



BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

MEMORANDUM

FOR : **M/ GEN. BIENVENIDO R. DATUIN, JR.**
Chief, Public Information and Assistance Division

FROM : **CARMELITA M. TALUSAN, CESE**
District Collector

SUBJECT : **PUBLICATION IN THE BOC WEBSITE OF A COPY OF
WARRANT OF SEIZURE AND DETENTION NO. 153-2021 (NAIA)**

DATE : **13 DECEMBER 2021**

REFERENCE:

1. Warrant of Seizure and Detention No. 153-2021 (NAIA);

BACKGROUND:

2. On December 9, 2021, this Port issued a Warrant of Seizure and Detention No. 153-2021 (NAIA), seizing "Sixteen (16) Digital Versatile Disc (DVD), and thirty four (34) boxes of Lianhua Qingwen Jiaonang Medicine", brought in by passenger YEE HONG CHEN, a Chinese national and holder of Passport No. K07020579, for violation of Section 1113 in relation to Section 117 of the CMTA, RA No. 9711, otherwise known as Food and Drug Administration Act, and RA No. 9239, otherwise known as the Optical Media Board (OMB) Act.

DISCUSSION:

3. As the aforementioned passenger/owner of the goods is a foreigner who has no Philippine address, a copy of Warrant of Seizure and Detention with Seizure Identification No. 153-2021 (NAIA) must have to be served by posting of the same in the bulletin board of this Port and by electronic posting in the BOC website for fifteen (15) days, as provided under Section 6.5.2. of CMO No. 10-2020, to wit:

6.5.2. To owner of the goods or his authorized representative.

For the purpose of serving the WSD, the importer, consignee, named in the bill of lading or airway bill, or processor shall be deemed the owner of the goods.

If the owner is unknown, with insufficient address, or a foreign entity or individual, service shall be effected by posting of the WSD by the ESS in the bulletin board of the concerned district office, and **by electronic posting through the BOC website**, or printed publication, for **fifteen (15) days**.

REQUEST:

4. In view of the foregoing, it is hereby respectfully requested that a copy of the Warrant of Seizure and Detention No. 153-2021 (NAIA) be electronically posted with the BOC website for fifteen (15) days. A copy of said warrant is herein attached. Furthermore, scan copy thereof was also sent to Piad@customs.gov.ph and Jessil.garlando@customs.gov.ph.

Respectfully submitted.

DECISION MATRIX

APPROVED

DISAPPROVED

M/GEN BIENVENIDO R. DATUIN JR.
Chief
Public Information and Assistance Division

Remarks:



BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



702982217


PROFESSIONALISM


INTEGRITY

ACCOUNTABILITY

MEMORANDUM

FOR : CARMELITA M. TALUSAN, CESE
District Collector

THRU :  **ATTY. MARLON M. AGACETA**
Chief, Law Division

FROM :  **ATTY. MANUEL O. ZURBITO**
Handling Lawyer

SUBJECT : PUBLICATION IN THE BOC WEBSITE OF A COPY OF
WARRANT OF SEIZURE AND DETENTION NO. 153-2021 (NAIA)

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If the owner is unknown, with insufficient address, or a foreign entity or individual, service shall be effected by posting of the WSD by the ESS in the bulletin board of the concerned district office, and **by electronic posting through the BOC website**, or printed publication, for **fifteen (15) days**.

RECOMMENDATION:

- 4. In view of the foregoing, it is hereby respectfully recommended that this Port submit a Memorandum to the Public Information and Assistance Division, this Bureau, requesting for the posting of a copy of the Warrant of Seizure and Detention No. 153-2021 (NAIA) for fifteen (15) days. Attached herewith is a draft Memorandum, for your signature, if in accord.

DECISION MATRIX

APPROVED **DISAPPROVED**


CARMELITA M. TALUSAN, CESE
District Collector 

Remarks:



BUREAU OF CUSTOMS
MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

9 December 2021

YEE HONG CHEN

No Philippine Address

By Posting at the Bulletin Board

Subject: Seizure Identification No. 153-2021 (NAIA)
Sixteen (16) Digital Versatile Disc (DVD), and thirty four (34) boxes of Lianhua Qingwen Jiaonang Medicine, brought in by passenger YEE HONG CHEN, a Chinese national and holder of Passport No. K07020579

This refers to the shipment which is covered by Seizure Identification No. 153-2021 (NAIA) issued on December 9, 2021 by the District Collector, this Port. A copy of the Warrant of Seizure and Detention is attached for reference.

Kindly submit your Verified Position Paper within seven (7) days from receipt hereof, copy furnished the Government Prosecutor, Prosecution and Litigation Division, Legal Service, Bureau of Customs, Port Area, Manila, to discuss the following:

1. Issues of the Case;
2. Proposed Stipulation and Admission;
3. Arguments;
4. Exhibits; and
5. Possible Offer of Settlement.

For inquiries, kindly contact us at Telephone No. (02) 8831-3421 or send your Verified Position Paper, with pertinent attachments to lawdivision.naia@gmail.com/naia-boc.cares@customs.gov.ph.

Very truly yours,

for *HUMIANDI*
ATTY. MANUEL O. ZURBITO JR.
Officer-on-Case



BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

MEMORANDUM

FOR : **SP/CAPT. PEDRO IRINEO D. GUTIERREZ**
District Commander, ESS-CPD

SUBJECT : **SEIZURE IDENTIFICATION NO. 153-2021 (NAIA)**
Sixteen (16) Digital Versatile Disc (DVD), and thirty four (34) boxes of Lianhua Qingwen Jiaonang Medicine, brought in by passenger YEE HONG CHEN, a Chinese national and holder of Passport No. K07020579

DATE : **9 DECEMBER 2021**

Kindly cause the service of the herewith attached Warrant of Seizure and Detention to the Arrival Operations Division, and posting at the Bulletin Board of the NAIA Customhouse as the Consignee of this shipment has no given address in the Philippines..

6.6. Return of Service of Warrant. The ESS or duly deputized officer tasked to serve the WSD shall submit to the District Collector a return within twenty-four (24) hours from the service thereof as specified in this CAO. Failure to submit the required return within the time prescribed period shall subject the defaulting officer to appropriate administrative charges and penalties in accordance with the pertinent civil service rules and regulations.

Immediate service and submission of the required return of service pursuant to CAO No. 10-2020 will be highly appreciated.

By the authority of
the Chief, Law Division

for *Mano*
ATTY. MANUEL O. ZURBITO JR.
Officer-on-Case

Copy furnished:

Office of the District Collector
NAIA Customhouse



BUREAU OF CUSTOMS
MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

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ACCOUNTABILITY

9 December 2021

YEE HONG CHEN

No Philippine Address

By Posting at the Bulletin Board

Subject: Seizure Identification No. 153-2021 (NAIA)
Sixteen (16) Digital Versatile Disc (DVD), and thirty four (34) boxes of Lianhua Qingwen Jiaonang Medicine, brought in by passenger YEE HONG CHEN, a Chinese national and holder of Passport No. K07020579

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For inquiries, kindly contact us at Telephone No. (02) 8831-3421 or send your Verified Position Paper, with pertinent attachments to lawdivision.naia@gmail.com/naia-boc.cares@customs.gov.ph.

Very truly yours,

Manuel O. Zurbito Jr.
ATTY. MANUEL O. ZURBITO JR.
Officer-on-Case



REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION
NO. 153-2021 (NAIA)

-versus-

Sixteen (16) Digital Versatile Disc (DVD), and thirty four (34) boxes of Lianhua Qingwen Jiaonang Medicine, brought in by passenger **YEE HONG CHEN**, a Chinese national and holder of Passport No. K07020579.

X-----X

WARRANT OF SEIZURE AND DETENTION

TO: The District Commander
ESS-CPD, NAIA District Office

GREETINGS!

WHEREAS, the above-described articles were brought in by passenger Yee Hong Chen, a Chinese national, who arrived at the Ninoy Aquino International Airport Terminal 1 on 10 June 2021 on board Flight CZ3091 from Canton, China;

WHEREAS, after passing his baggage for x-ray scanning at the Arrival Area, it was marked with "X" by XIP Inspector Fahad G. Pacasum after it showed suspicious images of its contents on the x-ray monitor;

WHEREAS, XIP Inspector Pacasum referred passenger Yee Hong Chen to Acting Customs Examiner Hirosika F. Liscano, who, before conducting an actual examination, asked Mr. Chen if he accomplished a Customs Baggage Declaration Form (CBDF) and if he has anything to declare. Passenger Chen did not give his CBDF and arrogantly refused to accomplish said document;

WHEREAS, upon examination, Acting Customs Examiner Liscano informed passenger Chen that the goods he brought in were regulated and there should be an Import Permit/Clearance from the Food and Drug Administration (FDA) for these medicines before he could bring them to the Philippines. Passenger Chen replied that he is not aware of this regulation of the FDA, and that the said medicines are for his personal consumption while in the country;

WHEREAS, after actual examination, the luggage of Mr. Chen yielded sixteen (16) pieces DVDs and thirty four (34) boxes of *Lianhua Qingwen Jiaonang* Medicine (24 capsules per box). Thereafter, subject items were turned over to the In Bond Room, Baggage Assistance Division, under Held Baggage Receipt No. 00453914, for safekeeping;

WHEREAS, in a Memorandum dated June 11, 2021 for the District Collector, this Port, Acting Customs Examiner Liscano reported her findings to the District Collector, this Port, and with concurrence of Cyrus Victor V. Go, Flight Supervisor, Elizabeth B. Pableo, Chief, Arrival Operations Division, and Atty. Ma. Lourdes V. Mangaoang, Deputy Collector for Passenger Service, she recommended the issuance of Warrant of Seizure and Detention against the DVD and Lianhua tablets for lack of FDA Import Clearance as required in Republic Act 9711, otherwise known as the Food and Drug Administration Act,

and for violation of Section 117 in relation to Section 1113 of the Customs Modernization and Tariff Act (CMTA);

WHEREAS, after careful evaluation of the documents submitted and applicable customs laws, rules and regulations, the NAIA District Collector finds probable cause for the issuance of Warrant of Seizure and Detention (WSD) against the subject shipment for violation of Section 1113 in relation to Section 117 of RA No. 10863 otherwise known as the Customs Modernization and Tariff Act (CMTA), Republic Act No. 9711, otherwise known as the Food and Drug Administration Act, and RA No. 9239 otherwise known as the Optical Media Board Act;

WHEREFORE, by virtue of the authority vested by law in this Office, and in compliance with applicable customs laws, rules and regulations, it is hereby ordered and decreed that the Sixteen (16) Digital Versatile Disc (DVD), and Thirty Four (34) boxes of *Lianhua Qingwen Jiaonang* Medicine be, as it is hereby ordered seized for violation of Section 1113 in relation to Section 117 of RA No. 10863 otherwise known as the Customs Modernization and Tariff Act (CMTA), Republic Act No. 9711, otherwise known as the Food and Drug Administration Act, and RA No. 9239 otherwise known as the Optical Media Board (OMB) Act, to be turned over to the Auction and Cargo Disposal Division, this Port, for inventory, classification and valuation of goods pursuant to Section 1120 of the CMTA, and custody and safekeeping pursuant to CAO 10-2020, pending the resolution of the seizure case by the Law Division, and/or until ordered by the District Collector, this Port.

Compliance with Customs Memorandum Order No. 10-2020, particularly on the matter of making a return of service and the submission of the Inventory Report or list of the articles seized is to be strictly observed.

SO ORDERED.

09 DEC 2021

NAIA Customhouse, Pasay City, Metro Manila, _____December 2021.


CARMELITA M. TALUSAN-CESE
District Collector



BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



06-28-515

PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

FILE

MEMORANDUM

FOR : **COLL. CARMELITA M. TALUSAN, CESE**
District Collector
NAIA Collection District III

THRU : **ATTY. MA. LOURDES V. MANGAOANG, CSEE**
Deputy Collector for Passenger Service

[Signature]
ELIZABETH B. PABLEO, Ph.D.
Chief, Arrival Operations Division

From : **HIROSIKA F. LISCANO**
Acting Customs Examiner

[Signature]
CYRUS GO
Acting Flight Supervisor

SUBJECT : **Incident Report on the Interception of Sixteen (16) Digital Versatile Disc (DVD) and Thirty Four (34) Boxes of Lianhua Qingwen Jiaonang Medicine.**

DATE : **June 11, 2021**

ROC-NAIA
JUL 02 2021
OFFICE OF THE DISTRICT COLLECTOR
DANCA DAKILA

BUREAU OF CUSTOMS-NAIA
OFFICE OF THE DEPUTY COLLECTOR FOR PASSENGER SERVICE
RECEIVED
JUN 29 2021
By: *[Signature]* Time: 10:13am
1040

BACKGROUND:

1. REFERENCES:

- a. CAO 1-2017 – Customs clearance of accompanied and unaccompanied baggage of travellers and crew in relation to Section 437 – (Traveller and Passenger Baggage) of CMTA
- b. Section 202 of CMTA – Functions of the Bureau
- c. Section 117 of CMTA – Regulated Importation and Exportation

RECEIVED
MARK ANN M. LEE
JUL 01 2021
3:51

South Harbor, Gate 3, Port Area, Manila 1099
Tel. Nos 8527-4537, 8527-1935

Website: www.customs.gov.ph Email: Boc.cares@customs.gov.ph

A Modernized and Credible Customs Administration That is Among the World's Best

21-07-02-997

NO. 0054



USDA PRIME

USDA PRIME

NET WT. 12.5 LBS
USDA PRIME
KEEP ALERT! USDA PRIME BONELESS

NET WT. 12.5 LBS
USDA PRIME
KEEP ALERT! USDA PRIME BONELESS



DISCUSSIONS:

2. On 10 June 2021 at about 1230H the above mentioned Customs Examiner assigned at the Arrival Area of Terminal 1, while on tour of duty, intercepted a chinese national passenger named Yee Hong Chen, with passport number K07020579, on board CZ 3091 from Canton, China after his checked-in baggage was marked with "x" by XIP operator Fahad G. Facasum.
3. Before conducting the physical examination, the Customs Examiner asked the passenger to submit his duly filled out Customs Baggage Declaration Form (CBDF) and asked if he had anything to declare. The passenger did not give his customs baggage declaration form and arrogantly refused to accomplish one.
4. Upon examination, the Customs Examiner asked if the passenger was aware that the goods he was bringing in were regulated, he replied in the negative for he did not know the regulations for such items.

FINDINGS:

5. The physical examination conducted by the Customs Examiner yielded to Sixteen (16) pieces DVDs and Thirty four (34) boxes of Lianhua Qingwen Jiaonang Medicine which contains Twenty Four (24) capsules per box. The passenger mentioned that the items were for his personal use.

ACTION TAKEN:

6. Discovered goods were then held for presentation of Optical Media Board (OMB) and Food and Drugs Administration (FDA) permits. Held Baggage Receipt was issued to the passenger with HBR No. 00453914 and the goods were turned over to the In-bond Unit, Baggage Assistance Division for safekeeping.
7. For your information.

ATTACHMENTS:

- Image of Passport
- Image of HBR No. 00453914
- Image of apprehended imported article





Department of Agriculture
BUREAU OF ANIMAL INDUSTRY
NATIONAL VETERINARY QUARANTINE SERVICES DIVISION

Veterinary Quarantine Station NAIA Terminal No. 1

No. 2021- - 11-19-21

11-19-2021

Date

NOTICE OF VIOLATION

Commodity	: Beef Ribeye
Quantity (unit)	: 16 Kgs
Shipper/Consignee	: Anastacia Puno
Broker (if applicable)	:
Address & contact number	: 936 Dolores St. North, U.U.
Date of arrival	: 11-19-2021
Origin	: USA
Destination	:
FOR IMPORTED	FOR LOCAL
SPSIC Number	:
Livestock Handlers License No	:
Vessel & Bill of Lading No	: JAL 745
Transport Carrier Registration No	:
Findings description (Attach evidence of violation)	: () Accompanying Documents 1. Shipping Permit () Yes () No Issued by: _____ Date: _____ 2. Veterinary Health Certificate () Yes () No Issued by: _____ Date: _____ (X) Prohibited Products (X) In violation of DA : () Others: <u>Confiscated AD 9 Genes 2010</u>
Remarks	: For Proper Disposal
Action Taken	:

RECEIVED/ACKNOWLEDGED BY:

(Shipper/Consignee)

Anno A. Perez
A. COO III
Customs Examiner

MARCO EDGARDO A. PADILLA, DVM
Veterinary Quarantine Officer
VQS NAIA

Veterinary Quarantine Officer



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
Port of MANILA



01919117009
ORIGINAL

250.00
84,005.71
10,060.68

RECEIVED from TRIGONZ FLOWER TRADING CO
ORP (Name of Payor)

VAT No. _____
(Address) _____

Nature of Collection:	Amount
1. Import Duty	21,354.00
2. BIR Taxes	
2.1 VAT	530.00
2.2 Specific/Excise Tax	
3. Proceeds-Auction Sale	
4. Penalties/Surcharge	
5. Miscellaneous (Specify)	
6. Trust Liabilities	

TOTAL ₱ 21,886.00
Twenty One Thousand, Eight Hundred Eighty-Six and 0/100 ONLY

Consumption Whsg. Informal

Entry No. & Series 21886

Withdrawal Permit No. _____
(For Warehousing Entries)

Vessel/Aircraft _____

Reg. No. _____

BL/AWB No. _____

For Quantity _____

Value of Merchandise US\$ _____

(Pls. check & indicate proper information)

Cash PDIG No. _____

Bank & Cashier's Check Number _____

Tax Credit Cert. Number _____

BOI BIR Customs

Others (Specify) _____

MARCASIN PAISAL
Collecting Officer
(sign above printed name)
11/24/21

Date _____

USED
NG RATE

15%

15%

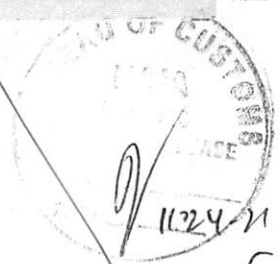
12421

DISTRIBUTION: Original and three copies
Original White - Duplicate (Green) - Triplicate (Yellow) - Quadruplicate (Blue)
Payor Entry Accounting Div. File

DUTY COLLECTOR _____

M. Marnave
Total Global Taxes 280.00
J.M. ORBETA
ACCOV

12684



112421
Amman
CELESTE L. BARRIOS
Cargo Quarantine Officer
EDCC CARGO DATA EXCHANGE CENTER, INC.



BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM INTEGRITY ACCOUNTABILITY

HELD-BAGGAGE RECEIPT

Passenger Owner: YEE HONG CHEN Passport No. 107020579
 Arrived on 06/10/14 From: CANTON Flight ID: 673091
 Postal Address: _____ Tel. No. _____
 Real Owner (If Passenger is only the Carrier or Import Agent): _____

A. The baggage/articles described herein below shall be deemed impliedly abandoned under Sec. 1801 of the Tariff & Customs Code, as amended, if not claimed within five (5) working days from date of arrival. Said baggage/article(s) is placed in storage for the reason checked below:

() Insufficient cash on hand
 () To be claimed by the real owner
 Permit/clearance required from _____
 () State other reasons: _____

PC * NTC * BAI * BPS * BTRCB * FDA
 COMCUS * RH * BART

B. The baggage/articles described herein below is held preparatory to the institution of seizure proceedings for the reason checked below:

() Articles are in excess of what is allowable under CB Circular No. 1029
 () NEC and UC articles are in commercial quantity.
 Merchandise or articles falling under the banned category of the Philippine Standard Commodity Classification Manual (PSCCM), which are not of the nature of personal or household effects, exceeds \$500.00 value.
 () Violation of _____
 (State Customs law or regulation violated.)

NOTE: Releases shall be from 8:00 AM to 5:00 PM on Mondays thru Fridays only. Claimants other than the Passenger must present a duly notarized Special Power of Attorney/Written Authorization registered with the Law Division, NAIA Customhouse, and Passport of the Passenger named above

NUMBERS TAG	NO. & DESCRIPTION OF BAGGAGE (Include markings if any)	WEIGHT (Kg)	CONTENTS/REMARKS
<u>7A6 LB1</u>	<u>DUCK BAGGAGE</u> <u>nothing follows</u>	<u>11.74 KGS</u>	<u>16 DVD'S</u> <u>34 LIANHUA</u> <u>MEDICINE</u>

COPY RECEIVED:
[Signature] 12:37 PM 06/10/14
 Passenger/Owner Time Date

PREPARED BY:
[Signature] 12:14 PM 06/10/14
 Customs Examiner Time Date

BAGGAGE/ARTICLES RECEIVED:
[Signature] 12:36 PM 06/10/14
 Customs Warehouseman Time Date

[Signature] 12:38 PM 06/10/14
 Customs Appraiser Time Date

Baggage Declaration No. _____
 Value Rate P
 Day VAT
 CDS Excise Tax

NOTE BY:

 Duty Collector

..... **General Declaration**

Total amount of goods purchased and/or acquired abroad?

Philippine Peso/US Dollar

Are you bringing in any of the following?

(Please tick appropriate box)

YES NO

1. Philippine Currency and/or any Philippine Monetary Instrument in excess of PhP50,000.00 or more (i.e. Check, Bank Draft, etc.); *(If YES, please submit the original copy of prior authorization from the Bangko Sentral ng Pilipinas at the Bureau of Customs Arrival Area)* YES NO
2. Foreign Currency and/or Foreign Monetary Instrument in excess of USD10,000.00 or its equivalent; *(If YES, please fill-out the Foreign Currency and Other Foreign Exchange-Denominated Bearer Monetary Instruments Declaration Form at the Bureau of Customs Arrival Area)* YES NO
3. Gambling paraphernalia; *(If YES, please submit prior import permit/clearance from the Philippine Amusement and Gaming Corporation)* YES NO
4. Cosmetics, skin care products, food supplements and medicines in excess of quantities for personal use; *(If YES, please submit prior import permit/clearance from the Food and Drug Administration)* YES NO
5. Dangerous drugs such as morphine, marijuana, opium, poppies or synthetic drugs; *(If YES, please submit prior import permit/clearance from the Philippine Drug Enforcement Agency)* YES NO
6. Firearms, ammunitions and explosives; *(If YES, please submit the import permit/clearance from Firearms and Explosives Office, Philippine National Police)* YES NO
7. Alcohol and/or tobacco products in commercial quantities; *(If YES, please submit the import permit/clearance from the Food and Drug Administration for alcohol or National Tobacco Administration for tobacco products)* YES NO
8. Foodstuff(s), fruit(s), vegetable(s), live animal(s) (i.e. meat, eggs, etc), marine and aquatic product(s), plant(s) and/or the product(s) and their by-product(s); *(If YES, please submit the import permit/clearance from the National Plant Quarantine Services/National Veterinary Quarantine Services)* YES NO
9. Mobile phones, hand-held radios and similar gadgets in excess of quantities for personal use, and radio communication equipment; *(If YES, please submit the import permit/clearance from the National Telecommunications Commission)* YES NO
10. Remains (human ashes), human organs or tissues; *(If YES, please secure clearance from the Bureau of Quarantine)* YES NO
11. Jewelry, gold, precious metals or gems; and YES NO
12. Other goods not mentioned above; *(If YES, please enumerate)* YES NO

I HEREBY CERTIFY UNDER PAIN OF FALSIFICATION THAT THIS DECLARATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

SIGNATURE OVER PRINTED NAME

DATE ___ / ___ / ___
MM DD YYYY

For more information, visit us at www.customs.gov.ph

Thank you and Mabuhay!



BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MAITAG NA EKONOMIYA



PROFESSIONALISM

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Tel. Nos 8527-4537, 8527-1935

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