



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

MAY 16 2003

**CUSTOMS MEMORANDUM ORDER**

NO. 10-2003

To All District Collectors  
All Service & Division Chiefs  
All others concerned

**Subject: Clarifications on the Imposition of Safeguard Duty against Ceramic Floor & Wall Tiles importations**

Pursuant to instructions contained in the 1<sup>st</sup> Indorsement dated 29 April 2002 of the Department of Finance relative to Safeguard Case No. 01-2001 RE: **APPLICATION FOR GENERAL SAFEGUARD MEASURES AGAINST THE IMPORTATION OF CERAMIC FLOOR AND WALL TILES FROM VARIOUS COUNTRIES** wherein the Department of Trade and Industry imposed safeguard duties against ceramic tiles importations and mentioned in CMO No. 4-2002 dated 9 January 2003 and CMC No. 168-2002 dated 23 May 2003

1. Except as otherwise provided, a definitive safeguard duty shall be imposed against all importations of ceramic floor and wall tiles from various countries as follows:
  - a. P5.40 per kg for the 1<sup>st</sup> year beginning 9 January 2002 up to 9 January 2003;
  - b. P4.30 per kg for the 2<sup>nd</sup> year beginning 10 January 2003 up to 10 January 2004.
  - c. P3.50 per kg for the 3<sup>rd</sup> year beginning 11 January 2004 up to 11 January of 2005.
  
2. The abovementioned safeguard duty shall not be imposed on the following:
  - a. Importations from Japan and the member states of the European Union, which can not be considered like "product or directly competitive product" as defined in Sec. 4 of RA 8800.
  - b. Importations from a developing country if its total share to total Philippine imports of the said product is less than three percent (3%): Provided, however,

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that developing countries with less than three percent (3%) share collectively account for not more than nine percent (9%) of the total Philippine imports of the product concerned;

c. Importations from following countries listed under 'ANNEX A'.

All cash bonds that may have been imposed on shipments originating from countries listed above which entered in or are withdrawn from warehouses in the Philippines for consumption starting 9 January 2003 shall be immediately released to the importer.

3. A Certificate of Country of Origin shall be required to be submitted for all importations of ceramic floor and wall tiles in order to determine whether the importation is excluded from the imposition of the said duty

Any Order not consistent herewith is hereby repealed or modified accordingly.

For compliance.



ANTONIO M. BERNARDO  
Commissioner

# ANNEX A

CMO 10-03

enc.

3

EAST SOUTHERN AFRICA	WEST AFRICA	NORTH AFRICA	SOUTH ASIA
Angola	Benin	Algeria	Afghanistan
Botswana	Burkina Faso	Egypt, Arab Rep.	Bangladesh
Burundi	Cameroon	Libya	Bhutan
Comoros	Cape Verde	Morocco	British Indian Ocean Territory
Congo, Dem. Rep.	Central African Rep.	Tunisia	East Timor
DRC	Chad		India
Eritrea	Congo, Rep.		Maldives
Ethiopia	Cote d'Ivoire		Nepal
Kenya	Equatorial Guinea		Pakistan
Lesotho	Gabon		Sri Lanka
Madagascar	Gambia, The		
Malawi	Ghana		
Mauritius	Guinea-Bissau		
Mozambique	Liberia		
Namibia	Mali		
Rwanda	Mauritania		
Seychelles	Niger		
Somalia	Nigeria		
South Africa	Sao Tome & Principe		
Sudan	Senegal		
Swaziland	Sierra Leone		
Tanzania	Togo		
Uganda			
Zambia			
Zimbabwe			

Europe & Central Asia	Middle East	Americas	East Asia & Pacific
Albania	Bahrain	Anguilla	American Samoa
Armenia	Iran, Islamic Rep.	Antigua and Barbuda	Brunei Darussalam
Azerbaijan	Iraq	Argentina	Cambodia
Belarus	Israel	Aruba	Christmas Is.
Bosnia & Herzegovina	Jordan	Bahamas	Cocos (Keeling) Is.
Bulgaria	Kuwait	Barbados	Cook Is.
Croatia	Lebanon	Belize	Fiji
Cyprus	Oman	Bermuda	French Polynesia
Czech Republic	Qatar	Bolivia	Guam
Estonia	Saudi Arabia	Brazil	Johnston Is.
Georgia	Syrian Arab Rep.	British Virgin Is.	Kiribati
Greenland	United Arab Emirates	Cayman Islands	Korea, Dem. Rep.
Hungary	West Bank & Gaza	Chile	Korea, Rep.
Kazakhstan	Yemen, Rep.	Colombia	Lao PDR
Kyrgyz Republic		Costa Rica	Macau
Latvia		Cuba	Marshall Islands
Lithuania		Dominica	Micronia, Fed. Sts.
Macedonia, FYR		Dominican Rep.	Midway Is.
Malta		Ecuador	Mongolia
Moldova		El Salvador	Myanmar

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Poland	Falkland Islands (Malvinas)	Nauru
Romania	French Guiana	New Caledonia
Russian Federation	Granada	Niue
Slovakia	Guadaloupe	Northern Marianas Is.
Slovenia	Guatemala	Palau
Tajikistan	Guyana	Papua New Guinea
Turkey	Haiti	Pitcairn Is.
Turkmenistan	Honduras	Samoa
Ukraine	Jamaica	Singapore
Uzbekistan	Martinique	Solomon Islands
Yugoslavia, Fed. Rep.	Mexico	Taiwan
	Montserrat	Tokelau
	Netherlands Antilles	Tonga
	Nicaragua	Tuvalu
	Norfolk Is.	Vanuatu
	Panama	Vietnam
	Paraguay	Wake Is.
	Peru	Wallis and Futuna Is.
	Puerto Rico	
	St. Helena	
	St. Kitts & Nevis	
	St. Lucia	
	St. Pierre & Miquelon	
	St. Vincent & the Grenadines	
	Suriname	
	Trinidad & Tobago	
	Turks & Caicos Is.	
	Uruguay	
	US Virgin Island	
	Venezuela	

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REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
BUREAU OF CUSTOMS  
MANILA

CMO 10-03

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23 May 2002

**CUSTOMS MEMORANDUM CIRCULAR**

NO. 168-2002

To: All District/Port Collectors  
And Others Concerned

Subject: Decision of the Secretary, DTI on Safeguard Case No. 01-2001

Attached is the 1<sup>st</sup> Indorsement dated 29 April 2002 of the Department of Finance referring to this Bureau for implementation, the within Decision of the Honorable Secretary, Department of Trade and Industry in Safeguard Case No. 01-2001 in Re: Application for General Safeguard Measures Against the Importation of Ceramic Floor and Walltiles from various countries, part of the dispositive portion of which directs the return of all cash bonds that may have been imposed on shipments originating from countries enumerated therein which entered in or are withdrawn from warehouses in the Philippines for consumption starting 9 January 2002, the date of the effectivity of CMO 4-2002.

For information and guidance of all concerned.

For the Commissioner:  
(Per CMO 85-90)

  
EMMA M. ROSQUETA  
Deputy Commissioner  
Internal Administration Group



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

**1<sup>st</sup> Indorsement**

-29 April 2002

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6



ENC-168-02

Respectfully referred to the Commissioner of Customs, Manila, for implementation, is the attached decision of the Honorable Secretary, Department of Trade and Industry in Safeguard Case No. 01-2001 In Re: Application for General Safeguard Measures Against the Importation of Ceramic Floor and Walltiles from various countries, Ceramic Tiles Manufacturers Association. Protestant, the dispositive portion of which reads:

"IN VIEW THEREOF, and in accordance with Section 13.1.d of RA 8800, the following is hereby issued:

1. A definitive safeguard duty in the amount of P5.40/kg for the first year, P4.30/kg. for the second year and P3.5/kg for the third year shall be imposed on imported ceramic floor and wall tiles from various countries. The first year of implementation of the definitive safeguard measure shall include the period in which the provisional safeguard duty took effect i.e. 09 January 2002, the date of the issuance of Customs Memorandum Order No. 4-2002.
2. The ceramic tiles, however from Japan and the member states of the European Union, which cannot be considered "like product or directly competitive product" as defined in Section 4 of RA 8800, are excluded from the imposition of general safeguard duty.
3. Pursuant to Section 13 of RA 8800 and Rule 13.1.d of its IRR, "a general safeguard measure shall not be applied to a product originating from a developing country if its share to total Philippine imports of the said product is less than three percent (3%); Provided, however, that developing countries with less than three percent (3%) share collectively account for not more than nine percent (9%) of the total Philippine Imports of the product concerned", the following countries listed below are excluded from the imposition of the general safeguard duty on ceramic floor and wall tiles:



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7

EAST SOUTHERN AFRICA	WEST AFRICA	NORTH AFRICA	SOUTH ASIA
Angola Botswana Burundi Comoros  Congo, Dem. Rep. Djibouti Eritrea Ethiopia Kenya Lesotho Madagascar Malawi Mauritius Mozambique Namibia Reunion Rwanda Seychelles Somalia South Africa Sudan Swaziland Tanzania Uganda Zambia Zimbabwe	Benin Burkina Faso Cameroon Cape Verde  Central African Rep. Chad Congo, Rep. Cote d' Ivoire Equatorial Guinea Gabon Gambia, The Ghana Guinea-Bissau Liberia Mali Mauritania Niger Nigeria Sao Tome & Principe Senegal Sierra Leone Togo	Algeria Egypt, Arab Rep. Libya Morocco  Tunisia	Afghanistan Bangladesh Bhutan British Indian Ocean Territory East Timor India Maldives Nepal Pakistan Sri Lanka

Europe & Central Asia	Middle East	Americas	East Asia & Pacific
Albania Armenia Azerbaijan Belarus Bosnia & Herzegovina Bulgaria Croatia Cyprus Czech Republic Estonia Georgia Greenland Hungary Kazakhstan Kyrgyz Republic Latvia Lithuania Macedonia, FYR Malta Moldova	Bahrain Iran, Islamic Rep. Iraq Israel Jordan Kuwait Lebanon Oman Qatar Saudi Arabia Syrian Arab Rep. United Arab Emirates West Bank & Gaza Yemen, Rep.	Anguilla Antigua and Barbuda Argentina Aruba Bahamas Barbados Belize Bermuda Bolivia Brazil British Virgin Is. Cayman Islands Chile Colombia Costa Rica Cuba Dominica Dominican Rep. Ecuador El Salvador	American Samoa Brunei Darussalam Cambodia Christmas Is. Cocos (Keeling) Is. Cook Is. Fiji French Polynesia Guam Johnston Is. Kiribati Korea, Dem. Rep. Korea, Rep. Lao PDR Macau Marshall Islands Micronesia, Fed. Sts. Midway Is. Mongolia Myanmar