



# BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

20 December 2021

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**CUSTOMS MEMORANDUM ORDER (CMO)**  
NO. 39-2021

**SUBJECT: IMPOSITION OF DEFINITIVE GENERAL SAFEGUARD DUTY ON IMPORTED CEMENT FROM COVERED COUNTRIES FOR THE THIRD YEAR PURSUANT TO DAO NO. 19-13 (SERIES OF 2019)**

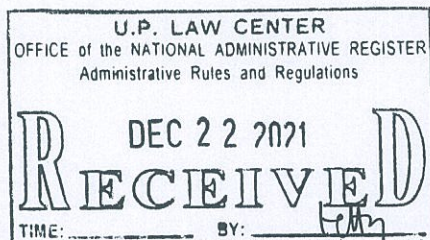
Pursuant to the Letter dated 26 November from the Department of Trade and Industry (DTI) and in view of the directive dated 16 December 2021 from the Secretary of Finance, the previously determined definitive safeguard duty of **P200/MT or P8.00/40 kg bag** under DTI DAO No. 19-13 for the third, and last year of implementation of the safeguard duty on imported cement, classified under AHTN Codes 2523.29.90 and 2523.90.00 from covered countries starting October 22, 2021 is hereby imposed.

Importers of cement originating from the countries excluded from the imposition of the definitive safeguard duty shall submit a Certificate of Country of Origin (CO) issued by the authorized agency/office in the country of manufacture subject to affixation of "Apostille" to the document or authenticated by the Philippine Embassy/Consulate general, as applicable.

Furthermore, all other provisions of DAO 19-13 shall remain in force and effect, except as expressly modified under DAO 20-08 (as implemented under CMO No. 29-2020) and DAO 21-02 (as implemented under CMO No. 11-2021).

This Order shall take effect immediately.

**REY LEONARDO B. GUERRERO**  
Commissioner



Bureau of Customs  
CENTRAL RECORDS MGT. DIVISION

**CERTIFIED TRUE COPY  
OF THE ORIGINAL**

*Margaret G. Manalaysay*  
**MARGARET G. MANALAYSAY**  
Administrative Officer V





Republic of the Philippines  
**DEPARTMENT OF FINANCE**

Rosa Bonifacio Corner, Public Office Building,  
 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 the Definitive Safeguard Measure on  
 the Importation of Cement from Various Countries**

Dear **Commissioner Guerrero**:

We write to you concerning the imposition of a definitive safeguard measure on the importation of cement (AHTN 2523.29.90 and 2523.90.00) from various countries, pursuant to Department of Trade and Industry (DTI) Department Administrative Order (DAO) No. 19-13, series of 2019.

Under the said DAO, the amount of the safeguard duty to be imposed are as follows:

First Year	PhP 250.00/MT or 10.00 per 40kg bag
Second Year	PhP 225.00/MT or 9.00 per 40kg bag
Third Year	PhP 200.00/MT or Php 8.00 per 40kg bag

However, it can be recalled that, under DTI DAO No. 20-08, series of 2020, the DTI modified the definitive safeguard duty for the second year of implementation from PhP 9.00 per 40kg bag as specific in DAO 19-13 to PhP 9.80 per 40kg bag.

Subsequently, in its Final Monitoring Report dated 13 April 2021, the Tariff Commission noted that the Philippine cement industry has substantially complied with its commitments to make a positive adjustment to import

competition. The Commission noted further that the adjustment measures implemented by the cement industry helped cushion the adverse economic effects of the pandemic and is now heading toward increased competitiveness.

Thus, pursuant to Section 13 of Republic Act (RA) No. 8800, otherwise known as the "*Safeguard Measures Act*," the DTI, in its letter to the Department of Finance dated 26 November 2021, reiterates the imposition of the previously determined definitive safeguard duty of PhP 200/MT or 8.00 per 40kg bag under DTI DAO 19-13 for the third and last year of implementation of the safeguard duty on cement starting 22 October 2021.

In view of this, the Commissioner of Customs is hereby directed to issue a Customs Memorandum Order (CMO) for the imposition of the subject definitive safeguard duty on imported cement.

Thank you.

Very truly yours,

  
CARLOS G. DOMINGUEZ

Secretary of Finance

DEC 16 2021



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

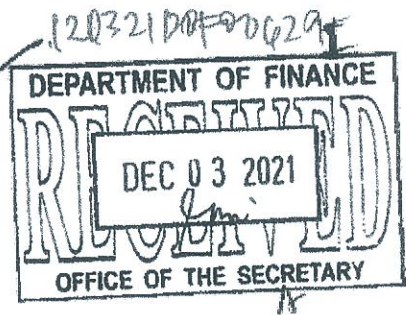




26 November 2021

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

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Dalu  
Jesse*



Dear Secretary Dominguez:

This is to advise your office of the Department of Trade and Industry's (DTI) imposition of the definitive safeguard duty on imported cement for the third year, as specified under DTI DAO No. 19-13.

DTI DAO No. 19-13, series of 2019, imposed the definitive safeguard duty on imported cement as follows: First Year - P250/MT or P10.00/40 kg bag, Second Year - P225/MT or P9.00/40 kg bag, and Third Year - P200/MT or P8.00/40 kg bag

Under DTI DAO No. 20-08, series of 2020, the definitive safeguard duty was modified to P9.80 per 40 kg bag for the second year of implementation, on the ground that despite the imposition of the definitive safeguard duty there was a significant increase in the imports of cement, and that the pandemic aggravated the overall situation of the cement industry in 2020, which resulted to the slowing down and closure of operations and the delay in the implementation of the scheduled adjustment plans because of the lockdowns

Based however on Tariff Commission's final monitoring report dated 13 April 2021, the Philippine Cement industry has substantially complied with its commitments to make a positive adjustment to import competition. The report further stated that, the adjustment measures implemented by the cement industry helped cushion the adverse economic effects of the unexpected pandemic and, is now heading toward increased competitiveness.

In view of the foregoing, and pursuant to Section 13 of RA 8800, we hereby reiterate the imposition of the previously determined definitive safeguard duty of P200/MT or P8.00/40 kg bag under DTI DAO No. 19-13 for the third and last year of implementation of the safeguard duty on cement starting October 22, 2021

OFFICE OF THE SECRETARY

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Accordingly we are hereby requesting the Secretary to forward written instructions to the Commissioner of Customs to issue the appropriate Order imposing the subject definitive safeguard duty on imported cement for the third year of implementation

Thank you.

Very truly yours,



RAMON M. LÓPEZ  
Secretary



Copy furnished:

Commissioner Rey Leonardo Guerrero  
Bureau of Customs