



Republic of the Philippines
Department of Finance
BUREAU OF CUSTOMS
1099 Manila

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February 5, 2020

CUSTOMS MEMORANDUM CIRCULAR
NO. 43 - 2020

To: The Assistant Commissioner
All Deputy Commissioner
All Directors and Division Chiefs
All District/Port Collectors
All Others Concerned

SUBJECT: Termination of the Preliminary Investigation on the Application for General Safeguard Measure on the Importation of Rice from Various Countries (GSG Case No. SG01-2019)

With reference to the letter dated January 21, 2020 from Mr. Noel A. Padre, Assistant Secretary–Designate, Policy Research and Development, Department of Agriculture, all concerned are informed that the preliminary investigation on the Application for General Safeguard Measure on the Importation of Rice from Various Countries (GSG Case No. SG01-2019) was already terminated on 11 October 2019.

Attached to the letter is the response of Department of Agriculture (DA) to Mr. James Suzuki stating their concern on the importation of Japanese rice and informing them that the DA's preliminary general safeguard investigation on imported rice does not prevent the importers to import rice or intervene, in any way, the transport of rice.

For your information and guidance.

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

REY LEONARDO B. GUERRERO
✓ Commissioner FEB 10 2020



BOC-09-10744



Republic of the Philippines
Department of Agriculture
OFFICE OF THE SECRETARY
 Elliptical Road, Diliman 1100
 Quezon City, Philippines

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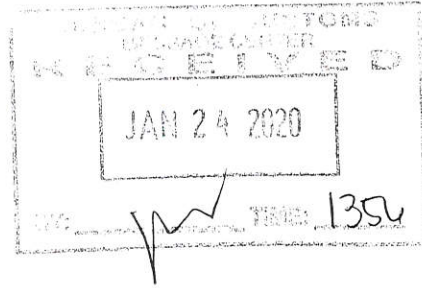


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21 January 2020

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



Dear **Commissioner Guerrero**:

This refers to your attached letter dated 16 December 2019, which we received on 14 January 2020, relative to the letter sent by the Presidential Complaint Center of the Office of the President dated 08 October 2019.

We would like to inform you that the on 20 September 2019, the Department of Agriculture (DA) has already provided a response to Mr. James Suzuki's email <itsjamesmontefalcon@gmail.com> dated 19 September 2019 stating the same concern on the importation of Japanese rice. In our attached email, we informed Mr. Suzuki that the Department's preliminary general safeguard investigation on imported rice does not prevent importers to import rice or intervene, in any way, the transport of rice.

Further, we would like to inform you that the preliminary investigation was already terminated on 11 October 2019. For the Bureau's reference, attached herewith are the notifications on the conduct of the preliminary investigation as well as the termination of the case.

Very truly yours,

NOEL A. BADRE
 Assistant Secretary-Designate
 Policy, Research and Development

[Handwritten initials] 3:28

cc: Secretary William D. Dar, Ph. D.



1/21/2020

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Gmail - Tokyo, Japan (Exemption Letter: Bellson Co, Ltd.)

of rice. Please note that the ongoing investigation does not prevent importers to import rice or intervene, in any other way, the transport of the aforesaid food item.

We hope that this clarify your concern.

Regards,
Donabel Fiegalan

[Handwritten Signature]
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TRADE REMEDY UNIT

Macroeconomic Policy Division
Policy Research Service

DEPARTMENT OF AGRICULTURE
Elliptical Rd., Diliman, Quezon City
Telephone: (02) 273 24 63 loc. 2316

[Quoted text hidden]

James Suzuki <itsjamesmontefalcon@gmail.com>
To: Trade Remedy Unit MEPD-PRS <tru.mepd.prs@gmail.com>

Fri, Sep 20, 2019 at 5:47 PM

Good Afternoon, Ms. Fiegalan

HON. WILLIAM D. DAR, Ph.D.
Acting Secretary
Department of Agriculture
Elliptical Road, Dilliman 1100
Quezon City, Philippines

Dear Hon. DAR:

We recently been granted with a Permit from the Bureau of Plants and from the Bureau of Customs for the importation of Nine Hundred Sixty (960) sacks at Ten (10) kilos each of Japanese Rice, which shall be distributed to Japanese Restaurants. All documentation have been complied and the above – stated food items are ready for transportation to the Philippines from Tokyo, Japan. However, we were informed that the transport of the aforesaid food items should be put on hold in view of the "Notice of the Initiation of a Preliminary Investigation on the Application for General Safeguard Measures on the Importation of Rice from Various Countries (GSG Case No. SG01-2019) dated 09 September 2019.

In this light, may we request that the importation of the Nine Hundred Sixty (960) sacks at Ten (10) kilos each of Japanese Rice be exempted considering that said food items will not be distributed through the local stores and will not compete with the locally produced rice.

We would appreciate it if this request will merit your approval. To include we would like to know when would the importation of rice will resume?

Thank you very much

[Quoted text hidden]



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Republic of the Philippines
Department of Agriculture
OFFICE OF THE SECRETARY
Elliptical Road, Diliman
Quezon City, 1100 Philippines

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NOTICE OF TERMINATION OF A PRELIMINARY INVESTIGATION ON THE APPLICATION FOR GENERAL SAFEGUARD MEASURE ON THE IMPORTATION OF RICE FROM VARIOUS COUNTRIES (GSG CASE NO. SG01-2019)

The Department of Agriculture, acting under Section 6 of RA 8800, otherwise known as Safeguard Measures Act, motu proprio initiated on 11 September 2019 a preliminary investigation on the application for a general safeguard measure on imported rice, following its initial findings that there was a prima facie case that justified the initiation.

RA 8800 provides that the Department shall issue its decision, whether affirmative or negative, within thirty (30) calendar days from the date of the initiation of the preliminary investigation. Therefore, pursuant to RA 8800, notice is hereby given to all interested parties that the Department of Agriculture's preliminary investigation on the application for a general safeguard measure on imported rice is hereby terminated.

10 October 2019


WILLIAM D. DAR, Ph. D.
Acting Secretary

DEPARTMENT OF AGRICULTURE

in replying pls cite this code :
For Signature: S-10-19-0340
Received : 10/10/2019 12:51 PM

"A food-secure Philippines with prosperous farmers and fisherfolk"



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Republic of the Philippines
Department of Agriculture
OFFICE OF THE SECRETARY
Elliptical Road, Diliman 1100
Quezon City, Philippines

NOTICE OF THE INITIATION OF A PRELIMINARY INVESTIGATION ON THE APPLICATION FOR GENERAL SAFEGUARD MEASURES ON THE IMPORTATION OF RICE FROM VARIOUS COUNTRIES (GSG CASE NO. SG01-2019)

The Department of Agriculture (DA), *motu proprio*, initiates a preliminary investigation on the application of general safeguard measure on the importation of rice from various countries without having received a verified petition by or on behalf of the domestic rice industry and there is evidence that increased imports are a substantial cause of serious injury to the domestic rice industry.

The DA, acting under Section 6 of RA 8800, otherwise known as the Safeguard Measures Act, found the existence of a prima facie case that will justify the initiation of a preliminary investigation for a general safeguard measure on imported rice (classified under AHTN Code 100630 - semi-milled or wholly milled rice, whether or not polished or glazed) from various countries. The period covered by the investigation (POI) are the years from 2015 to 2019.

Notice is hereby given by the DA to concerned parties pursuant to Rule 6.5.a of the IRR of RA 8800, which reads:

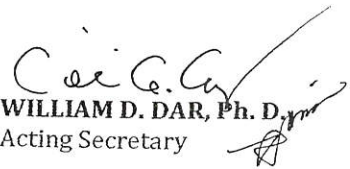
"Rule 6.5.a. Within two (2) calendar days after he makes the decision to initiate a preliminary investigation, the Secretary shall cause the publication of the notice of initiation of preliminary investigation in two (2) newspapers of general circulation. The date of publication shall be considered as day one (1) of the initiation of the investigation.

The public notice of the initiation of an investigation shall contain, unless otherwise made available through a separate report, adequate information on the following matters:

- 1. The nature of the product under consideration;*
- 2. A summary of the particulars of the injury or threat thereof;*
- 3. The time frame for the submission of evidence or views to the Secretary;*
- 4. The date of the initiation of the investigation; and*
- 5. The address to which representations by interested parties shall be directed."*

WHEREFORE, IN VIEW THEREOF, interested parties are requested to submit their comments and position on this matter thru the Policy Research Service (PRS), 3rd Floor, Department of Agriculture, Elliptical Road, Diliman, Quezon City, 1100, within five (5) days from the date of publication of this notice. For inquiries and other details, please contact the PRS at tel. nos. (02) 926-7439, 920-4084 or at fax no. 928-0590 and email address: tru.mepd.prs@gmail.com.

09 September 2019


WILLIAM D. DAR, Ph. D.
Acting Secretary