



# BUREAU OF CUSTOMS

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PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

20 December 2021

**CUSTOMS MEMORANDUM ORDER (CMO)**  
NO. 38-2021

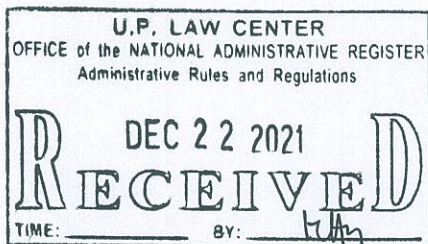
**SUBJECT: IMPOSITION OF PROVISIONAL ANTI-DUMPING DUTIES PURSUANT TO DTI DAO 21-07 (SERIES OF 2021) ON ORDINARY PORTLAND CEMENT TYPE 1 (AHTN 2523.29.90) AND BLENDED CEMENT TYPE 1P (AHTN 2523.90.00) IMPORTED FROM VIET NAM**

Pursuant to Department Administrative Order (DAO) No. 21-07 issued last 29 November 2021, Letter dated 29 November from the Department of Trade and Industry (DTI) and in view of the directive dated 16 December 2021 from the Secretary of Finance, provisional anti-dumping duties for Ordinary Portland Cement Type 1 (AHTN 2523.29.90) and Blended Cement Type 1P (AHTN 2523.90.00) imported from Viet Nam are hereby imposed.

DAO No. 21-07 highlighted that the abovementioned products are being dumped, causing material injury to the domestic cement industry. Thus, provisional anti-dumping duties in the form of cash bond shall be imposed for **four (4) months** from the date of effectivity of DAO 21-07 on importations of Type 1 and Type 1P cement originating from Viet Nam.

Further, pursuant to the directive of the Secretary of Finance, Section 3(f) of RA 8752 mandates the DTI Secretary, in instances where DTI's preliminary finding is affirmative, to immediately issue, through the Secretary of Finance, a written instruction to the Commissioner of Customs to **impose within three (3) days** from receipt of instructions a cash bond equal to the provisionally estimated anti-dumping duty but not greater than the provisionally estimated margin of dumping in addition to any other duties, taxes and charges imposed by law on like articles."

For strict compliance.



**REY LEONARDO B. GUERRERO**  
Commissioner

Bureau of Customs  
CENTRAL RECORDS MGT. DIVISION

**CERTIFIED TRUE COPY OF THE ORIGINAL**  
  
**MARGARET G. MANALAYSAY**  
Administrative Officer V



Republic of the Philippines  
**DEPARTMENT OF FINANCE**

Roxas Boulevard Corner Pablo Ocampo, Sr. Street  
Manila 1004

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**HON. REY LEONARDO B. GUERRERO**

Commissioner  
Bureau of Customs  
Port Area  
Manila

**SUBJECT : Issuance of Relevant Customs Memorandum Order for the Imposition of Provisional Anti-Dumping Duties Pursuant to DTI DAO 21-07**

Dear **Commissioner Guerrero**:

We write to you in relation to Department of Trade and Industry (DTI) Administrative Order (DAO) No. 21-07, issued last 29 November 2021, where the DTI, during its preliminary determination, found that Ordinary Portland Cement Type 1 (AHTN 2523.29.90) and Blended Cement Type 1P (AHTN 2523.90.00) imported from Viet Nam are being dumped, causing material injury to the domestic cement industry.

As a result, provisional anti-dumping duties in the form of a cash bond shall be imposed for four (4) months from the date of effectivity of DAO 21-07 on importations of Type 1 and Type 1P cement originating from Viet Nam.

Section 3 (f) of Republic Act No. 8752, otherwise known as the "*Anti-Dumping Act of 1999*", mandates the DTI Secretary, in instances where DTI's preliminary finding is affirmative, to immediately issue, through the Secretary of Finance, a written instruction to the Commissioner of Customs to impose within three (3) days from receipt of instructions a cash bond equal to the provisionally estimated anti-dumping duty but not greater than the provisionally estimated anti-dumping margin of dumping, in addition to any other taxes and charges imposed by law on the articles.

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Hence, pursuant to the clear mandate of the law, the Commissioner of Customs is hereby directed to issue a Customs Memorandum Order (CMO) for the imposition of provisional anti-dumping duties.

Thank you.

Very truly yours,

  
CARLOS G. DOMINGUEZ  
Secretary of Finance  
DEC 16 2021



CC: SECRETARY RAMON M. LOPEZ  
Department of Trade and Industry



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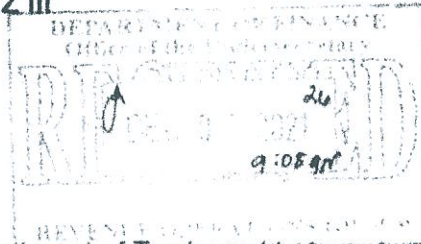
29 November 2021



DEPARTMENT OF FINANCE  
Republic of the Philippines



HON. CARLOS G. DOMINGUEZ III  
Secretary  
Department of Finance  
DOF Building, BSP Complex  
Roxas Blvd., Manila



Dear **Secretary Dominguez**:

This is to advise you of the Department of Trade and Industry's (DTI) affirmative findings in its preliminary determination on the petition for anti-dumping on Ordinary Portland Cement Type 1 (AHTN Code 2523.29.90) and Blended Cement Type 1P (AHTN Code 2523.90.00) imported from Viet Nam. Republic Cement & Building Materials, Inc. (RCBM), CEMEX – Solid Cement Corporation/ Apo Cement Corporation filed the petitions.

Acting under RA 8752, the Anti-Dumping Act of 1999, DTI's preliminary determination found that the aforementioned products are being dumped, causing material injury to the domestic cement industry.

I have issued an order imposing provisional anti-dumping duties in the form of a cash bond on the importation of the said products for four (4) months, from the date of its effectivity. (Copy attached)

RA 8752 (Anti-Dumping Act of 1999) provides, "[t]he Secretary shall immediately issue, through the Secretary of Finance, written instructions to the Commissioner of Customs to impose within three (3) days from receipt of instructions a cash bond equal to the provisionally estimated anti-dumping duty but not greater than the provisionally estimated margin of dumping in addition to any other duties, taxes and charges imposed by law on like articles."

In view thereof, we are requesting the Secretary to forward written instructions to the Commissioner of Customs to issue the appropriate order imposing the provisional anti-dumping duties.

The case's records will be forwarded to the Tariff Commission (TC) for a formal investigation. TC will assess whether all of the legal requirements for the application of definitive anti-dumping duties have been met.

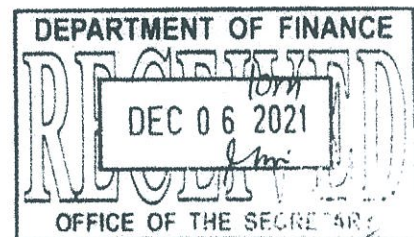
The DTI website has a non-confidential version of the preliminary determination report and Department Administrative Order issued in this case. It can be downloaded from this webpage: [https://bit.ly/Adv\\_AntiDumping-VN](https://bit.ly/Adv_AntiDumping-VN)

Thank you.

Very truly yours,  
  
RAMON M. LOPEZ  
Secretary



cc: Commissioner Rey Leonardo Guerrero  
Bureau of Customs



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OFFICE OF THE SECRETARY



TRABAHO NEG SYO KONSUMOR

Department Administrative Order No. 21-07  
Series of 2021

**IN THE MATTER OF THE PRELIMINARY DETERMINATION ON THE ANTI-DUMPING APPLICATION ON THE IMPORTATION OF ORDINARY PORTLAND CEMENT TYPE 1 (AHTN Code 2523.29.90) AND BLENDED TYPE 1P (AHTN Code 2523.90.00) FROM VIET NAM**

(Anti-Dumping Case No. AD01-2021)

**Republic Cement & Building Materials, Inc. (RCBM), CEMEX – Solid Cement Corporation/ Apo Cement Corporation, and Holcim Philippines Inc. Petitioners**

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**ORDER**

Republic Cement & Building Materials, Inc (RCBM), CEMEX – Solid Cement Corporation/ Apo Cement Corporation, and Holcim Philippines Inc. (HPI), filed applications for anti-dumping on Ordinary Portland Cement Type 1 (AHTN Code 2523.29.90) and Blended Cement Type 1P (AHTN Code 2523.90.00) imported from Viet Nam. The applications alleged that the said products are being dumped in the country, and by reason thereof is causing material injury to the local cement industry producing like product.

The period of investigation for dumping covered import transactions from July 2019 to December 2020 while the period of investigation for injury considered relevant information from 2017 to June 2020

The Department of Trade and Industry acting pursuant to RA 8752 (Anti-Dumping Act of 1999), and after preliminary determination, has found that Type 1 and Type 1P cement originating from Viet Nam are being dumped, causing material injury to the domestic cement industry.

**IN VIEW THEREOF**, provisional anti-dumping duties in the form of a cash bond shall be imposed for four (4) months, from the date of effectivity of this Order, on importations of Type 1 and Type 1P cement originating from Viet Nam. (Annex A)

OFFICE OF THE SECRETARY

The records of the case shall be transmitted to the Tariff Commission for a formal investigation to determine if all of the legal requirements for the application of definitive anti-dumping duties have been met.

The non-confidential report of the preliminary anti-dumping measures investigation can be accessed at the DTI website: [https://bit.ly/Adv\\_AntiDumping-VN](https://bit.ly/Adv_AntiDumping-VN)

This Order shall take effect upon issuance of the relevant order by the Bureau of Customs.

A notice of this Order shall be furnished to the Department of Finance and individual notices shall be sent to interested parties on record. Member economies of the World Trade Organization and Member States of the Association of South East Asian Nations shall be notified through appropriate channels.

SO ORDERED.

29 November 2021



RAMON M. LOPEZ  
Secretary



## ANNEX A

Computed Dumping Margins for the following exporters for Type 1 and Type 1P cement originating from Viet Nam:

EXPORTER	Cement Type	Dumping Margin (Amount of Bond) US\$/MT	% Export Price
AN NV INTL CO., LTD	1	-	(20.64)
AN VIET NAM INTERNATIONAL	1	6.50	17.52
	1P	12.53	28.43
CAMPHA CEMENT JOINT STOCK COMPANY	1	1.31	3.35
CONG TY TNHH HOANG YEN HD	1	2.48	6.02
CHINFON CEMENT CORPORATION	1P	11.07	24.31
GLOBAL TRANSIT TRADING PTE LTD	1	1.99	4.77
HA LONG CEMENT JOINT STOCK COMPANY (VICEM)	1	-	(5.66)
	1P	-	(20.21)
INDOCHINA GLOBAL COMPANY LIMITED	1	1.50	3.57
JIN SUNG INTL PTE LTD	1	4.74	12.20
LHP VIET NAM TECHNOLOGY INVESTMENT COMPANY LIMITED	1	2.18	5.26
HUNGKING VIETNAM COMPANY LIMITED	1P	12.79	29.20
LONG SON COMPANY LIMITED THANH HOA BRANCH	1	-	(26.36)
	1P	-	(16.28)
NAM ANH TRADE AND EXPORT JOINT STOCK COMPANY	1	-	(13.07)
	1P	-	(11.65)
NAM PHUONG IMEX IMPORT & EXPORT	1	-	(4.68)
	1P	5.98	17.30
NAMPHONG INTERNATIONAL	1P	8.25	17.07
NCL TRADING JOINT STOCK COMPANY	1	1.04	2.44
	1P	-	(18.90)

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NHUAN PHAT TST CO., LTD	1	0.73	1.71
OMANCO MATERIAL VIETNAM COMPANY LIMITED	1P	1.75	5.46
SCG INTERNATIONAL CORPORATION	1	10.53	31.87
	1P	10.10	21.72
THANG LONG CEMENT JOINT STOCK	1	1.02	2.69
TH INVESTMENT AND DEVELOPMENT SERVICE	1	2.47	6.01
VICEM HAI PHONG CEMENT COMPANY LIMITED	1	1.26	2.96
VICEM TAM DIEP CEMENT ONE	1	-	(4.25)
VIET HP CEMENT JOINT STOCK	1	4.06	10.27
VIET HP IMPORT EXPORT AND INVESTMENT JOINT STOCK CO.	1	3.24	8.65
	1P	1.16	3.80
VIETNAM TRADING SERVICES AND IMPORT	1	1.05	2.67
	1P	-	(11.52)
VISSAI NINH BINH JSC	1	1.30	4.38
OTHER EXPORTERS FROM VIET NAM	1	10.53	31.87
	1P	12.79	29.20