

**[ BC CUSTOMS MEMORANDUM ORDER NO. 04-2007, February 22, 2007 ]**

**IMPLEMENTATION OF THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE DEPARTMENT OF FINANCE AND THE DEPARTMENT OF AGRICULTURE ON ANTI-SMUGGLING**

*Section 1. Objective* -To ensure the effective implementation of the MOA between the Department of Finance (DOF) assisted by the Bureau of Customs (BOC), and the Department of Agriculture (DA) assisted by its attached agencies, Bureau of Animal Industry (BAI), Bureau of Fisheries and Aquatic Resources (BFAR), Bureau of Plant Industry (BPI) and National Meat Inspection Service (NMIS) in support of the Government's drive against smuggling and illegal entry of agricultural and fishery products into the Philippines.

*Section 2. Coverage* - This Order covers all importations of agricultural and fishery products whether entered under Consumption or Warehousing entries, and Transshipment Permits, more particularly, live animals, fish trees and plants; fresh, chilled and or frozen meat and meat products, fish and other aquatic products, being regulated by the DA, its bureaus and its attached agencies (herein referred to as DA offices for brevity).

*Section 3. Operational Responsibilities:*

The offices/officers named hereunder are hereby tasked and held responsible for the following activities:

3.1 The Director, Planning & Systems Development Service (PSDS) under the supervision of the Deputy Commissioner, MISTG shall be responsible for coordination and establishment of the requirements of the electronic linkages/Information & Communication Technology (ICT) plans/activities in accordance with the policy directions of a National Single Window (NSW) as provided for under Executive No. 482 s' 2005, to be developed with the regulatory agencies, particularly the DA offices.

3.2 The District Collector shall be responsible in establishing a Monitoring Unit that shall monitor and prepare/consolidate reports pertaining to all agricultural and fishery products imported/released and/or seized/abandoned and shall coordinate with the DA counterpart. The reports (using Microsoft Excel) shall be in accordance with the format attached hereto as follows:

- a) For shipments Imported/Released under Formal consumption entries (Annex 1);
- b) For shipments Imported/Released under Informal consumption entries (Annex 2);

- c) For shipments Imported/Released under Warehousing entries (Annex 3);
- d) For Shipments Imported/Released under Transshipment permits (Annex 4); and
- e) For seized/abandoned shipments (Annex 5)

Said Monitoring Unit shall prepare monthly reports summarizing the released/seized/ abandoned agricultural and fishery products, per above formats, for submission to the Central Monitoring Unit (CMU) under the supervision of the Deputy Commissioner for Assessment and Operations Coordinating Group (AOCG).

3.3 The CMU, which shall consolidate all reports for submission to DA is composed of the following divisions:

- a) Assessment Coordinating and Monitoring Division, Imports Assessment Services (IAS) for shipments Imported/Released under Formal and Informal Consumption entries;
- b) Warehousing Coordination Division for Shipments Imported/Released under Warehousing entries;
- c) Port Operations Coordination Division, Port Operations Service (POS) for Shipments Imported/Released under Transshipment entries; and
- d) Auction and Cargo Disposal Coordination Division, Port Operations Service (POS) for seized/abandoned shipments

3.4 The Deputy Collector for Operations, Chief, Formal Entry Division, Chief, Informal Entry Division and/or Chief, Warehousing Assessment Division or equivalent unit, as the case may be, shall maintain a record of all necessary cargo inspection and clearance documents being endorsed between BOC and DA during the process of cargo inspection, clearance and release of a shipment. One BOC/DA personnel, duly designated to inspect and/or clear a shipment shall be allowed to secure any of these documents for purposes of facilitating the release of such goods.

Due diligence must always be exercised by the duly designated BOC/DA personnel in the proper recording, monitoring and custody of inspection and clearance of documents duly processed by BOC and DA.

All transmittals of records/documents between offices or divisions and personnel shall be recorded in an accountable logbook to be issued by the Deputy Collector for Administration, in a format provided for in Annex "6", to establish responsibility on such documents and for consistency.

3.5 The District/Subport Collectors shall require their concerned personnel to participate in technical workshops, consultations and familiarization of the processes of DA in relation to agricultural and fishery products covered by SPS Import Clearance, MAV Import Certificate, other import permits and clearances issued by the DA offices.

3.6 The Piers & Inspection Division (PID) or its equivalent unit shall provide DA with