



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
**BUREAU OF CUSTOMS**  
1099 MANILA

**MASTER COPY**

January 27, 2020

CUSTOMS MEMORANDUM CIRCULAR

NO. 33-2020

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

SUBJECT: **DEPARTMENT ADMINISTRATIVE ORDER NO. 20-01 S. OF 2020  
RE: IN THE MATTER OF THE APPLICATION FOR GENERAL  
SAFEGUARD MEASURES ON THE IMPORTATION OF CERAMIC  
FLOOR AND WALL TILES FROM VARIOUS COUNTRIES  
(HARMONIZED SYSTEM 2017 SUBHEADING NOS. 6907.22  
AND 6907.23).**

With reference to the attached letter dated 20 January 2020 from the Office of the Secretary, Department of Finance and 02 January 2020 letter with enclosed Department Administrative Order No. 20-01 s. of 2020 from Ramon M. Lopez, Secretary, Department of Trade and Industry (DTI), all concerned are informed regarding the DTI's order dismissing the application for general safeguard measure on the importation of ceramic floor wall tiles from various countries. The Tariff Commission (TC) has established that ceramic floor and wall tiles were not imported in increased quantities during the period of investigation and it recommended that no definitive safeguard measure be imposed on importations of ceramic floor and wall tiles classified under HS 2017 Subheading Nos. 6907.22 and 6907.23.

Further, it directed the Commissioner of Customs to immediately release the cash bond to the concerned importer/s which may be imposed on shipments of ceramic floor and wall tiles starting 14 August 2019, the effectivity of Customs Memorandum Order (CMO) No. 42-2019.

For your guidance.

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

  
**REY LEONARDO B. GUERRERO**

Commissioner FEB 03 2020



BOC-09-10694

CMC No. 33-2020 p. 2

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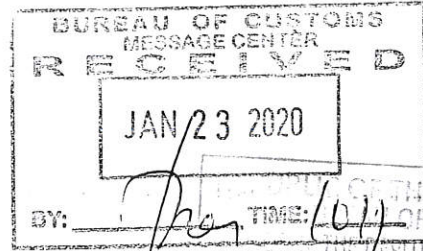


Republic of the Philippines  
**DEPARTMENT OF FINANCE**  
Roxas Boulevard Corner Pablo Ocampo, Sr. Street  
Manila 1004



20 January 2020

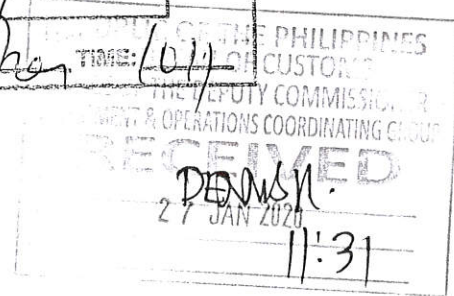
COMMISSIONER REY LEONARDO B. GUERRERO  
Bureau of Customs  
South Harbor, Gate 3  
Port Area, Manila



Dear Commissioner Guerrero:



BOC-09-10694



As instructed by the Secretary of Finance, we are transmitting herewith, for information and/or appropriate action, a copy of the 02 January 2020 letter, with enclosures, addressed to the Secretary of Finance from Secretary Ramon M. Lopez, Department of Trade and Industry (DTI), furnishing this Office with a copy of the DTI's Order dismissing the application for general safeguard measure on the importation of ceramic floor and wall tiles from various countries, and requesting your Office to issue the relevant Customs Memorandum Order for the immediate release of the cash bond to the importers.

Please address any responses to the Secretary of Finance.

For any clarifications, please contact Telephone Number 522 3262 or send an email to [secfin@dof.gov.ph](mailto:secfin@dof.gov.ph) with the reference number 011620DOF001121.

Thank you.

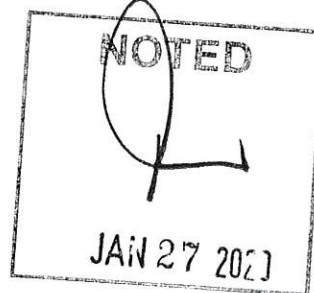
OFFICE OF THE SECRETARY  
DEPARTMENT OF FINANCE



DEPARTMENT OF FINANCE  
Republic of the Philippines



011620DOF001121



*AOCG where in CMO  
found my signature?  
EXPEDITE!  
JAN 27 2020*

MASTER COPY *mm*



02 January 2020



**SECRETARY CARLOS G. DOMINGUEZ**

Department of Finance  
DOF Building, BSP Complex  
Roxas Blvd., Manila

*Tomille  
Baki  
Jasso*

Dear **Secretary Dominguez**:

This is to respectfully furnish your good office a copy of the Department of Trade and Industry's (DTI) Order dismissing the application for general safeguard measure on the importation of ceramic floor and wall tiles from various countries. The Tariff Commission (TC) has established that ceramic floor and wall tiles were not imported in increased quantities during the period of investigation, TC recommended that no definitive safeguard measure be imposed on importations of ceramic floor and wall tiles classified under HS 2017 Subheading Nos. 6907.22 and 6907.23.

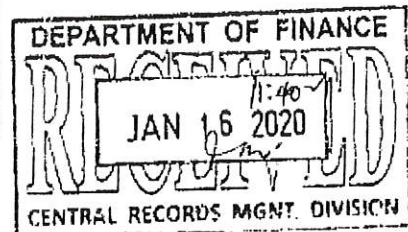
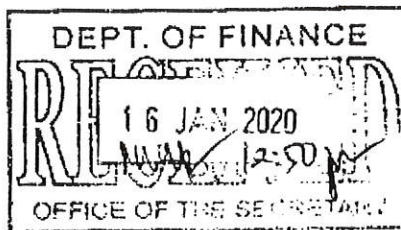
In view thereof, the DTI has issued the relevant Order on the matter which shall be effective from the date of the issuance by the Bureau of Customs of the Customs Memorandum Order (CMO) or 15 days after the publication of this Order in two (2) newspapers of general circulation, whichever, comes earlier.

May we therefore request your office to direct the Commissioner of the Bureau of Customs to issue the relevant Customs Memorandum Order for the immediate release of the cash bond to the importers.

Thank you for your collaboration.

Very truly yours

*[Signature]*  
Ramon M. Lopez  
Secretary *RM*



cc: Commissioner Rey Leonardo Guerrero  
Bureau of Customs

OFFICE OF THE SECRETARY

TRABAHO  
NEGOSYO  
KONSYUMERDepartment Administrative Order No. 20-01  
Series of 2020**IN THE MATTER OF THE APPLICATION FOR  
GENERAL SAFEGUARD MEASURES ON THE  
IMPORTATION OF CERAMIC FLOOR AND WALL  
TILES FROM VARIOUS COUNTRIES****(Harmonized System 2017 Subheading Nos.  
6907.22 and 6907.23)**

x-----x

**ORDER**

On 13 December 2019, the Department of Trade and Industry (DTI) received the Tariff Commission's (Commission) Formal Investigation Report on the general safeguard measure on the importation of ceramic floor and wall tiles from various countries classified under Harmonized System 2017 Subheading Nos. 6907.22 and 6907.23. The period covered by the investigation (POI) are the years 2013 to 2017 with updated data until 2019.

The Commission, in accordance with the Safeguard Measures Act (RA 8800), concluded that:

1. All current Philippine ceramic tile manufacturers are participants to the formal investigation and compliance with the domestic industry requirement is fully met under Section 4(f) of RA 8800.
2. Locally produced ceramic floor and wall tiles are "like" products to imported ceramic tiles falling under HS 2017 Subheading Nos. 6907.22 and 6907.23.
3. There was no increase in imports of ceramic floor and wall tiles, both in absolute terms and relative to domestic production, during the POI. Total imports of ceramic floor and wall tiles only increased in 2014 and stabilized thereafter. Imports of glazed ceramic floor and wall tiles, which constitute 87% of the total ceramic tiles imported into the country, showed a declining trend starting 2015. Similarly, the increase in the share of ceramic tile imports relative to local production was only evident in 2014, which thereafter evened-out until the end of the POI.
4. Since it has been established that ceramic floor and wall tiles were not imported in increased quantities (whether absolute or relative to domestic production) during the period of investigation, the determination of serious injury, or threat thereof, causation, and unforeseen developments has become moot and academic.

OFFICE OF THE SECRETARY

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Considering that ceramic floor and wall tiles were not imported in increased quantities (whether absolute or relative to domestic production) during the period of investigation, the Commission terminated its formal investigation and recommended that no definitive general safeguard measure be imposed on importations of ceramic floor and wall tiles falling under HS 2017 Subheading Nos. 6907.22 and 6907.23.

**IN VIEW THEREOF**, the application for general safeguard measures on the importation of ceramic floor and wall tiles from various countries falling under HS 2017 Subheading Nos. 6907.22 and 6907.23 is hereby dismissed.

Section 13 of RA 8800 provides, " *x x x* In the event of a negative final determination, *x x x*, the Secretary shall immediately issue, through the Secretary of Finance, a written instruction to the Commissioner of Customs, authorizing the return of the cash bond or the remainder thereof, as the case may be, previously collected as provisional general safeguard measure within ten (10) days from the date a final decision has been made: Provided, That the government shall not be liable for any interest on the amount to be returned. *x x x*."

All cash bonds that may have been imposed on shipments of ceramic floor and wall tiles which entered or are withdrawn from warehouses in the Philippines for consumption starting 08 August 2019, the date of the effectivity of CMO No. 42-2019, shall be immediately returned to the concerned importer/s.

The DTI Order can be accessed at the DTI website: <http://bit.ly/GSMceramicfloorwalltiles>


The notification requirements under Article 12 of the WTO Safeguards Agreement and Section 17 of RA 8800 and its IRR shall be complied with. Imports originating from ASEAN Member states shall be governed by the provision of Article 11 of the ASEAN Trade in Goods Agreement (ATIGA).

Let this Order be published in two (2) newspapers of general circulation and let individual notices be sent to all interested parties including the country members concerned.

This Order shall take effect upon the issuance of the relevant Customs Memorandum Order or fifteen (15) days after the publication of the Order in two (2) newspapers of general circulation, whichever comes earlier.

SO ORDERED.

02 January 2020

  
RAMON M. LOPEZ  
Secretary *CR*

CMC No. 33-2020 p.6

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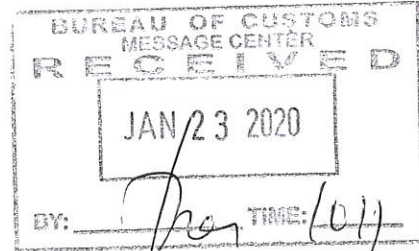


Republic of the Philippines  
**DEPARTMENT OF FINANCE**  
Roxas Boulevard Corner Pablo Ocampo, Sr. Street  
Manila 1004

*DENSK-*  
24 JAN 2020  
11:40

20 January 2020

COMMISSIONER REY LEONARDO B. GUERRERO  
Bureau of Customs  
South Harbor, Gate 3  
Port Area, Manila



BOC-09-10694

Dear Commissioner Guerrero:

As instructed by the Secretary of Finance, we are transmitting herewith, for information and/or appropriate action, a copy of the 02 January 2020 letter, with enclosures, addressed to the Secretary of Finance from Secretary Ramon M. Lopez, Department of Trade and Industry (DTI), furnishing this Office with a copy of the DTI's Order dismissing the application for general safeguard measure on the importation of ceramic floor and wall tiles from various countries, and requesting your Office to issue the relevant Customs Memorandum Order for the immediate release of the cash bond to the importers.

Please address any responses to the Secretary of Finance.

For any clarifications, please contact Telephone Number 522 3262 or send an email to [secfin@dof.gov.ph](mailto:secfin@dof.gov.ph) with the reference number 011620DOF001121.

Thank you.

OFFICE OF THE SECRETARY  
DEPARTMENT OF FINANCE *VB*



DEPARTMENT OF FINANCE  
Republic of the Philippines



MASTER COPY *hmb*



02 January 2020



**SECRETARY CARLOS G. DOMINGUEZ**

Department of Finance  
DOF Building, BSP Complex  
Roxas Blvd., Manila

*Donele  
Daki  
Jassy*

Dear **Secretary Dominguez**:

This is to respectfully furnish your good office a copy of the Department of Trade and Industry's (DTI) Order dismissing the application for general safeguard measure on the importation of ceramic floor and wall tiles from various countries. The Tariff Commission (TC) has established that ceramic floor and wall tiles were not imported in increased quantities during the period of investigation, TC recommended that no definitive safeguard measure be imposed on importations of ceramic floor and wall tiles classified under HS 2017 Subheading Nos. 6907.22 and 6907.23.

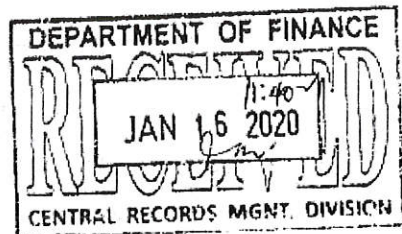
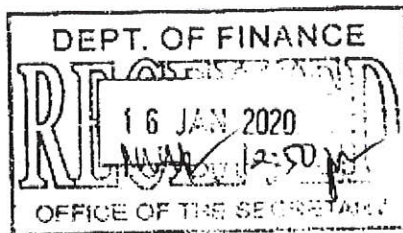
In view thereof, the DTI has issued the relevant Order on the matter which shall be effective from the date of the issuance by the Bureau of Customs of the Customs Memorandum Order (CMO) or 15 days after the publication of this Order in two (2) newspapers of general circulation, whichever, comes earlier.

May we therefore request your office to direct the Commissioner of the Bureau of Customs to issue the relevant Customs Memorandum Order for the immediate release of the cash bond to the importers.

Thank you for your collaboration.

Very truly yours,

*Ramon M. Lopez*  
Ramon M. Lopez  
Secretary *CR*



cc: Commissioner Rey Leonardo Guerrero  
Bureau of Customs

OFFICE OF THE SECRETARY

MASTER COPY



TRABAHOG  
NEGOSYO  
KONSUMER

Department Administrative Order No. 20 - 01  
Series of 2020

**IN THE MATTER OF THE APPLICATION FOR  
GENERAL SAFEGUARD MEASURES ON THE  
IMPORTATION OF CERAMIC FLOOR AND WALL  
TILES FROM VARIOUS COUNTRIES**

**(Harmonized System 2017 Subheading Nos.  
6907.22 and 6907.23)**

X-----X

**ORDER**

On 13 December 2019, the Department of Trade and Industry (DTI) received the Tariff Commission's (Commission) Formal Investigation Report on the general safeguard measure on the importation of ceramic floor and wall tiles from various countries classified under Harmonized System 2017 Subheading Nos. 6907.22 and 6907.23. The period covered by the investigation (POI) are the years 2013 to 2017 with updated data until 2019.

The Commission, in accordance with the Safeguard Measures Act (RA 8800), concluded that:

1. All current Philippine ceramic tile manufacturers are participants to the formal investigation and compliance with the domestic industry requirement is fully met under Section 4(f) of RA 8800.
2. Locally produced ceramic floor and wall tiles are "like" products to imported ceramic tiles falling under HS 2017 Subheading Nos. 6907.22 and 6907.23.
3. There was no increase in imports of ceramic floor and wall tiles, both in absolute terms and relative to domestic production, during the POI. Total imports of ceramic floor and wall tiles only increased in 2014 and stabilized thereafter. Imports of glazed ceramic floor and wall tiles, which constitute 87% of the total ceramic tiles imported into the country, showed a declining trend starting 2015. Similarly, the increase in the share of ceramic tile imports relative to local production was only evident in 2014, which thereafter evened-out until the end of the POI.
4. Since it has been established that ceramic floor and wall tiles were not imported in increased quantities (whether absolute or relative to domestic production) during the period of investigation, the determination of serious injury, or threat thereof, causation, and unforeseen developments has become moot and academic.

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Considering that ceramic floor and wall tiles were not imported in increased quantities (whether absolute or relative to domestic production) during the period of investigation, the Commission terminated its formal investigation and recommended that no definitive general safeguard measure be imposed on importations of ceramic floor and wall tiles falling under HS 2017 Subheading Nos. 6907.22 and 6907.23.

**IN VIEW THEREOF**, the application for general safeguard measures on the importation of ceramic floor and wall tiles from various countries falling under HS 2017 Subheading Nos. 6907.22 and 6907.23 is hereby dismissed.

Section 13 of RA 8800 provides, " x x x *In the event of a negative final determination, x x x, the Secretary shall immediately issue, through the Secretary of Finance, a written instruction to the Commissioner of Customs, authorizing the return of the cash bond or the remainder thereof, as the case may be, previously collected as provisional general safeguard measure within ten (10) days from the date a final decision has been made: Provided, That the government shall not be liable for any interest on the amount to be returned. x x x.*"

All cash bonds that may have been imposed on shipments of ceramic floor and wall tiles which entered or are withdrawn from warehouses in the Philippines for consumption starting 08 August 2019, the date of the effectivity of CMO No. 42-2019, shall be immediately returned to the concerned importer/s.

The DTI Order can be accessed at the DTI website: <http://bit.ly/GSMceramicfloorwalltiles>


The notification requirements under Article 12 of the WTO Safeguards Agreement and Section 17 of RA 8800 and its IRR shall be complied with. Imports originating from ASEAN Member states shall be governed by the provision of Article 11 of the ASEAN Trade in Goods Agreement (ATIGA).

Let this Order be published in two (2) newspapers of general circulation and let individual notices be sent to all interested parties including the country members concerned.

This Order shall take effect upon the issuance of the relevant Customs Memorandum Order or fifteen (15) days after the publication of the Order in two (2) newspapers of general circulation, whichever comes earlier.

SO ORDERED.

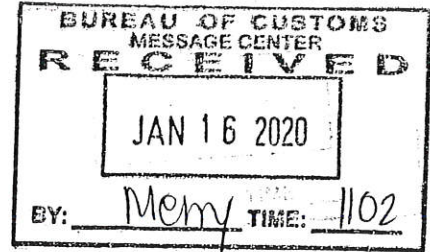
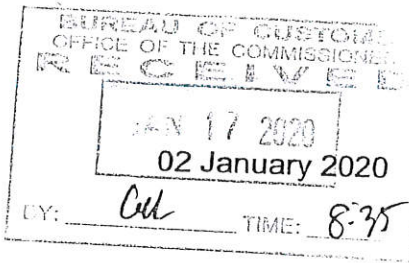
02 January 2020

  
RAMON M. LOPEZ  
Secretary

*f. ca*



TRABAHO NEG. SYO KONSUMER



SECRETARY CARLOS G. DOMINGUEZ

Department of Finance  
DOF Building, BSP Complex  
Roxas Blvd., Manila

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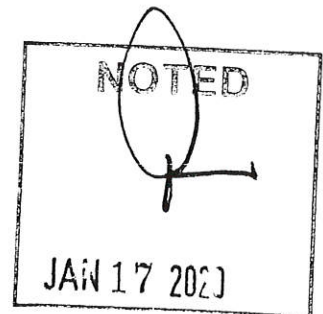
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May we therefore request your office to direct the Commissioner of the Bureau of Customs to issue the relevant Customs Memorandum Order for the immediate release of the cash bond to the importers.

Thank you for your collaboration.

Very truly yours,

Ramon M. Lopez  
Secretary



cc: Commissioner Rey Leonardo Guerrero  
Bureau of Customs

OFFICE OF THE SECRETARY

ADCG / RCMG  
Draft CMO  
for issuance  
Expedite  
JAN 17 2020

Department Administrative Order No. 20-01  
Series of 2020

**IN THE MATTER OF THE APPLICATION FOR  
GENERAL SAFEGUARD MEASURES ON THE  
IMPORTATION OF CERAMIC FLOOR AND WALL  
TILES FROM VARIOUS COUNTRIES**

**(Harmonized System 2017 Subheading Nos.  
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x ----- x

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OFFICE OF THE SECRETARY

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SO ORDERED.

02 January 2020

  
RAMON M. LOPEZ  
Secretary

*J. CA*