



Republic of the Philippines,

Seizure Identification
No. CFZ 115-2022

-versus-

Shipment said to contain “twenty (20) pcs. Infant Shirt (made of cotton), five (5) pcs. Photo Album and fifteen (15) pcs. Local Made Men’s Short for Kids (made of cotton)” destined to Berrinba, Queensland, Australia which will be shipped thru Federal Express (FedEx) Clark on 19 November 2022 under House Airway Bill No. 770530996161 but found to contain **fifty-two (52) reams Marlboro (Red) Cigarettes**

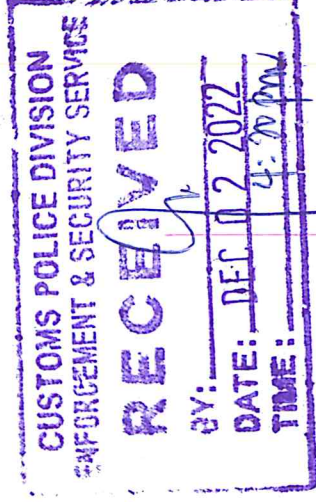
Exporter/Shipper:

KEVIN JAY ESPINO

Little Bumpers Wearing Apparel 202 M, De Castro St., Bagong Barrio, Brgy. 146 Caloocan City 1400 PH

Claimant.

x-----x



WARRANT OF SEIZURE AND DETENTION

To: SP/Capt. Arnel A. Baylosis
District Commander
ESS-CPD, Port of Clark

Greetings!

WHEREAS, on 19 November 2022, an export shipment destined to Berrinba, Queensland, Australia said to contain “**twenty (20) pcs. Infant Shirt (made of cotton), five (5) pcs. Photo Album and fifteen (15) pcs. Local Made Men’s Short for Kids (made of cotton)**” exported by KEVIN JAY ESPINO consigned to Junon Lin arrived at the Federal Express (FedEx) gateway facility under House Airway Bill No. 770530996161. The same was marked for verification/physical examination by the X-ray Inspector on duty;

WHEREAS, on even date, Trade Control Examiner Marife Foloso conducted physical examination on the subject shipment in the presence of representative from FedEx which led to the following findings:

AS DECLARED IN THE INVOICE	AS FOUND
Twenty (20) pcs. Infant Shirt (made of cotton) Five (5) pcs. Photo Album Fifteen (15) pcs. Local Made Men’s Short for Kids (made of cotton)	Fifty-two (52) reams Marlboro (Red) Cigarettes
Value: USD 105.00 Weight: 15.5 kgs.	Gross Weight: 15 kgs.

WHEREAS, further verification of the importation documents submitted revealed that said cigarettes lacked the necessary Export Commodity Clearance (ECC) from the National Tobacco Administration (NTA);

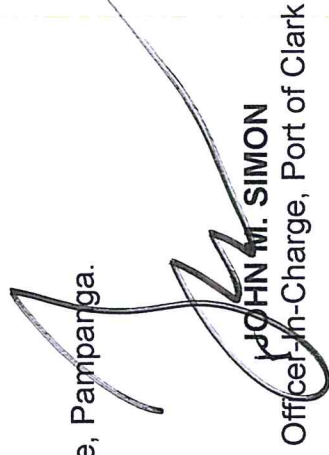
WHEREAS, on 28 November 2022, the Office of the District Collector received a Memorandum dated 22 November 2022 from Ms. Maricar N. Go and Ms. Folloso, Officer-In-Charge Export Unit and Acting Trade Control Examiner FedEx, respectively, recommending the issuance of a Warrant of Seizure and Detention (WSD) against the subject export shipment for violation of Sections 117 and 1113 paragraphs (i) and (l) (3) and (4) of Republic Act (R.A.) No. 10863 otherwise known as the Customs Modernization and Tariff Act (CMTA) in relation to NTA Memorandum Circular No. 002, Series of 2020;

WHEREAS, upon evaluation thereof, this office finds probable cause for the issuance of WSD against the subject shipment for violation of Sections 117 and 1113 paragraphs (f) and (l) (3) and (4) of R.A. No. 10863 otherwise known as the CMTA in relation to NTA Memorandum Circular No. 002, Series of 2020;

WHEREFORE, by virtue of the power vested in me by law, and in compliance with pertinent Customs law, rules and regulations, you are hereby ordered to forthwith seize the aforementioned articles and take custody over the same pending termination of the seizure and forfeiture proceedings and/or until further order from this Office. In this connection, please be guided by Customs Memorandum Order No. 8-84, particularly on the matter of making a return of service and submission of inventory of list of the subject articles.

SO ORDERED.

28 November 2022, Port of Clark, Clark Freeport Zone, Pampanga.


JOHN M. SIMON
Officer-In-Charge, Port of Clark



BOC-22-04191

Copy furnish:

Maricar N. Go
Officer-In-Charge, Export Unit

Marife V. Folloso
Trade Control Examiner, FedEx

Commissioner of Customs
Commission on Audit
BATAS, Legal Service
Intelligence Group
Account Management Office
Risk Management Office
CIIS-Port of Clark



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Exporter/Shipper:

KEVIN JAY ESPINO

Little Bumpers Wearing Apparel 202 M, De Castro St., Bagong Barrio, Brgy. 146 Caloocan City 1400 PH

Claimant.

X-----X



NOTICE OF HEARING

TO: KEVIN JAY ESPINO

Little Bumpers Wearing Apparel 202 M, De Castro St., Bagong Barrio, Brgy. 146 Caloocan City 1400 PH

Greetings!

Please be notified that there will be a hearing on the above entitled case on **07 December 2022, Wednesday at 4:30 PM and 09 December 2022, Friday, 2:30 PM**, at the Bureau of Customs - Port of Clark, M.A. Roxas Highway, Clark Freeport Zone, Pampanga.

Failure to appear on the said scheduled hearing shall be construed as a waiver on your part to be heard or to adduce evidence and the case shall be deemed submitted for resolution.

Port of Clark, Clark Freeport Zone, Pampanga.
29 November 2022

ATTY. ERWIN T. WENDOZA
Deputy Collector for Administration

