



# BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

INTEGRITY

ACCOUNTABILITY

In the matter of abandonment proceedings against the Fourteen (14) Overstaying Export Laden Containers bearing Container Van Nos. UNIDENTIFIED 40FT Container (Blue), TEXU5141700, GESU12116403, CTIU5252535, TRIU5876489, FCIU4141692, SEGU1910302, UNIDENTIFIED WHITE Container, TPHU8147354, BSIU2609462, XXXX1332023, UNIDENTIFIED BLUISH WHITE Container, and KLFU6905127 located at the Container Yard of Asian Terminals Inc. (ATI),

Abandonment Proceeding  
No. 2022-018

**UNKNOWN OWNERS,**  
Consignee.

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## NOTICE OF ABANDONMENT

This is to notify that the District Collector of Customs, Port of Manila, rendered a Decree of Abandonment on February 10, 2022, against the above-mentioned overstaying containers. Failure to file a Motion for Reconsideration within Ten (10) days from posting of this Notice at the Bureau of Customs Website and Bulletin Board shall be construed as a waiver and the subject vehicles shall be disposed in accordance with law.

Port of Manila, February 10, 2022.

FOR THE DISTRICT COLLECTOR:

  
**ATTY. EDGARDO T. PADRE, JR.**  
Chief, Law Division



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CCC-21-146078

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X-----X

## DECREE OF ABANDONMENT

**WHEREAS**, on 03 December 2021, Steve Francis Realuyo, AVP – South Harbor Operations, ATI, informed and requested the District Collector, Port of Manila, to process the abandonment of Fourteen (14) Overstaying Export Laden Containers bearing Container Van Nos. UNIDENTIFIED 40FT Container (Blue), TEXU5141700, GESU12116403, CTIU5252535, TRIU5876489, FCIU4141692, SEGU1910302, UNIDENTIFIED WHITE Container, TPHU8147354, BSIU2609462, XXXX1332023, UNIDENTIFIED BLUISH WHITE Container, and KLFU6905127 located at the Container Yard of ATI;

**WHEREAS**, according to ATI, these containers have been in their container yard for several years and they are becoming a safety concern to moving equipment and vehicles.

**WHEREAS**, on 20 December 2021, a Final Notice of Overstaying Containers was posted at the Bulletin Board and Bureau of Customs Website with the information that “Five (5) days upon posting of the same at the Bulletin Board and Bureau of Customs (BOC) website the said overstaying export laden containers will be declared abandoned by the District Collector and accordingly will be issued Decrees of Abandonment pursuant to the provisions of the Customs Modernization and Tariff Act (CMTA)”;

**WHEREAS**, it can be presumed that the owners of the overstaying containers located at the ATI Container Yard, have no intention to claim the same and are presumed abandoned pursuant to Section 1129 of the CMTA;

**WHEREAS, Section 1129 (b) of the CMTA, provides, to wit:**

**“Section 1129. Abandonment, Kinds and Effects of.** – Imported goods are deemed abandoned under any of the following circumstances;

- a) xxx xxx xxx
- b) When the owner, importer, consignee, or interested party after due notice, fails to file the goods declaration within the prescribed period in Section 407 of this Act: *Provided*, That the term goods declaration shall include provisional or incomplete goods declaration deemed valid by the Bureau as provided in Section 403 of this Act. For this purpose, it is the duty of the District Collector, to post a list of all packages discharged and their consignees, whether electronically or physically in the District Office, or send a notice to the consignee within five (5) days from the date of discharge; or
- c) xxx xxx xxx

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- d) Having paid the assessed duties, taxes, and other charges, the owner, importer or consignee or interested party after due notice, fails to claim the goods within thirty (30) days from payment. For this purpose, the arrastre or warehouse operator shall report the unclaimed goods to the District Collector for disposition pursuant to the provisions of this Act; or

**WHEREAS, CAO No. 01-2015 cites, to wit:**

"XXX

XXX

XXX

5. Containers which have not been re-exported by the deadlines stated in Section 2 and 3 above shall be treated as imports. Their owners have the obligation to file import entries and pay duties and taxes for them.

- a. For containers covered by Section 2 above, import entries must be filed not later than 28 August 2015, and final payment of duties and taxes made within fifteen days of the date of filing of the import entry.
- b. For containers covered by Section 3 above, import entries must be filed not later than 30 days, after the lapse of the 90-day period specified in Section 3.a and 3.b, as the case may be, and final payment of duties and taxes made by fifteen days from the date of filing.

XXX

XXX


XXX"

**WHEREFORE**, by virtue of the authority vested in me by law, the Fourteen (14) Overstaying Export Laden Containers bearing Container Van Nos. UNIDENTIFIED 40FT Container (Blue), TEXU5141700, GESU12116403, CTIU5252535, TRIU5876489, FCIU4141692, SEGU1910302, UNIDENTIFIED WHITE Container, TPHU8147354, BSIU2609462, XXXX1332023, UNIDENTIFIED BLUISH WHITE Container, and KLFU6905127 located at the Container Yard of Asian Terminals Inc. (ATI) are hereby declared **ABANDONED** in favor of the government to be disposed of in the manner provided for by law.

Let copies of this Decree of Abandonment be furnished to all parties and offices concerned for their information and guidance.

**SO ORDERED.**

Port of Manila, Philippines, FEB 10 2022

  
**MICHAEL ANGELO D.C. VARGAS**  
District Collector  
Port of Manila