

2016-04-031



**ASSESSMENT AND OPERATIONS CORR DINATING GROUP
OFFICE OF THE DEPUTY COMMISSIONER**

MEMORANDUM

TO : All District Collectors

SUBJECT : Monitoring of Shipments of Bumi Jaya International Corp., Subic Bay Global International Corp., Thaitan Cigarettes and Tobacco Corp.

DATE : April 25, 2016

This refers to the herein letter dated 18 November 2015 of Mr. Vincent Sauvalere, Head of Tobacco and Counterfeit Goods Unit (B.2) of European Anti-Fraud Office (OLAF) regarding its investigation of smuggling of tobacco products that enters into the European Union.

The OLAF requested the Bureau of Customs Philippines to assist them in the conduct of their administrative investigation of **China Tobacco International Europe Company SRL (CTIC)** located in the city of Buzau, Romania. Its initial investigation showed that the consignee/receiver of the cigarettes from CTIC are the **Bumi Jaya International Corporation, Subic Bay Global International Corporation and Thaitian Cigarettes and Tobacco Corporation.**

Relative to this, you are hereby requested to submit to this office a **Monthly Summary Report of all shipments imported, transhipped or exported** from your ports by the above stated companies for April 2016 and the following months thereafter. Please include all relevant documentary requirements of each shipment in your submission.

Please submit your report for the month of April on or before May 2, 2015. For the succeeding reports, please submit on or before the third working day of every succeeding month. If your ports have not received or processed any shipments of the aforementioned companies, kindly indicate it in your report.

Kindly submit the soft copy in PDF File or hard copy of the above request via email at ecd.boc@gmail.com and copy furnish dc.aocg@gmail.com with Subject: **OLAF Monitoring_(Month)_(Port)**; or via fax at (02) 527-4506 or (02) 527-4580 or via courier or postal service addressed to:

Atty. Ver Angelo N. Sumabat
Acting Director, Port Operations Service
Bureau of Customs
Rm. 309, 3/F POM Bldg., Gate 3,
Port Area Manila

For your strict and immediate compliance.

[Signature]
JUVY C. DANOFRATA
OIC-Deputy Commissioner, AOCG *Man*

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Directorate B Investigation II
Unit B.2 Tobacco and Counterfeit Goods
Head of Unit

Commissioner of Customs
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Gate 3, South Harbor.
Port Area
Manila
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KURZFJU

Subject: **Mutual assistance request based upon COMMISSION REGULATION (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code.
Cigarettes smuggling.**

OF No **OF/2014/1203/B2** (Please include this number in all correspondence)

Dear Mr Gramata,

First of all, as Head of Tobacco and Counterfeit Goods Unit (B.2) of European Anti-Fraud Office (OLAF) within the European Commission, let me express our compliments to the Philippines Customs Department.

In accordance with Regulation (EU, Euratom) No 883/2013, OLAF's role is to protect the financial interests of the European Union by investigating fraud, corruption or other illegal activities and, in this respect I would like to inform you that OLAF's Unit B.2 is conducting the administrative investigations in relation with smuggling of tobacco products into the European Union.

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name.surname@ec.europa.eu

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Pursuant to the aforementioned Regulation, OLAF is conducting an investigation related to the China Tobacco International Europe Company SRL (CTIC) located in the city of Bazau, Romania, with reference number OF/2014/1203. Within this investigation, OLAF/B2 is trying to gather all the necessary evidences to ascertain if the declared exports from CTIC really took place. In this respect, I would like to inform you that OLAF/B2 has received different information from Romanian Customs as regards exportations from this company with destination Philippines.

The relevant export declaration are the following:

1. MRN 15ROGL1500E0016133 dated 03 June 2015.
2. MRN 15ROGL1500E0016141 dated 03 June 2015.
3. MRN 15ROGL1500E0016829 dated 09 June 2015.
4. MRN 15ROGL1500E0017617 dated 17 June 2015.
5. MRN 15ROGL1500E0019011 dated 24 June 2015.
6. MRN 15ROGL1500E0021633 dated 14 July 2015.
7. MRN 15ROGL1500E0030149 dated 24 September 2015.
8. MRN 15ROGL1500E0030157 dated 24 September 2015.
9. MRN 15ROGL1500E0030173 dated 24 September 2015.

In all of them it appears as consignee/receiver of the cigarettes one of this two companies:

- BUMI JAYA INT'L CORPORATION 28-31LOT49-51 UNIT F, FAITH STREET PH SUBIC BAY, FREEPORT ZONE.
- SUBIC BAY GLOBAL INTERNATIONAL CORP LOT 12 UNIT H1-B COMMITMENT ST. PH SUBIC BAY, FREEPORT ZONE.

Enclosed to this letter you will find the relevant custom documentation regarding the above-mentioned consignments.

Based on the COMMISSION REGULATION (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code, you are kindly requested to assist OLAF/B2 on the following:

- a) to confirm OLAF/B2 that the relevant consignments have indeed arrived at the declared consignees;
- b) to inform on who paid for the storage of the cigarettes and how;

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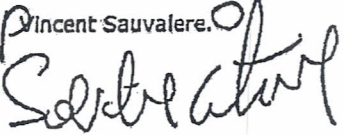
- c) to inform on further movements of the cigarettes in order to establish their real final destination;
- d) to provide OLAF/B2 with a copy of the documents which accompanied the cigarettes at their arrival;
- e) to check and inform on persons and companies involved in managing these consignments.

Please do not hesitate in contact us further details if necessary. The investigator in charge of the ongoing case (OF/2014/1203) in OLAF is Mr Juan Andres Kurz Ferrando (juan.kurz-ferrando@ec.europa.eu).

Thank you very much in advance for your collaboration.

Your attention is drawn to the privacy statement below.

Yours sincerely,

Vincent Sauvalere.


Privacy statement

Pursuant to Articles 11 and 12 of Regulation (EC) 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, please be informed that your personal data are stored in OLAF's electronic and paper files concerning this matter for the purposes of carrying out OLAF's investigative activity. The categories of your personal data being processed are identification data, professional data, and case involvement data. Your data may be transferred to other EU institutions, bodies, offices and agencies, competent Member State and third country authorities and international organisations. Your data will be stored for a maximum of 15 years.

You have the right to access those data and to correct and complete them. On request and within three months from the receipt of your request, you may obtain information concerning your personal data which we have processed. Any such request should be addressed to the Controller (OLAF-FMG-data-protection@ec.europa.eu). You may lodge a complaint concerning the processing of your personal data with the European Data Protection Supervisor (edps@edps.europa.eu) at any time.

The complete privacy statements for this and all other OLAF personal data processing operations are available at http://ec.europa.eu/anti_fraud.