anti-Dumping Duty in view of the issuance by the Department of Finance of a decision dated June 25, 1998 reversing the Decision on Anti-Dumping Case No. 5-97 dated August 21, 1997 and circularized under CMC 223-98 dated July 9, 1998.

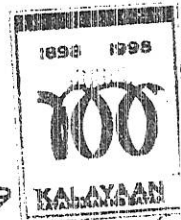
  
JULIANA S. MANAHAN  
Deputy Commissioner  
Internal Administration Group

cc: Hon. Nelson A. Tan  
Commissioner



Republic of the Philippines  
**DEPARTMENT OF FINANCE**

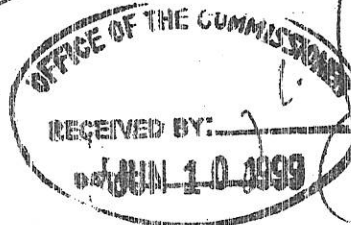
Roxas Boulevard - Corner Vito Cruz Street  
Manila 1004



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*Dir. Seluz Manila*  
*For info a/c pl*  
*6/1/99*  
*emo-14-99*

1<sup>st</sup> Indorsement  
June 2, 1999



Respectfully referred to the **Commissioner of Customs**, Manila, for appropriate action, the herein letters dated 29 January 1999 of Mr. Hien-Ching Chan, Representative, Taipei Economic and Cultural Office in the Philippines, and that of Mr. Simon Chong, Executive Secretary, Tai Hsiang Global Trading International Inc., relating to Customs Memorandum Order No. 35A-98 including **Carbon Black from Taiwan** in the list of articles subject to anti-dumping duty.

Please be informed that the Decision in anti-Dumping Case No. 5-97 dated 21 August 1997 imposing dumping duties on the subject article has been reversed by this Department in our Decision dated 25 June 1998, copy of which is attached for your reference. The importation of carbon black from Taiwan should therefore be excluded from the list of articles subject to anti-dumping duty.

Please be guided accordingly.

**SOLOMON S. CUA**  
Undersecretary  
And Officer-in-Charge

002:1486

103-111

(448)



"Tulong-tulong sa pagsulong!"

11-14

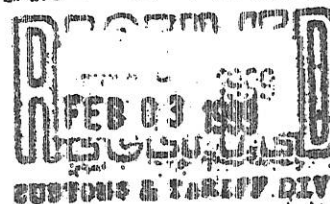
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3

**TAIPEI ECONOMIC & CULTURAL OFFICE IN THE PHILIPPINES**

28th Floor, Pacific Star Building, Sen. Gil J. Puyat Avenue cor.  
Makati Avenue, Makati City, Metro Manila, Philippines  
Tel. Nos.: 892-1381 / 85

DEPT OF FINANCE



**URGENT**

R.N.C. No. 88-0197

January 29, 1999

D-198-7

Hon. Edgardo B. Espiritu

Secretary

Roxas Blvd. cor. Pablo Ocampo Street  
Malate, Manila

Re: Anti-Dumping Duty on Carbon Black

Dear Secretary Espiritu:

Reference is made to the Department of Finance's Decision No. 198-7 of the Bureau of Customs and Tariff dated January 25, 1999, regarding the imposition of an Anti-Dumping Duty on Carbon Black from Taiwan. We appreciate the decision made by Your Honor.

In this regard, we regret to advise Your Honor that a Philippine Carbon Black importer informed the Office that it had been called the Anti-Dumping Duty on the Carbon Black from Taiwan pursuant to the Customs Administration Act of 1998.

each trade measure taken should comply with the GATT 1994. We think that it is unfair to collect the Anti-Dumping Duty before the necessary procedures and steps have been taken by the Philippine government. Obviously, it violated the articles and provisions of the Agreement on Implementation of Article VI of the GATT 1994.

In this connection, we would highly appreciate it, if Your Honor could inform the Bureau of Customs to follow the Decision made on June 25, 1998 and release the carbon black from Taiwan without imposing the Anti-Dumping Duty.

4 000-14-90

Thank you very much for your kind attention in this matter and we hope  
to hear from you soon.

With best regards,

Very truly yours,

*[Handwritten signature]*

- cc: 1. Dr. Emmanuel T. Velasco  
Chairman, Tariff Commission
- 2. Mr. Nelson A. Tan  
Commissioner, Bureau of Customs
- 3. Atty. Alexander B. Arilla  
Director, Bureau of Internal Revenue
- 4. Mr. Richard Tin  
President, Philippine Rubber Manufacturers Association
- 5. Board of Foreign Trade, Ministry of Economic Affairs, N.Y.
- ✓ 6. Tung Tai Hsing Rubber Manufacturers Association, Las Vegas, N.Y.

泰翔環球國際貿易公司

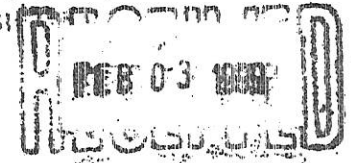
CMD-14-99

5

**TAI HSIANG GLOBAL TRADING INT'L INC.**

1419 - 1400th Street, Manila, Philippines  
Tel.: 526-1934, 526-1937 T/Fax No. (632) 526-1934-351

DEPT. OF FINANCE



January 29, 1999

D-198-2

HON. SECRETARY ESPERITU  
DEPARTMENT OF FINANCE  
Room 1406, 1400th Street  
Manila

Subject: Importation of 16 pallets Carbon Black, filed under  
Competition Entry No. C-311 assigned to TAI HSIANG  
GLOBAL TRADING INT'L INC.  
Filed on January 29, 1999 (Reg. ACRIE-003)

Dear Sir,

With reference to above-mentioned subject, in accordance to the Bureau of Customs Memorandum Order (BMO) No. 154-98 dated November 19, 1998, which imposed an anti-dumping duty on the above-mentioned subject, and BMO No. 154-98 dated November 19, 1998, which imposed an anti-dumping duty on the importation of Carbon Black in the form of articles being subject for anti-dumping duty.

It is noted that the relevant decision dated August 11, 1997 on Anti-Dumping Case No. S-2719, should be suspended under BMO No. 152-98, dated June 09, 1998, which suspended the anti-dumping duty on the importation of Carbon Black originating from Taiwan.

The above-mentioned BMO No. 154-98, which is dated November 19, 1998, wherein your Department had previously issued a Memorandum Order (MO) No. 154-98, and thus rendered the same to be null and void, is hereby suspended in relation to the importation of Carbon Black from Taiwan in lack of merit.

However, on September 11, 1998, Commissioner, Bureau of Customs then issued a BMO No. 35A-98 (Annex "A") to re-impose the anti-dumping duty for Carbon Black imported from Taiwan. It is hereby noted that such a case that merits the re-imposition of said anti-dumping duty to date, the said BMO No. 35A-98 should not be considered a valid in the absence of proof and facts that a new process has priority been made filed and decided upon by your Department.

TIANJIN LEADAR GROUP IMP. & EXP. CORPORATION - PHILIPPINES REPRESENTATIVE OFFICE

2FA Acqui No  
-4955

ATTY BLX SBI 1512

cmo-14-99

This letter is merely being made for justification and clarification on our part as to the validity of the CMO 35A-98(Annex "A") and as well the Memorandum dated January 20, 1999, issued to the Chief of the Formal Entry Division by the OIC, NCR-CIIS(herein referred to as Annex "D").

In view of the above-mentioned facts, we are, therefore, respectfully requesting your good office to immediately look into this matter so as to prevent from incurring any more unnecessary additional expenses for storage and handling due to our duplication.

Thank you very much and more power.

Very truly yours,



Simon Cheng  
Executive Secretary

ATF - 5235124

Received By: [Signature]

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OFFICE OF THE SECRETARY  
DEPARTMENT OF IMMIGRATION