



BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

IG Memo No. 04-2021


MEMORANDUM

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BOC-05-13806

TO : ALL DISTRICT COLLECTORS
 RISK MANAGEMENT OFFICE
 ALL CIIS FIELD STATIONS
 ALL XIP FIELD OFFICE
 ALL ESS DISTRICT OFFICE
 ALL EXAMINERS AND APPRAISERS
 ALL OTHERS CONCERNED

FROM : 
RANIEL T. RAMIRO
 Deputy Commissioner, IG

SUBJECT : STRICT IMPLEMENTATION OF REPUBLIC ACT NO. 4653

DATE : 30 March 2021

1.0 References:

- 1.1 Republic Act (R.A.) No. 4653 otherwise known as "AN ACT TO SAFEGUARD THE HEALTH OF THE PEOPLE AND MAINTAIN THE DIGNITY OF THE NATION BY DECLARING IT A NATIONAL POLICY TO PROHIBIT THE COMMERCIAL IMPORTATION OF TEXTILE ARTICLES COMMONLY KNOWN AS USED CLOTHING AND RAGS";
- 1.2 Bureau of Customs v. Interlink Recyclers Philippines, Inc., G.R. No. 223275 (2016);
- 1.3 Customs Tariff Decision Circular (CTDC) No. 01-2015; and
- 1.4 Instruction of the Commissioner.

2.0 In view of the above references, you are hereby ordered to strictly enforce the provisions of R.A. No. 4653 within the customs territory. All importations of used clothing inside Freeport Zones, although allowed¹, must not be introduced to our customs territory.

3.0 All existing customs controls, e.g., Pre-Lodgement Control Order (PLCO), Alert Order, and Letter of Authority (LOA), and risk assessment parameters must be proactively used to "safeguard the health of the people and maintain the dignity of the nation" against used clothing and rags.

4.0 For strict and immediate compliance.

¹ See reference no. 1.2

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REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

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1 July 2015

CUSTOMS TARIFF DECISION CIRCULAR No. 01 -2015

TO: ALL DEPUTY COMMISSIONERS
ALL COLLECTORS OF CUSTOMS
THE CHIEFS, BONDED MANUFACTURING WAREHOUSE DIVISIONS
THE CHIEFS, BONDS DIVISIONS
ALL CUSTOMS EXAMINERS, AND
ALL OTHERS CONCERNED

SUBJECT: REPUBLIC ACT NO. 4653, "AN ACT TO SAFEGUARD THE HEALTH OF THE PEOPLE AND MAINTAIN THE DIGNITY OF THE NATION BY DECLARING IT A NATIONAL POLICY TO PROHIBIT THE COMMERCIAL IMPORTATION OF TEXTILE ARTICLES COMMONLY KNOWN AS USED CLOTHING AND RAGS."

For guidance of implementing officials, personnel and the transacting public, prohibition provided under Section 1 of R.A. 4653 shall be strictly construed and enforced within the territorial waters of the country, in order to effectively execute the same as a declared national policy.

Henceforth, all rulings, decisions and established practices allowing the conditional release of importation or those destined for transshipment or re-exportation of used clothing and rags are deemed revoked accordingly, in accordance with the ruling of the Supreme Court in "*Commissioner of Customs v. Court of Tax Appeals, Las Islas Filipinas Food Corporation and Pat-Pro Overseas Co., Ltd.*" (G.R. Nos. 171516-17, 2/13/09).

For instance and without limiting the application of the prohibition above-stated, the following established practices shall now be deemed as importation:

1. The act of bringing goods and merchandise into the country with intention to re-export; and
2. Technical importation of used clothes and rags within a customs bonded warehouse or Special Economic Zone.

Pursuant to Section 3502 of the TCCP, this Order shall take effect thirty (30) days after publication.

Please be guided accordingly.


ALBERTO D. LINA
Commissioner

Bureau of Customs
ALBERTO D. LINA
Commissioner

15-01023

AUG 05 2015