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REPUBLIC OF THE PHILIPPINES
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MEMORANDUM

TO : **KARREN APRIL A. NOROÑO-GABION**
Officer-in-Charge
Public Information and Assistance Division (PIAD)

THRU : **ATTY. MARIA YASMIN M. OBILLOS-MAPA**
District Collector, BOC-NAIA

FROM : **ATTY. WALLY ANN D. YUMUL**
Acting Chief, Law Division

SUBJECT : **PUBLICATION IN THE BOC WEBSITE OF THE ISSUED
DECISION AND WARRANT OF SEIZURE AND
DETENTION (WSD)**

DATE : **14 NOVEMBER 2023**

This refers to the herein attached Decision of Forfeiture and Warrant of Seizure and Detention (WSD):

1. **SEIZURE IDENTIFICATION NO. 120-2023 (NAIA):** Shipment of Sixty (60) boxes of Sanest Bird's Nest Supplements, covered by Held Baggage Receipt No. 00100003925, which were brought by passenger **TRUC LAM NGUYEN**;
2. **SEIZURE IDENTIFICATION NO. 121-2023 (NAIA):** Shipment of One (1) box assorted cosmetics brought in by **JOVELYN SANTOS CONEJOS**;
3. **SEIZURE IDENTIFICATION NO. 122-2023 (NAIA):** Shipment of Ten (10) reams Cigarettes covered by Held Baggage Receipt No. 00100000999 which was intercepted from incoming passenger **INPYO JEON**; and
4. **SEIZURE IDENTIFICATION NO. 123-2023 (NAIA):** Shipment of Seven (7) pieces of Airsoft Magazines brought in by **MR. JOSEPH MANOLO DEL ROSARIO REBANO**.

As the aforementioned passengers/claimants have indicated insufficient addresses in the Philippines, the WSDs must be served by posting in the bulletin board of this Port and by electronic posting in the BOC website for fifteen days, as provided under Section 6.5.2 of CAO No. 10-2020, to wit:



6.5.2. To the 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 possessor 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 collection district office, **and by electronic posting through the BOC website, or printed publication, for fifteen (15) days.**

In view of the foregoing, this Office respectfully requests that the copy of the Decision on Seizure Identification Nos. 120-2023 (NAIA), 121-2023 (NAIA), 122-2023 (NAIA) and 123-2023 (NAIA), respectively, be electronically posted with the BOC website for fifteen (15) days. A copy of said warrant is herein attached. Furthermore, scanned copies thereof were also forwarded to Piad@customs.gov.ph and Jessil.garlando@customs.gov.ph.



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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION
NO. 120-2023 (NAIA)

-versus-

Sixty (60) boxes of Sanest Bird's Nest Supplements, covered by Held Baggage Receipt No. 00100003925, which were brought by passenger **TRUC LAM NGUYEN**
X-----X

DECISION

This resolves the seizure and forfeiture proceedings instituted against the above-captioned articles for lack of Food and Drug Administration (FDA) Import Clearance in violation of Republic Act 9711 or the Food and Drug Administration Act of 2009.

A perusal of the records of the instant case shows the following antecedents, to wit:

1. On 10 August 2023, Truc Lam Nguyen, a female Vietnamese national and holder of Passport No. P01328199 arrived at the Ninoy Aquino International Airport on board Cebu Air Flight 5J752 from Vietnam.
2. Passenger Nguyen's check-in baggage underwent a non-intrusive x-ray screening and was marked with "X" after it was detected to contain suspicious image of its contents. Thereafter, she was referred to Katrina Lea Rañeses, Customs Examiner, Arrival Operations Division, for verification and actual physical examination of her check-in baggage.
3. Customs Examiner Rañeses asked Passenger Nguyen to submit her accomplished Customs Baggage Declaration Form (CBDF). Going over the said CBDF, it was found that Passenger Nguyen checked "No" of all the items therein, except for Item No. 12 where she checked "Yes" and declared the Bird's Nest Supplements.
4. Customs Examiner Rañeses conducted an actual examination of passenger Nguyen's baggage which resulted in the discovery of sixty (60) boxes of Sanest Bird's Nest Supplements. However, when asked if she had an Import Permit/Authorization from the Food and Drug Administration to import the same, passenger Nguyen could not present any. Thereafter, Customs Examiner Rañeses issued Held Baggage Receipt (HBR) No. 00100003925 and the items were turned over to the In Bond Section, Baggage Assistance Division, for safekeeping.
5. In a Memorandum dated August 19, 2023, Customs Examiner Katrina Lea Rañeses and Flight Supervisor Ivan Paolo B. Durana, through Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, and Mr. Norsalem Raymond M. Mama-o, Acting Deputy Collector for Passenger Service, reported their findings to the District Collector, this Port, and that the Sanest Birds Nest Supplements are held for safekeeping in the In Bond Section, Baggage Assistance Division (BAD) pending the submission of the required FDA Permit and Invoice and payment of



the duties and taxes. However, Ms. Nguyen nor her duly authorized representative failed to submit the required documents to the Arrival Operations and release her baggage, thus, the violations imputed against the Sanest Bird's Nest Supplements remained uncontroverted, and the case is deemed submitted for resolution.

DISCUSSION:

As culled from the records of the instant case, passenger **TRUC LAM NGUYEN** brought into the country sixty (60) boxes of Sanest Bird's Nest Supplements without license, permit/clearance nor authorization from the FDA as required in Section 10 of RA No. 9711 or the Food and Drug Administration (FDA) Act of 2009 which states that:

"Section 10. Section 11, subsections (a), (b), (d), (g), (j), (k) and (l) of Republic Act No. 3720, as amended, are hereby further amended to read as follows:

"SEC. 11. The following acts and the causing thereof are hereby prohibited:

XXX

- (k) The manufacture, **importation**, exportation, sale, offering for sale, distribution, transfer, or retail of any drug, device or in-vitro diagnostic reagent; the manufacture, importation, exportation, transfer or distribution of any food, cosmetic or household/urban hazardous substance; or the operation of a radiation or pest control establishment by any natural or juridical person **without the license to operate from the FDA required under this Act.**"

Relatively, Article I (Licensing of Establishments and Registration of Health Products), Book II of The Rules and Regulations Implementing Republic Act No. 9711 - The Food and Drug Administration Act of 2009 expressly prohibits such importation, to wit:

"Section 1. General Provisions.

1. The manufacture, **importation**, exportation, sale, offering for sale, distribution, transfer, non-consumer use, promotion, advertising, or sponsorship **of any health product without the proper authorization from the FDA is prohibited.**
2. The manufacture, **importation**, exportation sale, offering for sale, distribution transfer, or retail of any drug or device; the manufacture, importation, exportation transfer or distribution of any food, cosmetics, household hazardous substances or urban pesticides; or the operation of a radiation facility or pest control establishment **without the appropriate authorization from the FDA is prohibited.**"

On this score, Paragraph 9.3 of Customs Administrative Order No. 10-2020 in relation to Section 118 (g) of the Customs Modernization and Tariff Act (CMTA), are instructive and authoritative, to wit:



"9.3 If the subject shipment involved has been sufficiently established to be **prohibited**, the same shall be **ipso facto forfeited** in favor of the government."

"Section 118. Prohibited Importation and Exportation.- The importation and exportation of the following goods are prohibited:

(g) All other goods or parts thereof which importation and exportation are explicitly prohibited by law or rules and regulations issued by the competent authority.

WHEREAS, Section 1113 of the Customs Modernization and Tariff Act (CMTA) provides that:

"SECTION 1113. Property Subject to Seizure and Forfeiture. – Property that shall be subject to seizure and forfeiture include:

X X X X X X

(f) Goods, the importation or exportation of which are effected or attempted contrary to law, or any goods of prohibited importation or exportation, and all other goods which, in the opinion of the District Collector, have been used, are or were entered to be used as instruments in the importation or the exportation of the former;" (Underline for emphasis)

WHEREFORE, premises considered, the sixty (60) boxes of Sanest Bird's Nest Supplements brought in by **TRUC LAM NGUYEN** is hereby declared *ipso facto* **FORFEITED**, for violation of Section 118 (g) and Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA) in relation to Section 10 of Republic Act No. 9711 or the Food and Drug Administration (FDA) Act of 2009 and Article I (Licensing of Establishments and Registration of Health Products), Book II of The Rules and Regulations Implementing Republic Act No. 9711 - The Food and Drug Administration Act of 2009, to be turned over the same to the Auction and Cargo Disposal Division (ACDD) for custody and safekeeping and for final disposition thereof pursuant to CAO No. 10-2020 bearing the subject "Seizure and Forfeiture and Appeals Process".

Let copies of this Decision be furnished to all offices and parties concerned for their information, and a copy thereof to be posted in the Bulletin Board of the Law Division and the Arrival Operations Division, this Port, for information of all concerned.

SO ORDERED.

BOC-NAIA, Pasay City, NOV 15 2023 October 2023.

ATTY. MARIA YASMIN M. OBILLOS MAPA
District Collector, BOC-NAIA

Law/wady/moz





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SEIZURE IDENTIFICATION
NO. 121-2023 (NAIA)

-versus-

One (1) box assorted cosmetic brought in by **JOVELYN SANTOS CONEJOS**, upon her arrival on 13 July 2023, and held in custody under Held Baggage Receipt (HBR) No. 00100003699.

X-----X

DECISION

This resolves the seizure and forfeiture proceedings instituted against the assorted cosmetics for lack of FDA Import Clearance in violation of Section 10 of RA No. 9711 or the Food and Drug Administration (FDA) Act of 2009, and Section 118 (g) and Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA).

The antecedent facts of the subject seizure case are as follows, to wit:

1. On 13 July 2023, Passenger Jovelyn Santos Conejos, a Filipino traveler and holder of Passport No. P63727028 arrived at the Ninoy Aquino International Airport Terminal 3 on board Cebu Air Flight 5J 019 from Dubai, UAE.
2. Her check-in baggage underwent a non-intrusive inspection and was marked with "X" by XIP Officer Christopher Asuncion and was thereafter referred to Customs Examiner Meagan P. Morales, for the conduct of an actual physical examination.
3. Customs Examiner Morales asked Passenger Conejos to submit her duly accomplished Customs Baggage Declaration Form where it was noted that all the items were checked "NO" except for Item No. 4 referring to "Cosmetics". When she was asked if she had anything to declare, the passenger replied in the affirmative.
4. The actual examination of the one (1) box yielded ten (10) assorted cosmetics and beauty products listed in the attached Examination Report (Annex "A"). However, when asked by Customs Examiner Morales if she secured an Import Permit from the Food and Drug Administration as required under the rules, Passenger Conejos could not present any.
5. Customs Examiner Morales issued Held Baggage Receipt (HBR) No. 00100003699 to passenger Conejos evidencing the withholding of the release of her assorted cosmetics pending the submission of the necessary Import Permit/Clearance from the FDA. Thereafter, the assorted cosmetics were turned over to the In Bond Section, Baggage Assistance Division, for safekeeping.
6. In a Memorandum dated 21 July 2023, Customs Examiner Morales reported her findings to the District Collector, this Port, thru Mr. Patrick G. Guerrero, Flight Supervisor, Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, and



Mr. Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, and recommended the presentation of FDA Permit.

7. In a Memorandum dated 16 October 2023, Mr. Roberto A. Quintana, Chief, Baggage Assistance Division, thru Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, recommended to the Law Division the issuance of Warrant of Seizure and Detention against the assorted cosmetics which were held in custody under Held Baggage Receipt No. 00100003699 for lack of FDA Import Permit/Clearance, in violation of Republic Act No. 9711 or the Food and Drug Administration (FDA) Act of 2009.

DISCUSSION:

As culled from the records of the instant case, passenger **JOVELYN SANTOS CONEJOS** brought into the country One (1) box assorted cosmetic without license, permit/clearance nor authorization from the FDA as required in Section 10 of RA No. 9711 or the Food and Drug Administration (FDA) Act of 2009 which states that:

“Section 10. Section 11, subsections (a), (b), (d), (g), (j), (k) and (l) of Republic Act No. 3720, as amended, are hereby further amended to read as follows:

“SEC. 11. The following acts and the causing thereof are hereby prohibited:

XXX

- (k) The manufacture, **importation**, exportation, sale, offering for sale, distribution, transfer, or retail of any drug, device or in-vitro diagnostic reagent; the manufacture, importation, exportation, transfer or distribution of any food, cosmetic or household/urban hazardous substance; or the operation of a radiation or pest control establishment by any natural or juridical person **without the license to operate from the FDA required under this Act.**”

Relatively, Article I (Licensing of Establishments and Registration of Health Products), Book II of The Rules and Regulations Implementing Republic Act No. 9711 - The Food and Drug Administration Act of 2009 expressly prohibits such importation, to wit:

“Section 1. General Provisions.

1. The manufacture, **importation**, exportation, sale, offering for sale, distribution, transfer, non-consumer use, promotion, advertising, or sponsorship **of any health product without the proper authorization from the FDA is prohibited.**
2. The manufacture, **importation**, exportation sale, offering for sale, distribution transfer, or retail of any drug or device; the manufacture, importation, exportation transfer or distribution of any food, cosmetics, household hazardous substances or urban pesticides; or the operation of a radiation facility or pest control establishment **without the appropriate authorization from the FDA is prohibited.**”



On this score, Paragraph 9.3 of Customs Administrative Order No. 10-2020 in relation to Section 118 (g) of the Customs Modernization and Tariff Act (CMTA), are instructive and authoritative, to wit:

“9.3 If the subject shipment involved has been sufficiently established to be **prohibited**, the same shall be **ipso facto forfeited** in favor of the government.”

“**Section 118. Prohibited Importation and Exportation.**- The importation and exportation of the following goods are prohibited:

- (g) All other goods or parts thereof which importation and exportation are explicitly prohibited by law or rules and regulations issued by the competent authority.

WHEREAS, Section 1113 of the Customs Modernization and Tariff Act (CMTA) provides that:

“**SECTION 1113. Property Subject to Seizure and Forfeiture.** – Property that shall be subject to seizure and forfeiture include:

X X X X X X

- (f) Goods, the importation or exportation of which are effected or attempted contrary to law, or any goods of prohibited importation or exportation, and all other goods which, in the opinion of the District Collector, have been used, are or were entered to be used as instruments in the importation or the exportation of the former;” (Underline for emphasis)

WHEREFORE, premised considered, the subject one (1) box assorted cosmetic brought in by **JOVELYN SANTOS CONEJOS** is hereby declared *ipso facto* **FORFEITED**, for violation of Section 118 (g) and Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA) in relation to Section 10 of Republic Act No. 9711 or the Food and Drug Administration (FDA) Act of 2009 and Article I (Licensing of Establishments and Registration of Health Products), Book II of The Rules and Regulations Implementing Republic Act No. 9711 - The Food and Drug Administration Act of 2009, to be turned over the same to the Auction and Cargo Disposal Division (ACDD) for custody and safekeeping and for final disposition thereof pursuant to CAO No. 10-2020 bearing the subject “Seizure and Forfeiture and Appeals Process”.

Let copies of this Decision be furnished to all offices and parties concerned for their information, and a copy thereof to be posted in the Bulletin Board of the Law Division and the Arrival Operations Division, this Port, for information of all concerned.

SO ORDERED.

BOC-NAIA, Pasay City, NOV 10 2023 November 2023.

ATTY. MARIA YASMIN M. 
District Collector, BOC-NAIA

Law/wady/eyllv





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Ten (10) reams Cigarettes held in custody at the In Bond Room, Baggage Assistance Division, under Held Baggage Receipt No. 00100000999 which was intercepted from incoming passenger **INPYO JEON** upon his arrival on 24 November 2022 at the Ninoy Aquino International Airport Passenger Terminal 1.

SEIZURE IDENTIFICATION
NO. 122 - 2023 (NAIA)

x-----x

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 24 November 2022, Inpyo Jeon, a Korean national and holder of Passport No. M13156166, arrived at the Ninoy Aquino International Airport Passenger Terminal 1 on board flight 7C2305 from Incheon Korea.

WHEREAS, after passing through the non-intrusive x-ray screening of her luggage, Passenger Inpyo was referred to Mr. Abolkhayr L. Cali, Customs Examiner, Arrival Operations Division, for physical examination of her luggage.

WHEREAS, before conducting the physical examination, Customs Examiner Cali requested passenger Inpyo to submit her accomplished Customs Baggage Declaration Form (CBDF). After going the same, Customs Examiner Cali found that passenger Inpyo checked "No" to all the items except No. 7 ans when he asked the passenger if he had anything to declare, she replied in the affirmative.

WHEREAS, Customs Examiner Cali conducted an actual examination of the baggage which yielded to the discovery of ten (10) reams of "Flit Cool Shots" Cigarettes with an estimated value of Three Hundred Dollars (US\$300.00).

WHEREAS, passenger Inpyo failed to present the required Import Permit from the National Tobacco Administration (NTA), which is required under Section 117 of the Customs Modernization and Tariff Act (CMTA).

WHEREAS, the goods were held due to insufficient cash on hand for payment of duties and taxes and lack of NTA Import Permit. Customs Examiner Cali then issued Held Baggage Receipt No. 00100000999 to passenger Inpyeo and the cigarettes were placed inside the In-Bond Room for safekeeping.

WHEREAS, in a Memorandum dated 01 July 2023, Customs Examiner Abolkhyar L. Cali and Flight Supervisor Patrick G. Guerrero, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations, and Mr. Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, reported their findings to the District Collector, this Port.

WHEREAS, in a Memorandum dated 16 October 2023, Mr. Roberto A. Quintana, Chief, Baggage Assistance Division, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations, and Mr. Norsalem Raymond M. Mama-o, Deputy Collector for Passenger



Service, recommended to the Chief, Law Division, for the issuance of Warrant of Seizure and Detention for failure to present National Tobacco Administration (NTA) Import Permit and applicable customs laws, rules and regulations.

WHEREAS, after a 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 against the Ten (10) reams of Cigarettes for violation of Section 117 in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), and Republic Act 9211 otherwise known as the Tobacco Regulation Act of 2003, as implemented by NTA Memorandum Circular No. 002, series of 2020, and other applicable NTA laws, rules and regulations.

WHEREFORE, by virtue of the authority vested by law in this Office, and in compliance with applicable customs laws, rules and regulations, you, together with the representatives of the concerned offices, are hereby ordered to seize the ten (10) reams Cigarettes brought in by **INPYO JEON**, for violation of Section 117 in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), and Republic Act 9211 otherwise known as the Tobacco Regulation Act of 2003, as implemented by NTA Memorandum Circular No. 002, series of 2020, and other applicable NTA laws, rules and regulations, to be turned over to the Auction and Cargo Disposal Division (ACDD), this Port, for inventory, classification and valuation of goods pursuant to Section 1120 of the CMTA, custody and safekeeping pursuant to CAO No. 10-2020 pending the resolution of the seizure case by the Law Division, and/or until ordered by the District Collector, this Port.

Strict compliance with Customs Administrative Order (CAO) 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 within the period indicated therein, is likewise directed. Failure to do so shall render this Warrant of Seizure and Detention *ipso facto* considered null and void and shall subject the defaulting officer to the appropriate administrative charges and penalties in accordance with existing laws, rules and regulations.

SO ORDERED.

BOC-NAIA, Pasay City, Metro Manila, NOV 1 2023 November 2023.

ATTY. MARIA YASMIN M. OBILLOS MATA
District Collector, BOC-NAIA

Law/wady/eylV





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14 November 2023

MR. INPYO JEON

Okada Hotel
Pasay City

Subject : Seizure Identification No. 122-2023 (NAIA)

Republic of the Philippines vs Ten (10) reams Cigarettes held in custody at the In Bond Room, Baggage Assistance Division, under Held Baggage Receipt No. 00100000999 which was intercepted from incoming passenger **INPYO JEON** upon his arrival on 24 November 2022 at the Ninoy Aquino International Airport Passenger Terminal 1

Dear **Mr. Inpyo Jeon**

This refers to the shipment which is covered by Seizure Identification No. 122-2023 (NAIA) issued on November 10, 2023 by the District Collector, this Port. A copy of the Warrant of Seizure and Detention is attached for reference.

As part of the on-going seizure and forfeiture proceedings for the aforementioned shipment, you are hereby directed to submit a 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. Possibility 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 
ATTY. EMILIO Y. LEGASPI IV
Officer-on-Case





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SEIZURE IDENTIFICATION
NO. 123-2023 (NAIA)

-versus-

Seven (7) pieces of Airsoft Magazines brought in by MR. **JOSEPH MANOLO DEL ROSARIO REBANO** upon his arrival on 26 June 2023, and covered by Held Baggage Receipt (HBR) No. 00100003576.

X-----X

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 26 June 2023, Joseph Manolo del Rosario Rebano, a Filipino and holder of Passport No. P4606039B, arrived at the Ninoy Aquino International Airport Passenger Terminal 3 on board Flight GK95 from Nagoya, Japan.

WHEREAS, Passenger Rebano's check-in baggage underwent a non-intrusive X-ray examination and was marked with "X" by XIP Operator Christopher Asuncion after finding a suspicious object inside. Thereafter, the said baggage was referred for physical examination to Customs Examiner Jenel C. Danolino.

WHEREAS, before conducting the said physical examination, Customs Examiner Danolino asked passenger Rebano to submit his duly accomplished Customs Baggage Declaration Form (CBDF). Customs Examiner Danolino found that Passenger Rufino checked "NO" to all the items on page 3 except for Item No. 6, referring to "Firearms, ammunitions and explosives x x x". He was likewise asked if he has anything to declare to which he readily replied in the affirmative.

WHEREAS, Customs Examiner Janolino then conducted an actual examination of passenger Rebano's baggage and the same yielded seven (7) pieces airsoft magazines with an estimated value of Japanese Yen Twenty Two Thousand Four Hundred Thirty two (JPY22,432.00) which is equivalent to Eight Thousand Seven Hundred Seventeen Pesos and Thirty Centavos (Php8,717.30). However, Passenger Rebano could not present any Import Permit or Clearance for the said Airsoft Magazines as required under the rules.

WHEREAS, Customs Examiner Janolino issued Held Baggage Receipt No. 00100003576 to passenger Rebano and thereafter turned over the airsoft magazines to the In Bond Section, Baggage Assistance Division, for safekeeping.

WHEREAS, in a Memorandum dated 27 June 2023, Customs Examiner Jenel C. Janolino and Flight Supervisor Ramon Rodriguez, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, and Mr. Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, reported the incident to the District Collector, this Port. In a



Memorandum dated 18 July 2023, Mr. Roberto A. Quintana, Chief, Baggage Assistance Division, thru Mr. Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, recommended to the District Collector, this Port, for the issuance of Warrant of Seizure and Detention against the subject Airsoft Magazines for violation of Section 119 (a) and Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), in relation to Republic Act 10591 or the Comprehensive Firearms and Ammunitions Act.

WHEREAS, after a careful evaluation of the documents submitted and applicable customs laws, rules and regulations, the NAIA District Collector found probable cause for the issuance of Warrant of Seizure and Detention against the subject Airsoft Gun for violation of Republic Act 10591, otherwise known as the Comprehensive Firearms and Ammunitions Regulation Act, and Section 1113 (f) in relation to Section 119 (a) of the Customs Modernization and Tariff Act (CMTA).

WHEREFORE, by virtue of the authority vested by law in this Office, and in compliance with applicable customs laws, rules and regulations, you, together with the representatives of the concerned offices, are hereby ordered to seize the seven (7) airsoft magazines found in the baggage of Passenger **JOSEPH MANOLO DEL ROSARIO REBANO** for violation of Republic Act 10591, otherwise known as the Comprehensive Firearms and Ammunition Regulation Act, and Section 119 (a) in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), to be turned over to the Auction and Cargo Disposal Division (ACDD), this Port, for inventory, classification and valuation of goods pursuant to Section 1120 of the CMTA, custody and safekeeping pursuant to CAO No. 10-2020 pending the resolution of the seizure case by the Law Division, and/or until ordered by the District Collector, this Port.

Strict compliance with Customs Administrative Order (CAO) 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 within the period indicated therein, is likewise directed. Failure to do so shall render this Warrant of Seizure and Detention *ipso facto* considered null and void and shall subject the defaulting officer to the appropriate administrative charges and penalties in accordance with existing laws, rules and regulations.

SO ORDERED.

BOC-NAIA, Pasay City, Metro Manila, NOV 10 2023 November 2023.


ATTY. MARIA YASMIN M. OBILLOS-MAPA
District Collector, BOC-NAIA

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14 November 2023

MR. JOSEPH MANOLO DEL ROSARIO REBANO
1997S Chestnut St.
Parañaque City

Subject : Seizure Identification No. 123-2023 (NAIA)
Republic of the Philippines vs Seven (7) pieces of Airsoft
Magazines brought in by **MR. JOSEPH MANOLO DEL**
ROSARIO REBANO upon hi arrival on 26 June 2023, and
covered by Held Baggage Receipt (HBR) No. 00100003576

Dear **Mr. Rebano**

This refers to the shipment which is covered by Seizure Identification No. 123-2023 (NAIA) issued on November 10, 2023 by the District Collector, this Port. A copy of the Warrant of Seizure and Detention is attached for reference.

As part of the on-going seizure and forfeiture proceedings for the aforementioned shipment, you are hereby directed to submit a 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. Possibility 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 
ATTY. EMILIO Y. LEGASPI IV
Officer-on-Case

