



Republic of the Philippines,

Seizure Identification
No. CFZ **164-2023**

-versus-

Shipment said to contain “**TERNO PAJAMA, T-SHIRT, DENIM PANTS, JACKET, JOGGER PANTS**” bound to Pittsburg, California, USA which will be shipped thru Federal Express (FedEx) Clark on 11 April 2023 under House Airway Bill No. 771807387796 but found to contain **various bags (4 pcs. Balenciaga, 20 pcs. Kipling, 15 pcs. Long champ, 10 pcs. Lacoste, 1 pc. Anello, 1 pc. MK pink, 2 pcs. unbranded bag)**

Exporter/Shipper:

VANESSA GUTIERREZ

JG Vicente RTW Trading

Lot 1 Block 5 Placid Homes, 3 Gitnang Bayan 1

San Mateo, Rizal 1850 PH

Claimant.

X-----X



NOTICE OF HEARING

TO : **VANESSA GUTIERREZ**
JG Vicente RTW Trading
Lot 1 Block 5 Placid Homes, 3 Gitnang
Bayan 1 San Mateo, Rizal 1850 PH
(Tel No.: 09276711048)

Greetings!

Please be notified that there will be a hearing on the above entitled case on **May 29 and 30, 2023, 11:30 AM**, via **Zoom Teleconferencing** which can be accessed, as follows:

Meeting ID: 885 9001 0546
Passcode: 179211

Kindly coordinate in the below indicated contact number/s and/or email address for the Zoom link to be transmitted via e-mail for easy access.

Please be further informed of the pertinent provisions of Customs Memorandum Order (CMO) No. 4-2018 (A) which provides:

xxx

6.3 During the Preliminary Conference the following shall be discussed:

- 6.3.1** Defining and simplifying the issues of the case;
- 6.3.2** Entering into admission or stipulation of facts;
- 6.3.3** Marking of exhibits;



BUREAU OF CUSTOMS

MAKABAGONG ADUANA, MATATAG NA EKONOMIYA



PROFESSIONALISM INTEGRITY ACCOUNTABILITY


- 6.3.4 The possibility of disposition of the goods pending forfeiture proceedings in case of perishable articles;
- 6.3.5 The possibility of settlement; and
- 6.3.6 Dates for submission of respective Position Papers of the parties.

6.4 The Hearing Officer shall require the Claimant to submit its verified Position Paper within five (5) days from the termination of the preliminary conference, copy furnished the Government Prosecutor. Failure on the part of the Claimant to submit its verified Position Paper within the prescribed period shall be deemed waiver on its part to submit the same. No Motion for Extension shall be allowed.

xxx

Failure to appear on the said scheduled hearing and/or submit a position paper 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.
09 May 2023


ATTY. JONATHAN D. MENGULLO
Hearing Officer
Chief, Law Division
Port of Clark



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Exporter/Shipper:

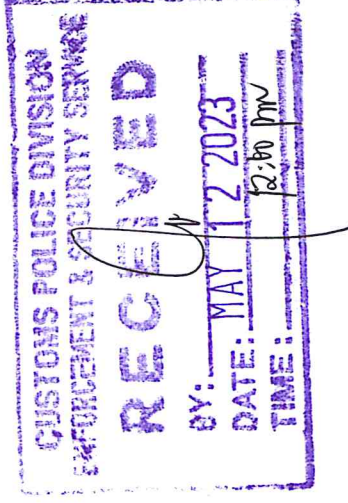
VANESSA GUTIERREZ

JG Vicente RTW Trading

Lot 1 Block 5 Placid Homes, 3 Gitnang Bayan 1
San Mateo, Rizal 1850 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 11 April 2023, a shipment bound to Pittsburg, California, USA (Consignee: Marcelina Fuentes) under House Airway Bill No. 771807387796 said to contain “**TERNO PAJAMA, T-SHIRT, DENIM PANTS, JACKET, JOGGER PANTS**” under the name of VANESSA GUTIERREZ with address at Lot 1 Block 5 Placid Homes, 3 Gitnang Bayan 1 San Mateo, Rizal 1850 PH (Contact No.: 09276711048) arrived at the Federal Express (FedEx) gateway facility and marked for verification/physical examination by the X-ray Inspector on duty;

WHEREAS, on 15 April 2023, Trade Control Examiner Marife Foloso conducted physical examination on the subject shipment in the presence of representative from FedEx with the following findings:

AS DECLARED IN THE INVOICE	AS FOUND
<ul style="list-style-type: none"> 5 PCS. COTTON UNISEX TSHIRT (MADE OF 100% COTTON) 6 PCS. TSHIRT LEGGINGS TERNO (MADE OF 100% COTTON) 3 PCS. KNITTED JOGGER PANTS (MADE OF 65% POLYESTER 30% COTTON 5% RAYON) 	<ul style="list-style-type: none"> Various bags (4 pcs. Balenciaga, 20 pcs. Kipling, 15 pcs. Long champ, 10 pcs. Lacoste, 1 pc. Anello, 1 pc. MK pink, 2 pcs. unbranded bag)

<ul style="list-style-type: none"> • 4 PCS. KNITTED JOGGER PANTS (MADE OF 65% POLYESTER 30% COTTON 5% RAYON) • 4 PCS. COTTON STRETCH LONGSLEEVES (MADE OF 100% COTTON) • 6 PCS. VELVET PLUSH BLANKET (MADE OF 100% COTTON) • 3 PCS. BATH TOWEL (MADE OF 100% COTTON) 	
Value: USD 190.00 Gross Weight: 21 kgs.	

WHEREAS, on 04 May 2023, the Office of the District Collector received a Memorandum of even date from Ms. Maricar N. Go and Ms. Folloso, Officer-In-Charge (OIC) Export Unit and Trade Control Examiner FedEx-Export, respectively, thru Atty. Lilibeth Sandag, Deputy Collector for Operations, recommending the issuance of a Warrant of Seizure and Detention (WSD) against the subject shipment based on the discrepancy between the goods found during the physical examination and goods declared in the commercial invoice for violation of Section 1113 paragraph (l) (3) and (4) of Republic Act (R.A.) No. 10863 otherwise known as the Customs Modernization and Tariff Act (CMTA);

WHEREAS, upon evaluation thereof, this Office finds probable cause for the issuance of WSD against the subject shipment for violation of Section 1113 paragraphs (f) and (l) (3) and (4) of R.A. No. 10863 otherwise known as the CMTA;

WHEREFORE, by virtue of the power vested in me by law, and in compliance with pertinent Customs laws, 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.

08 May 2023, Port of Clark, Clark Freeport Zone, Pampanga.

Copy furnished:

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


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