100% EXAM OF SHIPMENTS PROCESSED UNDER INFORMAL ENTRY

BOC CUSTOMS MEMORANDUM ORDER NO. 7-2004, March 12, 2004

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The proliferation of used clothing, also known as "ukay-ukay", in the domestic market calls for the immediate/urgent adoption of measures to stop the illegal importation of such commodities.

As part of the general government effort to close all possible channels of entry for such commodities, the following is hereby directed:

1. All shipments processed under an Informal Entry shall be subjected to a 100% examination.

2. When not covered by an appropriate authority from Department of Social Welfare and Development and from the Department of Finance, the following shipments of used clothing shall be deemed as commercial importations, in contravention to Republic Act 4653, and thus subject to ipso facto forfeiture:

- Used clothing in machine packed bale
- Used clothing in bale, inside balikbayan boxes and the like
- Balikbayan boxes which have been declared to contain "personal effects" but found to contain any used clothing and nothing else.

3. Forfeited used clothing shall be turned over to the DSWD pursuant to PMO 23, and subject to the approval of the Commissioner.

The District Collector shall be responsible for the smooth, proper and effective implementation of this Order within his/her district's jurisdiction.

The Chief, Informal Entry Division/equivalent units and all concerned Customs officers/personnel involved in the implementation of this Order are directed to perform their responsibilities as required herein.

Without prejudice to criminal charges as may be warranted, any violation by any Customs officer/personnel of this Order shall be subject to administrative charges, such as, but not limited to dishonesty, neglect of duty, misconduct, inefficiency or incompetence, which could either be grave, less grave or light depending on their gravity or depravity and effects on the government service, under pain of penalties which shall range from suspension for six (6) months and one day to one (1) year or dismissal as provided for under Rule IV of Uniform Rules on Administrative Cases in the Civil Service.

All other orders, memoranda, circulars, or parts thereof, which are inconsistent herewith are deemed repealed and/or modified accordingly.

This Order shall take effect immediately upon signing hereof.

Adopted: 12 March 2004

(SGD.) ANTONIO M. BERNARDO
Commissioner

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