

January 04, 1967

**AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF
THE PHILIPPINES AND THE GOVERNMENT OF THE UNITED
STATES OF AMERICA CONCERNING MATTERS OF CUSTOMS
ADMINISTRATION**

UNITED STATES OF AMERICA

Customs Administration

Agreement signed at Washington 4 January 1967;

With Annex;

Entered into force 4 January 1967

Recognizing the interest of the Government of the Republic of the Philippines in preventing the importation of commodities into the Philippines in violation of Philippine law, particularly the so-called "technical smuggling," and

Recognizing the importance of maintaining a normal flow of trade between the two countries; and

Whereas the Governments of the Republic of the Philippines and of the United States of America wish to cooperate in these important endeavors; the two Governments have agreed as follows:

ARTICLE I

The United States Government agrees that for a period of six months beginning January 16, 1967, and extending through July 15, 1967, it will make the necessary arrangements for the Philippine Consular Establishments in the United States to be provided with an authenticated copy of each Shipper's Export Declaration filed with and authenticated by the United States Bureau of Customs during that period covering any of the commodity exports from the customs area of the United States to the Philippines as set forth and described in Annexes A and B to this Agreement.

ARTICLE II

The United States Government agrees that for a period of six months beginning January 16, 1967, and extending through July 15, 1967, it will provide the Government of the Republic of the Philippines with monthly statistical data, specially compiled from the Shipper's Export Declaration, showing the high and low unit prices of certain of the commodity exports from the United States to the Philippines included within the commodity division groupings set forth in Annex C to this Agreement.

ARTICLE III

1. The Government of the Republic of the Philippines agrees that any requirement which it may establish with respect to Shipper's Export Declarations shall be in accordance with and subject to the terms of this Agreement.

2. Except as provided in Article IV, the Government of the Republic of the Philippines shall not, after July 15, 1967, require the furnishing of Shipper's Export Declarations as to exports from the United States unless, following consultation and review, the two Governments agree to a temporary extension of the terms contained in Articles I and II of this Agreement for an additional period not to exceed six months from that date. The United States Government will give full and sympathetic consideration in light of the progress made in carrying out the purposes of this Agreement to a request by the Government of the Republic of the Philippines for such temporary extension after July 15, 1967.

3. The Government of the Republic of the Philippines undertakes that for a period of one year following expiration of the period or periods referred to in 2 above, it will not reimpose the Shipper's Export Declaration requirement for exports from the United States to the Philippines. After such one year period, it will not reimpose such requirements except after consultations and by mutual agreement as to arrangements and or documents possible and feasible for the purposes of both governments.

4. The Government of the Republic of the Philippines may, subject to consultation and with due regard for keeping administrative burdens to the minimum, request substitution for, deletion of, or changes in the range within any division grouping of commodities listed in Annex A, B, or C of this Agreement provided that the total number of division groupings in either Annex A, B, or C shall not be increased. Such requests for commodity substitutions may be no broader than the division grouping of commodities as set forth in Annex D. The request for substitution must be received by the U.S. Department of Commerce not later than March 15, 1967, and shall be effective as of April 15, 1967.

If the period referred to in Articles I and II is extended under Article III, provisions would be made for the substitution for, deletion of, or changes in the range within any division grouping of commodities during the extension in a similar manner to that provided above.

ARTICLE IV

The United States Government will continue to provide the Government of the Republic of the Philippines with copies of authenticated Shipper's Export Declarations upon specific request with regard to a particular case under investigation when such disclosure would assist the Government of the Republic of the Philippines in the investigation or prosecution of suspected violations of Philippine law. Shipper's Export Declarations shall be furnished pursuant to this Article only on a case-by-case and post-shipment basis, provided, however, that the United States Government shall furnish copies of Shipper's Export Declarations under this Article only in so far as may be authorized by legislation.

ARTICLE V

The United States Government will furnish the Government of the Republic of the Philippines with the following types of statistical data, commencing with the date for January 1967, through the Philippine Embassy in Washington:

1. Monthly data published by the Bureau of Labor Statistics showing wholesale prices of a wide range of U.S. products;

2. Monthly data tabulated for reference purposes by the Bureau of the Census directly from the Shipper's Export Declarations showing the quantity and value of exports of particular commodities to all countries (including the Philippines) from each U.S. customs district. These tabulations can be provided for as many specific commodities as requested by the Government of the Republic of the Philippines.

At some time after January 16, 1968, the two Governments shall review the situation then existing to determine whether the continued availability of these statistical data is required.

ARTICLE VI

The United States Government also agrees to finance the training in the United States in customs administration, import data analysis, and customs appraisal techniques of several Philippine officials selected in accordance with established procedures of the Agency for International Development (AID), under the existing AID program for the Philippines. Such training program shall be implemented as soon as possible, and shall place special emphasis on the problem commodities in the United States-Philippine trade.

ARTICLE VII

The two Governments believe that the information provided to the Government of the Republic of the Philippines under this Agreement will facilitate periodic revision of the documentation requirements of the Government of the Republic of the Philippines. The Government of the Republic of the Philippines undertakes to make its best efforts to revise its documentation requirements, such as requirements for price lists and notarized declarations, with respect to exportations from the United States, with a view toward simplifying trade transactions between the two countries.

ARTICLE VIII

The two Governments recognize that the Shipper's Export Declarations provided to the Government of the Republic of the Philippines under this Agreement will facilitate appraisal and release by the Philippine Bureau of Customs of all imports of textile remnants from the United States on the basis of values declared on consular invoices. The two Governments further recognize that these Shipper's Export Declarations will facilitate review of any fixed schedule of valuations applying to imports of textile remnants from the United States, and the Government of the Republic of the Philippines undertakes to make such a review in order to ensure that correct values are relied upon for purposes of Customs assessments and levies.

ARTICLE IX

The Government of the Republic of the Philippines shall take whatever measures are necessary to protect the confidentiality of the Shipper's Export Declarations made available to it under this Agreement. Specifically, it shall apply the same requirements and standards regarding the security of this confidential document as are applicable for official Philippine documents of comparable standing and importance, and will advise the United States Government prior to making public in any manner any Shipper's Export Declaration or any of the specific information it contains.

DONE at Washington, D.C., this fourth day of January, 1967.

For the Government of the
Republic of the Philippines:

**EDUARDO Z.
ROMUALDEZ**

Secretary of Finance

For the Government of the
United States of America:

**ALEXANDER B.
TROWBRIDGE**

Assistant Secretary of
Commerce

ANNEX A

Arrangements will be made so that the Philippine Consular Establishments in the United States may be provided with an authenticated copy of each Shipper's Export Declaration filed with and authenticated by the U.S. Bureau of Customs for exports to the Philippines classified under the Schedule B commodity numbers listed below.

Schedule B Division Code	Division Description	Schedule B Numbers
54	Medicinal and Pharmaceutical Products	541.1010- 541.9930
65	Textile Yarn Fabrics, Made-Up Articles and Related Products	651.1000- 657.8000
73 (part)	Transport Equipment	Listed below
	732.8020 732.8048	
	732.8032 732.8050	
	732.8036 732.8055	
	732.8038 733.0030	
	732.8042 734.9210	
	732.8043 734.9220	
	732.8044 734.9230	

ANNEX B

Arrangements will be made so that the Philippine Consular Establishments in the United States may be provided with an authenticated copy of each Shipper's Export Declaration filed with and authenticated by the U.S. Bureau of Customs for exports to the Philippines classified under any of the Schedule B commodity numbers listed

below. Such copy shall be made available if the declaration covers any listed commodity individually valued at \$2,000 or more.

Schedule B Division Code	Division Description		Schedule B Numbers
12	Tobacco and Tobacco Manufactures		121.005- 122.3030
71 (part)	Machinery, Other than Electric		Listed below
711.2030	717.2010	719.1940	719.5430
711.3010	717.2020	719.1968	719.5450
711.5002	717.3020	719.1975	719.5460
711.5004	717.3050	719.2170	719.5480
711.5034	717.3060	719.2250	719.6110
711.5036	718.1220	719.2260	719.6150
711.5062	718.2250	719.2280	719.6225
711.5064	718.2960	719.2320	719.6230
711.5066	718.3100	719.2340	719.6235
711.5068	718.3910	719.2350	719.6240
711.6000	718.3920	719.2370	719.6425
711.8140	718.3930	719.3106	719.6450
712.1020	718.3950	719.3136	719.8020
712.1060	718.3960	719.3142	719.8025
712.9100	718.3970	719.3146	719.8050
712.9920	718.4216	719.3172	719.8055
712.9940	718.4250	719.3174	719.8065
714.9230	718.4258	719.3176	719.9250
714.9260	718.5125	719.3260	719.9310
714.9270	718.5145	719.4100	719.9320
715.2130	718.5155	719.4200	719.9330
715.2140	718.5210	719.5210	719.9340
715.2300	718.5220	719.5320	719.9350
717.1525	719.1430	719.5335	719.9400
717.1330	719.1546	719.5340	719.9900
717.1340	719.1915	719.5360	719.5440
717.1350	719.1935	719.5370	719.1548
			719.1945
	Clothing and Accessories		841.1102- 842.0200