



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

CUSTOMS MEMORANDUM ORDER
NO. 25-2003

0257 1-2003

**SUBJECT : Amended List of Developing Countries Not Covered
by Safeguard Duty on Ceramic Tiles, Glazed or Unglazed**

Pursuant to herein 1st Indorsement, dated 08 October 2003, signed by DoF Usec. MA. GRACIA M. PULIDO TAN, in compliance with the corresponding letter-request, dated 05 September 2003, of Sec. MAR ROXAS, Department of Trade and Industry (DTI) to Sec. JOSE ISIDRO N. CAMACHO, Department of Finance (DoF), this Office directs the implementation of the DTI Order, dated 05 September 2003 in Safeguard Case No. 01-2001, amending its Decision of 11 April 2002, specifically with respect to the list of countries excluded from the imposition of the said safeguard duty on ceramic floor and wall tiles.

Said amendment is pursuant to Section 13, par. 4 of RA 8000 and Rule 13.1 of its IRR which provide that "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 less than nine percent (9%) of the total Philippine imports of the product concerned."

Accordingly, attention is invited to the attached DTI Order, dated 05 September 2003, and therein amended list of countries excluded from the said safeguard duty on ceramic floor and wall tiles, for your ready reference and guidance.

CMO 10-2003, issued on 16 May 2003, is hereby modified accordingly.

This Order takes effect upon signing hereof.

ANTONIO M. BERNARDO
Commissioner

Date signed 10/14/2003
A~

cc: Sec. Jose Isidro N. Camacho, DoF
Sec. Mar Roxas, DTI
Usec. Ma. Gracia Pulido-Tan, DoF

Encl: a/s



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



CMO - 25 - 03

1st Indorsement

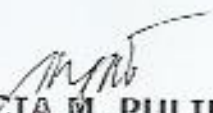
8 October 2003

Respectfully referred to the **Commissioner Bureau of Customs ANTONIO M. BERNARDO**, for immediate action and implementation, the attached 5 September 2003 letter of **DTI Secretary Manuel A. Roxas II** instructing the Bureau of Customs, through the Secretary of Finance, to cause the issuance of a Customs Administrative Order pursuant to **DTI Order [5 September 2003], Safeguard Case No. 01-2001**, bearing on the imposition of general safeguard measures against the importation from various countries of glazed or unglazed ceramic floor and wall tiles classified under HS Code Nos. 6907.9000 and 6908.9000.

6908.9000

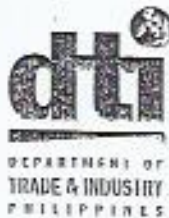
A copy of said Order, well as of the amended List of Developing Countries Exempted from the General Safeguard Measures, are attached for your ready reference.

We shall appreciate your advice on action taken.


MA. GRACIA M. PULIDO-TAN
Undersecretary

Cc:

Secretary Manuel A. Roxas II
Department of Trade and Industry



VERY URGENT

CMO-25-03

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07 October 2003



HON. ANTONIO M. BERNARDO
Commissioner
Bureau of Customs
BOC Building, Port Area
Manila

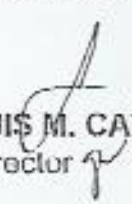
Dear Commissioner Bernardo:

This refers to the DTI Order of 05 September 2003 amending the list of developing countries exempted from the imposition of definitive safeguard duty against ceramic floor and wall tiles. (copy attached)

We would like to inform you of the typographical error on the tariff headings stated in the said DTI Order. The tariff headings should read as 6907.9000 and 6908.9000 instead of 6907.9000 and 6906.9000. Specifically, we would like to request you to make the necessary correction on the CMO that will be issued by the Bureau of Customs to implement said amendment to the list of developing countries exempted from the definitive safeguard measure on ceramic floor and wall tiles.

Thank you for your usual cooperation.

Very truly yours,


LUIS M. CATIBAYAN
Director

Ceramic declaration del/ceramic/row/def/wall tiles

BUREAU OF CUSTOMS
Office of the Commissioner
Secy Building, Port Area
MANILA
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RMO 23 13

05 September 2003

SECRETARY JOSE ISIDRO CAMACHO
Department of Finance
Roxas Boulevard, Manila

Dear Secretary Camacho:

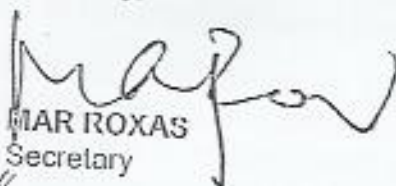
The Department of Trade and Industry (DTI) conducted a review on the volume of imports of ceramic floor and wall tiles after the imposition of the definitive safeguard measure against these products. The review covered imports from January 2002 - May 2003 (the period for which official trade statistics are available)

As provided under Section 13 par. 4 of RA 8800 which states that "a general safeguard measure shall not be applied to a product originating from a developing country if its share of total imports of the 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 imports", the DTI hereby issues an Order amending the list of developing countries exempted from the imposition of definitive safeguard duty against importation of ceramic floor and wall tiles (copy attached).

We would like to request you to direct the Commissioner of Customs to immediately issue a Customs Memorandum Order relevant to the said Order.

With all good wishes for you and our country.

Sincerely,


MAR ROXAS
Secretary

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 MB-25-23

**IN THE MATTER OF THE APPLICATION FOR GENERAL
 SAFEGUARD MEASURES AGAINST THE IMPORTATION OF
 CERAMIC FLOOR AND WALL TILES FROM
 VARIOUS COUNTRIES
 (SAFEGUARD CASE NO. 01-2001)**

ORDER

On 23 May 2002, the Bureau of Customs issued CMC No. 168-2002 implementing the imposition of definitive safeguard duty on importations of ceramic floor and wall tiles, glazed or unglazed, classified under HS Codes 6907.9000 and 6908.9000 from various countries based on the DTI Order of 11 April 2002. On 16 May 2003, BOC issued CMO No. 10-2003 clarifying the previous BOC issuances on the said matter.

The Department of Trade and Industry (DTI) conducted a review on the volume of imports of ceramic floor and wall tiles, glazed or unglazed, from various countries upon request of the local industry, particularly on the increased imports from developing countries previously exempted from the imposition of the safeguard measures under the "developing country rule". The review covered Philippine importations for January 2002 to May 2003 (the period for which official trade statistics are available after the imposition of the measure).

As provided under Section 13 par. 4 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".

WHEREFORE, AND IN VIEW THEREOF, in accordance with Section 13 of RA 8800, the DTI hereby amends its Decision of 11 April 2002 specifically on the list of countries excluded from the imposition of the said safeguard duty on ceramic floor and wall tiles as follows:

North Africa	South Asia
Algeria Egypt, Arab Rep. Libya Morocco Tunisia	Afghanistan Bangladesh Bhutan British Indian Ocean Territory East Timor Maldives Nepal Pakistan Sri Lanka

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East & Southern Africa		West Africa	
Angola	Mozambique	Benin	Guinea
Botswana	Namibia	Burkina Faso	Guinea-Bissau
Burundi	Reunion	Cameroon	Liberia
Comoros	Rwanda	Cape Verde	Mali
Congo, Dem. Rep.	Seychelles	Central African Rep.	Mauritania
Djibouti	Somalia	Chad	Niger
Eritrea	South Africa	Congo, Rep.	Nigeria
Ethiopia	Sudan	Cote d' Ivoire	Sao Tome & Principe
Kenya	Swaziland	Equatorial Guinea	Senegal
Lesotho	Tanzania	Gabon	Sierra Leone
Madagascar	Uganda	Gambia, The	Togo
Malawi	Zambia	Ghana	
Mauritius	Zimbabwe		

Europe & Central Asia	Middle East	East Asia & Pacific
Albania	Dahrain	American Samoa
Armenia	Iran, Islamic Rep.	Brunei Darussalam
Azerbaijan	Iraq	Cambodia
Belarus	Israel	Christmas Is.
Bosnia & Herzegovina	Jordan	Cocos (Keeling) Is.
Bulgaria	Kuwait	Cook Is.
Croatia	Lebanon	Fiji
Cyprus	Oman	French Polynesia
Czech Republic	Qatar	Guam
Estonia	Saudi Arabia	Johnston Is.
Georgia	Syrian Arab Rep.	Kiribati
Greenland	United Arab Emirates	Korea, Dem. Rep.
Hungary	West Bank & Gaza	Lao PDR
Kazakhstan	Yemen, Rep.	Macau
Kyrgyz Republic		Marshall Islands
Latvia		Micronesia, Fed. Sts.
Lithuania		Midway Is.
Macedonia, FYR		Mongolia
Malta		Myanmar
Moldova		Nauru
Poland		New Caledonia
Romania		Niue
Russian Federation		Northern Marianas Island
Slovakia		Palau
Slovenia		Papua New Guinea
Tajikistan		Pitcairn Is.
Turkey		Samoa
Turkmenistan		Singapore
Ukraine		Solomon Islands
Uzbekistan		Tokelau
Yugoslavia, Fed. Rep.		Tonga
		Tuvalu
		Vanuatu
		Wake Is.
		Wallis and Futuna Is.

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Americas		
Anguilla	Dominican Rep.	Norfolk Is.
Antigua and Barbuda	Ecuador	Panama
Argentina	El Salvador	Paraguay
Aruba	Falkland Islands (Malvinas)	Peru
Bahamas	French Guiana	Puerto Rico
Barbados	Granada	St. Helena
Belize	Guadeloupe	St. Kitts & Nevis
Bermuda	Guatemala	St. Lucia
Bolivia	Guyana	St. Pierre & Miquelon
Brazil	Haiti	St. Vincent & the Grenadines
British Virgin Is.	Honduras	Suriname
Cayman Islands	Jamaica	Trinidad & Tobago
Chile	Martinique	Turks & Caicos Is.
Colombia	Mexico	Uruguay
Costa Rica	Montserrat	US Virgin Island
Cuba	Netherland Antilles	Venezuela
Dominica	Nicaragua	

Let this Order be published in two (2) newspapers of general circulation.

SO ORDERED.

05 September 2003


MAR ROXAS
Secretary