

**Customs Memorandum Order**
No. 9-2015

10 April 2015

Subject: On the Strict Enforcement of Rules Concerning Regulated Imports**A. Background**

- A.1. The Bureau of Customs has published a final, complete list of all regulated imports. The list can be downloaded from:
- <http://customs.gov.ph/regulated-imports-list-2015-04-06/>
- A.2. Details on how the list is organized can be found in the User's Guide to the Bureau of Customs Regulated Imports List, which can be viewed at:
- <http://customs.gov.ph/users-guide-to-the-bureau-of-customs-regulated-imports-list-2015-04-06-version/>
- and downloaded from:
- <http://customs.gov.ph/regulated-imports-list-2015-04-06/>
- A copy of the User's Guide is also attached as Appendix A.
- A.3. Strict enforcement of the requirements in the list shall begin on 11 May 2015 (not on 20 April 2015 as previously announced).

B. Provisions Effective on 11 May 2015

- B.1. All importers of any product in the Regulated Imports List must provide the required import permits when filing import entries with the Bureau of Customs.
- B.2. All Bureau of Customs assessment and operations staff processing consumption, warehousing, and transshipment entries containing any product in the Regulated Imports List, including those destined for PEZA zones and freeports, must verify whether the required import permits were issued and submitted to the Bureau of Customs, prior to their final assessment. In the case of transshipments, the permits must

be obtained, and a copy provided to the Bureau of Customs, prior to transshipment from the port of discharge.

- B.3. No Bureau of Customs official shall require the submission of import permits for any product which is not on the Regulated Imports list. To do so is a Grave Offence, and will be dealt with as described in Section B.7.
- B.4. Bureau of Customs staff are reminded to take particular care in processing imports of food and drink, drugs and pharmaceutical products, and chemicals, taking note of the following:
- B.4.a. All food and drinks, whether for human or animal consumption, are regulated imports, and must have a permit from one of the following agencies:
- B.4.a.i. Bureau of Animal Industry
 - B.4.a.ii. Bureau of Fisheries and Aquatic Resources
 - B.4.a.iii. Bureau of Plant Industry
 - B.4.a.iv. Food and Drug Administration

In addition, alcoholic drinks must have a permit from the Bureau of Internal Revenue.

The specific rules for each product are shown in the list.

- B.4.b. All drugs and pharmaceutical products, whether for human or animal consumption, are regulated imports, and must have permit from one of the following agencies:
- B.4.b.i. Bureau of Animal Industry
 - B.4.b.ii. Bureau of Fisheries and Aquatic Resources
 - B.4.b.iii. Bureau of Plant Industry
 - B.4.b.iv. Food and Drug Administration

The specific rules for each product are shown in the list.

- B.4.c. Many chemicals are regulated imports, in some cases by more than one agency. This list contains all known regulated chemicals. If a particular chemical is not on the Regulated Imports list, it does not automatically mean that it is not regulated. For chemicals which are not on the Regulated Imports list Customs staff, importers, and brokers should determine whether that chemical is found in the Philippine Inventory of Chemicals and Chemical Substances (PICCS):

- B.4.c.i. If a particular chemical is not in the Regulated Imports list but is in the Philippine Inventory of Chemicals and Chemical Substances, then that chemical is not a regulated import.

- B.4.c.ii. If a particular chemical is not in the Regulated Imports list, and also not in the Philippine Inventory of Chemicals and Chemical Substances, then that chemical is a regulated import and must secure a permit from the Environment Management Bureau.
 - B.4.c.iii. The Philippine Inventory of Chemicals and Chemical Substances (PICCS) is contained in the file PICCS 2012.pdf, a link to which is shown in the User's Guide to the Bureau of Customs Regulated Imports List.
- B.5. If any Bureau of Customs staff believes that a product which is not in the Regulated Imports List should be regulated, he or she shall:
- B.5.a. Inform the Office of the Commissioner, by e-mail to inquiry.trga@gmail.com, including the following information:
 - B.5.a.i. Description of imported product which is not in the Regulated Imports List
 - B.5.a.ii. Specific legal basis for requiring an import permit (cite the law or executive issuance, including the specific section which applies to the product)
 - B.5.a.iii. Regulating Agency from which a permit should be acquired
 - B.5.b. Wait for the inclusion of the product in future versions of the Regulated Imports List before requiring import permits for it.
- B.6. Importers and brokers are strongly urged to acquire the necessary import permits for products in the Regulated Imports List prior to the scheduled arrival of their imports in the Philippines. Failure to present the necessary import permits within the time frames for filing of entry (30 days after date of last discharge of the last package) or claiming of importation (15 days after filing of entry) shall not be grounds for extension of the periods after which a shipment shall be deemed abandoned, nor be accepted as a justification for lifting of abandonment.
- B.7. Non-compliance by any Customs official with Section B.3 of this CMO will be an incidence of Grave Offence as used in CMO 25-2010, Title IV, Section 1, and shall be punishable upon first offense by Dismissal.

B.8. Non-compliance by any Customs official with any section of this CMO, except for Section B.3, will be an incidence of Simple Neglect of Duty as used in CMO 25-1010, Title IV, Section 2, and shall be punishable upon second offense by Dismissal.


JOHN P. SEVILLA
Commissioner





Republic of the Philippines
Department of Finance
Bureau of Customs
1099 Manila

User's Guide to the Bureau of Customs Regulated Imports List (2015 04 06 Version)

6 April 2015

A. Downloading the List

1. The Bureau of Customs has published a final, complete list of all regulated imports as of 6 April 2015. The list can be downloaded from:

<http://customs.gov.ph/regulated-imports-list-2015-04-06/>

2. The list contains links to other files with detailed information on the procedures for acquiring the permits from the regulating agencies. These other files, as well as the list itself, can be downloaded from:

<http://repository.gov.ph/customs/>

3. For the links to work, the following files must all be saved on a computer's desktop or within the same folder:

- a. Any or all of the versions of the list (files whose names begin with "Regulated Imports 2015 04 06...")
- b. The files downloadable by following these instructions:
 - i. Go to: <http://repository.gov.ph/customs/>
 - ii. Then click on Regulated Imports 2015 04 06 Supporting Documents - Complete.zip

4. In the event that the links do not work, the files with the information to which the links do not work can be located by searching for the file name shown in the columns with the headings "Link to Information on Permits from Regulating Agency 1", "Link to Information on Permits from Regulating Agency 2", and "Link to Information on Permits from Regulating Agency 3."

B. Using the Regulated Imports List

1. The Regulated Imports List comes in three versions, all of which have identical contents. The versions differ in the order of presentation of the columns and in how the rows are sorted:

File	Sort order
<u>Regulated Imports 2015 04 06 Version 1 Sorted By Product.xlsx</u>	By specific product, in alphabetical order

<u>Regulated Imports 2015 04 06 Version 2 Sorted by Category.xlsx</u>	By broad category of product, then within each broad category, by specific product, both in alphabetical order.
<u>Regulated Imports 2015 04 06 Version 3 Sorted by Regulating Agency.xlsx</u>	By the name of the agency regulating that product, in alphabetical order.

2. All versions of the Regulated Imports List are in excel format and can be searched, but cannot be modified, filtered, or manipulated in any way. The contents of the files can be copied into a separate excel file, which can then be filtered or modified.
3. Each row in the list corresponds to one regulated product. For Version 1:
 - a. Columns A and B (**Product** and **Category**) show the broad product category and the specific product.
 - b. Column C indicates if the rules are based on who is importing the product, rather than what the product is.
 - c. Column D indicates if the rules are based on what the product will be used for, rather than what the product is.
 - d. Column E shows the name of the regulating agency for that product.
 - e. Column F shows the name of the document(s) which must be shown by the importer to the Bureau of Customs as a prerequisite to Customs clearance of any imports of that product.
 - f. Column G contains links to more information about the procedures of the regulating agency in column E to obtain the document(s) shown in Column F.
 - g. For products which require more than one permit, Columns H to J, and Columns K to M, show the same information as columns E to G, for the other agencies from which permits must be obtained.
 - h. Column N contains details on rules specific to that product which does not fit into the other columns.
4. Some products are regulated by more than one agency. (In compiling the Regulated Imports List, products for which an Authority to Release Imported Goods (ATRIG) issued by the Bureau of Internal Revenue is required are considered regulated imports, and the Bureau of Internal Revenue is considered a regulating agency). If a particular import requires a permit or permits from more than one agency, that will be shown in the columns for **Regulating Agency 2** (column H) and **Regulating Agency 3** (column K).
5. In some cases, a product can be regulated by either of two agencies depending not on what the product is, but what it will be used for. An example of this is "Food Supplements- for Humans or Animals." In cases such as this, an explanation of what is required to be presented for Customs clearance is shown in the column **Notes** (column N).
6. In general, whether a product is regulated depends on what it is. In some cases, however, the specific rules which determine whether a product can be imported or whether the

product is a regulated import depend on who is importing the product or for what purpose the product will be used.

- a. In cases where the rules depend on who is importing the product, this will be shown in the column **By Importer** (column C). Further explanations will be shown in the column **Notes** (column N)
- b. In cases where the rules depend on for what purpose the product will be used, this will be shown in the column **By Purpose** (column D). Further explanations, if any, will be shown in the column **Notes** (column N).

C. Notes on Imports of Food and Drink

1. All food and drinks, whether for human or animal consumption, are regulated imports, and must have a permit from one of the following agencies:
 - a. Bureau of Animal Industry
 - b. Bureau of Fisheries and Aquatic Resources
 - c. Bureau of Plant Industry
 - d. Food and Drug Administration

In addition, alcoholic drinks must have a permit from the Bureau of Internal Revenue.

The specific rules for each product are shown in the list.

2. All drugs and pharmaceutical products, whether for human or animal consumption, are regulated imports, and must have permit from one of the following agencies:
 - a. Bureau of Animal Industry
 - b. Bureau of Fisheries and Aquatic Resources
 - c. Bureau of Plant Industry
 - d. Food and Drug Administration

The specific rules for each product are shown in the list.

D. Notes on Imports of Chemicals

1. Many chemicals are regulated imports, in some cases by more than one agency. This list contains all known regulated chemicals. If a particular chemical is not on the Regulated Imports list, it does not automatically mean that it is not regulated. For chemicals which are not on the Regulated Imports list Customs staff, importers, and brokers should determine whether that chemical is found in the Philippine Inventory of Chemicals and Chemical Substances (PICCS):
 - a. If a particular chemical is not in the Regulated Imports list but is in the Philippine Inventory of Chemicals and Chemical Substances, then that chemical is not a regulated import.

- b. If a particular chemical is not in the Regulated Imports list, and also not in the Philippine Inventory of Chemicals and Chemical Substances, then that chemical is a regulated import and must secure a permit from the Environment Management Bureau.

The Philippine Inventory of Chemicals and Chemical Substances (PICCS) is contained in the file PICCS 2012.pdf, which can be downloaded from:

<http://repository.gov.ph/customs/>

E. Changes to the List

1. New laws and regulations issued by regulating agencies may result in changes to the list of regulated imports from time to time. If there are any changes, the Bureau of Customs will make the necessary revisions to the list, such that the version posted on its website will be current at all times.
2. Regulating agencies should notify the Bureau of Customs of any changes or corrections, by e-mail to inquiry.trga@gmail.com, at least one month before changes should take effect.