



BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM

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SUBJECT: THREE (3) EMPTY OVERSTAYING CONTAINERS BEARING CONTAINER VAN NOS. FSCU6531805, GESU5815762 AND CAXU9947431 LOCATED AT JONCYR ENTERPRISES INC.

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NOTICE OF OVERSTAYING CONTAINERS

Pursuant to Section 1129 of the Customs Modernization and Tariff Act (CMTA) and CMO No. 16-2019 on Guidelines on the sending of Notice under the same, let this be a **Final Notice** to all owners of overstaying empty containers stored at JONCYR ENTERPRISES INC.

Five (5) days upon posting of the same at the BOC website the said containers will be declared abandoned by the District Collector and accordingly will be issued Decrees of Abandonment pursuant to the provisions of the CMTA.

Port of Manila, Philippines, 22 February 2021.

FOR THE DISTRICT COLLECTOR:


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



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DISPOSITION FORM

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|-------------|---|-----------------|--------------------|
| FOR | MICHAEL ANGELO DC VARGAS District Collector, Port of Manila | DATE | Control No. |
| FROM | ATTY. ENRICO A. TURINGAN III Acting Chief, ACDD | 3 February 2021 | |

SUBJECT: Request for the Issuance of Decree of Abandonment for Three (3) Container Vans Whose Shipping Lines are No Longer in Existence or Doing Business in the Philippines

ODC Ope 2/8/21

REFERENCES:

- a) Completion Report of Condemnation for Gatepass Nos: 00015425 and 00015434;
- b) Orders of Condemnation for Gatepass Nos: 00015425 and 00015434;
- c) Letter dated 22 October 2020 from the Office of the District Collector to the Asian Terminals Inc requesting the release of overstaying containers without corresponding Container Release Order;
- d) Affidavits of Undertaking by Joel Zoilo A. Raña for safekeeping of container vans whose shipping lines are no longer in existence or no longer doing business in the Philippines.


DISCUSSION

1. This is with reference to the two (2) issued Gatepasses for Orders of Condemnation both dated 17 June 2020 awarded to JONCYR Enterprises Inc. Some container vans in the said gatepasses were not immediately released due to lack of Container Release Orders (CROs) issued by the corresponding shipping lines.
2. On 22 October 2020, the District Collector requested the Asian Terminals Inc to release the overstaying container vans without CROs since the corresponding shipping lines are no longer in existence or no longer doing business in the Philippines.


3. Thus, container van bearing No: FSCU6531805 under Gatepass No: 00015434 was released without the prerequisite CRO after JONCYR executed an Affidavit of Undertaking for Safekeeping of the said container van.
4. The same condition applies to container vans bearing Nos: GESU5815762 and CAXU9947431 under Gatepass No: 00015425, also awarded to JONCYR.
5. In summary, JONCYR has three (3) container vans for safekeeping in their facility.

RECOMMENDATION

6. In view thereof, this Office respectfully request for the issuance of a Decree of Abandonment for the three (3) container vans to cause the proper disposition of the same.



ATTY. ENRICO A. TURINGAN III
 Acting Chief, ACDD

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| ODC CONCUR/NOT CONCUR |
|  MICHAEL ANGELO DC VARGAS District Collector, Port of Manila |
| Date |



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DISPOSITION FORM

| | | | |
|-------------|---|---|--------------------|
| FOR | ENRICO A. TURINGAN III Acting Chief, ACDD-Port of Manila | Date: January 25, 2021 | Control No. |
| FROM | Edna Mae D. Dalindin, ACDD Representative and other POM Representatives | | |

SUBJECT: Completion Report of Containers without Shipping Lines to issue Container Release Order under BOC Gate Pass No 00015425 & Gate Pass No.00015434 dated June 19, 2020 awarded to JONCYR ENTERPRISES INC. by the Committee on Condemnation dated June 22, 2020 and June 17, 2020

1. REFERENCES:

- a. BOC Gate Pass No. 00015425 dated June 19, 2020
- b. BOC Gate Pass No. 00015434 dated June 19, 2020
- c. Order of Condemnation dated June 17, 2020 duly signed by the Committee on Condemnation, noted by Atty. Ma. Liza T. Sebastian, Deputy Collector for Operations and approved by then District Collector of Port of Manila, Arsenia C. Ilagan;
- d. Detailed Written Plan of Condemnation dated June 17, 2020 approved by then Acting Chief, ACDD-Port of Manila Ava Stephanie A. Fernando;
- e. Letter dated June 22, 2020 to Patrick Chan, Assistant Vice-President for Operations, Asian Terminals Inc. by then District Collector of Port Manila, Arsenia C. Ilagan
- f. Mission Order dated June 22, 2020 issued to Edna Mae D. Dalindin- as ACDD representative;
- g. Office Order No. 0625-90-2020 dated June 25, 2020 issued to SA2- Rogelio A. Cunanan as CIIS -POM representative by Atty. Justin Roman S. Geli, Station Chief, CIIS-POM;
- h. Office Order No. 0625-91-2020 dated June 25, 2020 issued to SA2-Rogelio S. Cunanan as CIIS-Pom representative by Atty. Justin Roman S. Geli, Station CIIS-POM
- i. Office Order No. 116-2020 dated June 23, 2020 issued to SAI Salvador C. Cajucom by SPAS Atty. Gilbert F. Ordon, District Commander, ESS-POM;
- j. AOCG Mission order No. 54-2020 dated August 4, 2020, issued by Atty. Edward James A. Dy Buco, Deputy Commissioner for Assessment & Operations Group
- k. Letter dated October 21, 2020 from Joel Zoilo A. Raña, Region4/NCR General Manager, Joncyr Enterprises, Inc.
- l. Disposition Form from Atty. Enrico A. Turingan 111 dated October 22, 2020 for Michael Angelo DC. Vargas, District Collector, Port of Manila
- m. Affidavit of Undertaking by Joel Zoilo A Raña for safekeeping of the said containers subject to the proper disposition as may t be determined by the Port of Manila, Bureau of Customs
- n. Attendance Sheet dated November 28, 2020 and Photos taken during the Condemnation

2. DISCUSSION:

In compliance with the said Mission Order, Edna Mae D. Dalindin as ACDD representative together with the CIIS-POM, ESS-POM, ACMDD-POS-AOCG, PID-POM and Phil. Coast Guard representatives in the presence of Joncyr's representatives witnessed the released of the said containers and the eventual destruction of the goods covered by BOC Gatepass No. 00015425 and BOC Gatepass No. 00015434 dated June 19,2020 in the condemnation facility of Joncyr Enterprises located at Sitio Butlag, San Pascual, Batangas City.

Said container vans, without shipping lines, that are included in the above-mentioned gatepass are the following, to wit:


| Decreases | Container Van Nos | Description | Modes of Destruction | Issue |
|-------------|-------------------|--|-----------------------|---|
| IFF/AP | GESU5815762 | Havaianas Slippers | Shredding | Melco Shipping Ltd Skybest ceded its business operations in the Ohippines |
| IFF/AP | CAXU9947431 | Toy Candies (Expired) | Shredding | Harbor Link Lines ceased its business operations in the Philippines |
| AP 2012-135 | FSCU6531805 | Assorted footwear.,ladies shirts,casio watch,cellphone charger,slimming capsules,cellphonecases etc. | Dismantling/Shredding | Sinotop ceased its business operations in the Philippines28 Aug 2020 |


The disposal of the said goods started on 28 November 2020 and continued until the last container was finally condemned on November 29, 2020.


The long delayed was caused due to the lack of Container Release Order (CRO) being issued by the shipping line, because the shipping line concerned is no longer doing business/operational in the Philippines.

The witnesses made sure that the goods were destroyed according to the modes of destruction and the pictures taken during the condemnation showed the same.

Respectfully submitted for your reference and information.


EDNA MAE D. DALINDIN
ACDD Representative


SA2 ROGELIO S. CUNANAN
CIIS-POM Representative


SA1 SALVADOR C. CAJUCAN
ESS-POM Representative

Encls., as stated.