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REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
**BUREAU OF CUSTOMS**

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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 :** **22 NOVEMBER 2023**

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

1. **SEIZURE IDENTIFICATION NO. 127-2023 (NAIA):** Shipment of 197 Kilograms of Expansion bolt under AWB No. 231158 consigned to **SHERYL CAPUA**;
2. **SEIZURE IDENTIFICATION NO. 128-2023 (NAIA):** Shipment of 196 Kilograms of Beauty and Health products under AWB No. 82816378364 which arrived on Flight RH351 consigned to **PEARL SEVEN INC.**;
3. **SEIZURE IDENTIFICATION NO. 133-2023 (NAIA):** Shipment of Twenty-nine (29) boxes of Medicines and Medical Equipment brought in by incoming passenger **CHANGSOO KANG**;
4. **SEIZURE IDENTIFICATION NO. 135-2023 (NAIA):** Shipment of Two Hundred Sixty-Eight Thousand Ninety Pesos (Php268,090.00) in Php1,000 denomination and loose notes, brought in by incoming passenger **JONGKWON PARK**; and
5. **SEIZURE IDENTIFICATION NO. 136-2023 (NAIA):** Shipment of Forty (40) reams of Cigarettes brought in by incoming passenger **NGUYEN VAN MANH**.

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:

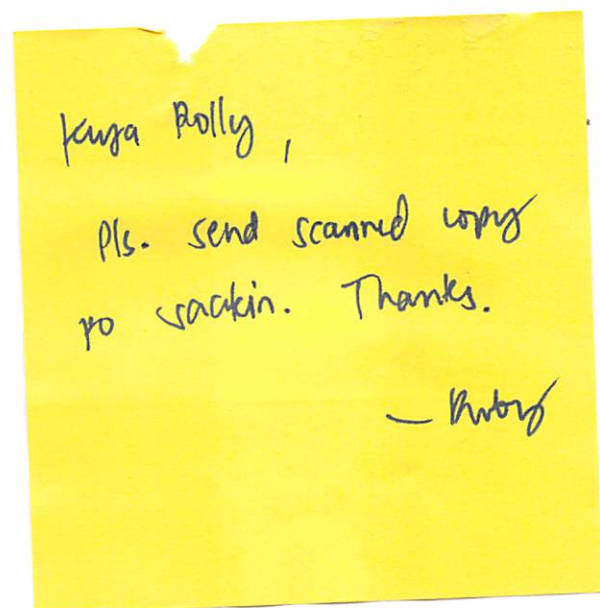


**6.5.2.** To the owner of the goods or his authorized representative.

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. 127-2023 (NAIA), 128-2023 (NAIA), 133-2023 (NAIA), 135-2023 (NAIA) and 136-2023 (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](mailto:Piad@customs.gov.ph) and [Jessil.garlando@customs.gov.ph](mailto:Jessil.garlando@customs.gov.ph).



Kuya Bolly,  
Pls. send scanned copy  
to crackin. Thanks.  
— Ruly



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 127-2023 (NAIA)

-versus-

197 Kilograms of Expansion bolt  
under AWB No. 231158 which  
arrived under Flight 5J745  
consigned to **SHERYL CAPUA**

X-----X

**WARRANT OF SEIZURE AND DETENTION**

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

WHEREAS, on 12 November 2023, the subject shipment covered by Airway Bill No. 231158 consigned to **SHERYL CAPUA** arrived from Vietnam via Flight 5J745 and was inbounded at Paircargo Warehouse, CBW No. 83;

WHEREAS, on 14 November 2023, during the routine checks conducted by the team from PAIRCARGO Assessment Composite Division in coordination with the Billing Office of PairCargo Warehouse (Pair Pags Center), it was discovered that the subject cargo did not undergo the regular customs clearance process and the signatures of Gary S. Burgos, Customs Examiner; Richard B. Baloloy, Customs Appraiser; Jackielyn Manapat, XIP Inspection; Ferdinand M. Mendoza, Collecting Officer; and Jaquelyn Santiago, Customs Assessor which were affixed in Gate Pass No. 00353042580 and BOC Official Receipt No. 0193031671, respectively, were all falsified.

WHEREAS, the attached Bureau of Customs Receipt (BCOR) No. 0193031671 which reflects the payment amounting to Php31,520.00 and the Gate Pass No. 00353042580 were likewise found to be spurious during the internal investigation.

WHEREAS, in a Memorandum for the District Collector dated 15 November 2023, Dr. Siegfred L. Manaois, SDC, PAIRCARGO Assessment Composite Division thru Atty. Halleck A. Valdez, Deputy Collector for Assessment, recommended for the issuance of Warrant of Seizure and Detention (WSD) in violation of Section 1403 of Customs Modernization and Tariff Act.

WHEREAS, Section 1113 (l) in relation to Section 1403 of the Customs Modernization and Tariff Act provides that:

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

XXX



(l) Goods sought to be imported or exported:

1. **Without going through a customs office, whether the act was consummated, frustrated, or attempted;**
2. Found in the baggage of a person arriving from abroad and undeclared by such person;
3. **Through a false declaration or affidavit executed by the owner, importer, exporter, or consignee concerning the importation of such goods;**
4. **On the strength of a false invoice or other document executed by the owner, importer, exporter, or consignee concerning the importation or exportation of such goods;**  
or
5. **Through any other practice or device contrary to law by means of which such goods entered through a customs office to the prejudice of the government.**

**SEC. 1403. *Other Fraudulent Practices Against Customs Revenue.* Any person who makes or attempts to make any entry of imported or exported goods by means of any false or fraudulent statement, document or practice or knowingly and willfully files any false or fraudulent claim for payment of drawback or refund of duties shall, for each act, be punished in accordance with the penalties prescribed in Section 1401 of this Act.**

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 a Warrant of Seizure and Detention against 197 Kilograms of Expansion bolt under AWB No. 231158 consigned to **SHERYL CAPUA** for violation of Section 1113 (l) in relation to Section 1403 of the Customs Modernization and Tariff Act.

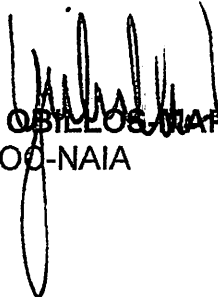
**WHEREFORE**, by virtue of authority vested in me by law, and in compliance with the applicable customs and allied laws, rules and regulations, you, together with the representatives of the concerned offices, are hereby ordered to seize the subject 197 kilograms of Expansion bolt which arrived under Flight 5J745 consigned to **SHERYL CAPUA** covered by Airway Bill No. 231158 for violation of Section 1113 (l) in relation to Section 1403 of the Customs Modernization and Tariff Act, and to turn over the same 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 resolution of the instant seizure and forfeiture case, or until ordered by the District Collector, this Port.



Strict compliance with Customs Memorandum Order 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, *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, 20 November 2023.

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

*Law/wady*





REPUBLIC OF THE PHILIPPINES  
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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 128-2023 (NAIA)

-versus-

196 Kilograms of Beauty and Health products under AWB No. 82816378364 which arrived on Flight RH351 consigned **PEARL SEVEN INC.**

X-----X

**WARRANT OF SEIZURE AND DETENTION**

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

WHEREAS, on 14 November 2023, the subject shipment covered by Airway Bill No. 82816378364 consigned to **PEARL SEVEN INC.** arrived from Singapore via Flight RH351 and was inbounded at Paircargo Warehouse, CBW No. 883.

WHEREAS, on 14 November 2023, during the routine checks conducted by the team from PAIRCARGO Assessment Composite Division in coordination with the Billing Office of PairCargo Warehouse (Pair Pags Center), it was discovered that the subject cargo did not undergo the regular customs clearance process and the signature of Ferdinand M. Mendoza, Collecting Officer in BOC Official Receipt was falsified.

WHEREAS, on even date, it was likewise confirmed that the subject cargo is regulated and lacks the necessary import permit/clearance from the Food and Drug Administration as a requirement for the release of the subject shipment pursuant to Section 117 (Regulated Importation and Exportation) of the Customs Modernization and Tariff Act (CMTA).

WHEREAS, the attached Bureau of Customs Receipt (BCOR) No. 01930311790 which reflects the payment amounting to Php32,275.00 were likewise found to be spurious.

WHEREAS, immediately thereafter, said discoveries were coordinated with the warehouseman to hold the release of the subject cargo and the concerned parties whose signatures were forged were instantly notified. An Investigation was then commenced to ascertain the full extent of the said irregularities.

WHEREAS, in a Memorandum for the District Collector dated 15 November 2023, Dr. Siegfred L. Manaois, SDC, PAIRCARGO Assessment Composite Division thru Atty. Halleck A. Valdez, Deputy Collector for Assessment, recommended for the issuance of Warrant of Seizure and Detention (WSD) in violation of Section 1403 of Customs Modernization and Tariff Act.



xxx

(l) Goods sought to be imported or exported:

1. **Without going through a customs office, whether the act was consummated, frustrated, or attempted;**
2. Found in the baggage of a person arriving from abroad and undeclared by such person;
3. **Through a false declaration or affidavit executed by the owner, importer, exporter, or consignee concerning the importation of such goods;**
4. **On the strength of a false invoice or other document executed by the owner, importer, exporter, or consignee concerning the importation or exportation of such goods;**  
or
5. **Through any other practice or device contrary to law by means of which such goods entered through a customs office to the prejudice of the government.**

**SEC. 1403. Other Fraudulent Practices Against Customs Revenue.** Any person who makes or attempts to make any entry of imported or exported goods by means of any false or fraudulent statement, document or practice or knowingly and willfully files any false or fraudulent claim for payment of drawback or refund of duties shall, for each act, be punished in accordance with the penalties prescribed in Section 1401 of this Act.

Moreover, Article 1, Section 1 (a) (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 (FDA) Act of 2009 states:

“Section 1. General Provisions.

- a. 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. (Emphasis ours)

xxx

xxx

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 a Warrant of Seizure and Detention against the said 196 Kilograms of Beauty and Health products covered by AWB No. 82816378364 and consigned to **PEARL SEVEN INC.** for violation of Section 1113 (l) in relation to Section 1403 of the Customs Modernization and Tariff Act and Article 1, Section 1 (a) (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 (FDA) Act of 2009.

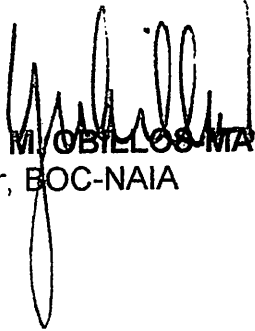


**WHEREFORE**, by virtue of authority vested in me by law, and in compliance with the applicable customs and allied laws, rules and regulations, you, together with the representatives of the concerned offices, are hereby ordered to seize 196 Kilograms of Beauty and Health products which arrived on Flight RH351 and consigned to **PEARL SEVEN INC.** covered by Airway Bill No. 82816378364 for violation of Section 1113 (I) in relation to Section 1403 of the Customs Modernization and Tariff Act and Article 1, Section 1 (a) (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 (FDA) Act of 2009, and to turn over the same to the Auction and Cargo Disposal Division (ACDD), this Port, for inventory, classification and valuation of goods pursuant to Section 1120 of the CMTA, and for custody and safekeeping pursuant to CAO No. 10-2020 pending resolution of the instant seizure and forfeiture case, or until ordered by the District Collector, this Port.

Strict compliance with Customs Memorandum Order 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, *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, 20 November 2023.

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

Law/wady/eylIV







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SEIZURE IDENTIFICATION  
NO. 133-2023 (NAIA)

-versus-

Twenty-nine (29) boxes of Medicines and Medical Equipment for medical mission brought in by **CHANGSOO KANG** on 25 August 2023 and held for safekeeping under Held Baggage Receipt (HBR) No. 00100004162.

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.

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

1. On 10 August 2023, Changsoo Kang, a Korean male traveler and holder of Passport No. M038U9020 arrived at the Ninoy Aquino International Airport Passenger Terminal 1 on board Korean Airline's Flight KE623 from South Korea.
2. Passenger Kang's check-in baggage underwent a non-intrusive x-ray screening and was marked with "X" after it was detected to contain suspicious image. Thereafter, he was referred to Ms. Jovelyn L. Alberto, Customs Examiner, Arrival Operations Division, for verification and actual physical examination of her check-in baggage.
3. Before conducting an actual examination of her baggage, Customs Examiner Alberto asked passenger Kang to submit his accomplished Customs Baggage Declaration Form (CBDF). Going over the said CBDF, Customs Examiner Alberto found out that Mr. Kang checked "No" of all the items on page 3 thereof. When Customs Examiner Alberto asked passenger Kang what do these boxes contain, the latter told her that the twenty-nine (29) boxes contained medicines and medical equipment for their intended medical mission in Sta. Maria, Bulacan, which details were clearly printed on the boxes.
4. Thereafter, Customs Examiner Alberto conducted an actual examination of the twenty-nine boxes which yielded assorted medicines, particularly antibiotics and various medical equipment. When asked if he has an Import Permit or Clearance from the Food and Drug Administration (FDA) for these medicines and medical equipment, passenger kang could not present any. Henceforth, Customs Examiner Alberto issued Held Baggage Receipt (HBR) No.00100004162 to passenger Kang and the boxes were turned over to the In Bond Section for custody and safekeeping.



5. In a Memorandum dated 19 August 2023, Customs Examiner Jovelyn L. Alberto and Flight Supervisor Belinda C. Copioso, 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 subject medicines and medical equipment are held for safekeeping in the In Bond Section pending the submission of the required FDA Permit and payment of the duties and taxes. However, Mr. Kang nor his duly authorized representative failed to submit the required documents to the Arrival Operations for the release of the subject baggage.

## DISCUSSION:

As culled from the records of the instant case, passenger **CHANGSOO KANG** brought into the country Twenty-nine (29) boxes of Medicines and Medical Equipment for medical mission without any 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)

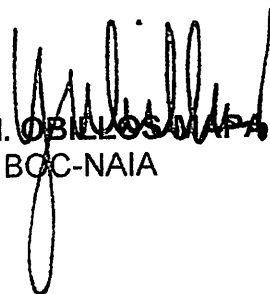
**WHEREFORE**, premised considered, the subject Twenty-nine (29) boxes of Medicines and Medical Equipment for medical mission brought in by **CHANGSOO KANG** is hereby declared *ipso facto* **FORFEITED**, for violation of Section 118 (g) and Section 1113 (f) of the Customs Modernization and Tariff Act (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, 21 November 2023.

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



Law/wady/moz





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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 135-2023 (NAIA)

-versus-

Two Hundred Sixty-Eight Thousand Ninety Pesos (Php268,090.00) in Php1,000 denomination and loose notes, brought in by incoming passenger **JONGKWON PARK** on 05 October 2023.

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 05 October 2023, Jongkwon Park, a male Korean traveler and holder of Passport No. M271C2178, arrived at the Ninoy Aquino International Airport Terminal 1 on board Philippine Airlines Flight PR0467 from Incheon, Korea.

WHEREAS, Passenger Jongkwon Park underwent the routine non-intrusive examination by XIP Operator Sannilyn Fernandez, and thereafter he was referred to Customs Examiner Pia DG Reyes for physical inspection of his handcarried luggage.

WHEREAS, Customs Examiner Reyes asked passenger Jongkwon if he accomplished a Customs Baggage Declaration Form (CBDF), and he replied in the negative. Customs Examiner Reyes handed a blank CBDF and requested the passenger to fill it out. Customs Examiner Reyes noted that the Passenger ticked "No" to all the items except Item No. 1 which refers to Philippine Currency in excess of Php50,000.00. She later confirmed if he was carrying Philippine Currency in excess of Php50,000.00 to which he replied in the affirmative. The passenger was then required to submit a Currency Declaration Form (CDF).

WHEREAS, before conducting the actual examination, Customs Examiner Reyes once again asked the passenger how much Philippine peso he was carrying and passenger Jongkwon replied Php322,090.00, which is the same amount he declared in the Currency Declaration Form. Thereafter, she informed passenger Jongkwon that a traveler is allowed to carry only the amount of Php50,000.00, and any excess thereof requires prior authorization from the Bangko Sentral ng Pilipinas (BSP).

WHEREAS, in the presence of the representatives of the ESS, CIIS and Flight Supervisor Belinda C. Copioso, Customs Examiner Reyes conducted an actual examination of passenger Jongkwon's handcarried bag which yielded three (3) bundles of Philippine Currency in Php1,000 denomination and some loose bills, in the total amount of Three Hundred Eighteen Thousand and Ninety Pesos (Php318,090.00). Thereafter, the amount of Php50,000.00 was returned to passenger Jongkwon and Held Baggage Receipt No. 00100004410 was issued for the remaining amount of Php268,090.00 and thereafter was turned over to the In Bond Section, Baggage Assistance Division, for safekeeping.

WHEREAS, in a Memorandum dated 05 October 2023, Customs Examiner Pia DG Reyes and Flight Supervisor Belinda C. Copioso, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, Mark Jhon O. Almase, Ph.D., Assistant Deputy Collector for Passenger Service, and Norsalem Raymond M. Mama-o, Acting Deputy Collector for Passenger Service, reported to the District Collector, this Port, the said incident and recommended for the issuance of Warrant of Seizure and Detention against the amount of Php268,090.00 for violation of Section 117 in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), and Bangko Sentral ng Pilipinas (BSP) Circular No. 1146, series of 2022, entitled "Amendments to the Rules on Cross-Border Transfer of Local and Foreign Currencies".

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 Two Hundred Sixty-Eight Thousand and Ninety Pesos (Php268,090.00) for violation of Bangko Sentral ng Pilipinas (BSP) Circular No. 1146, series of 2022, in relation to Section 117 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 subject Philippine Notes in Php1,000 denomination and some loose bills in the total amount of Two Hundred Sixty Eight Thousand and Ninety Pesos (Php268,090.00) intercepted from incoming passenger **JONGKWON PARK** for violation of Section 117 of the Customs Modernization and Tariff Act, Section 4 of the Manual of Regulations on Foreign Exchange Transactions (as amended by BSP Circular Nos. 794 dated 18 April 2013, 874 dated 08 April 2015; 922 dated 23 August 2016 and 1146 dated 26 May 2022), and Republic Act No. 7653 dated 14 June 1993 (The New Central Bank Act); and to turn over the same to the Collection Division for custody and safekeeping, 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, 21 November 2023.

ATTY. MARIA YASMIN M. ~~OBILLOS~~ **SAMAPA**  
District Collector, BOC-NAIA

Law/wady/moz





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22 November 2023

**JONGKWON PARK**  
Tagaytay City

**Subject : Seizure Identification No. 135-2023 (NAIA)**

Republic of the Philippines vs Two Hundred Sixty-Eight Thousand Ninety Pesos (Php268,090.00) in Php1,000 denomination and loose notes, brought in by incoming passenger **JONGKWON PARK** on 05 October 2023


This refers to the shipment which is covered by Seizure Identification No. 135-2023 (NAIA) issued on November 21, 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](mailto:lawdivision.naia@gmail.com/naia-boc.cares@customs.gov.ph).

Very truly yours,

  
**ATTY. MANUEL O. ZURBITO JR.**  
Officer-on-Case





REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
**BUREAU OF CUSTOMS**

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Forty (40) reams of Cigarettes held in custody at the In Bond Room, Baggage Assistance Division, under Held Baggage Receipt No. 00100002182, which were brought by passenger **NGUYEN VAN MANH** on 03 February 2023.

SEIZURE IDENTIFICATION  
NO. 136-2023 (NAIA)

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

**WHEREAS**, on 03 February 2023, Nguyen Van Manh, a Vietnamese National, arrived at the Ninoy Aquino International Airport Terminal 2 on board Philippine Airlines Flight PR 598 from Ho Chi Minh, Vietnam.

**WHEREAS**, after passing through the non-intrusive x-ray screening of his check-in baggage, passenger Manh was referred to Ariane Krisette M. Andaya, Customs Examiner, Arrival Operations Division, for physical examination of his luggage.

**WHEREAS**, before conducting the physical examination, Customs Examiner Andaya requested passenger Manh to submit his accomplished Customs Baggage Declaration Form (CBDF). Customs Examiner Andaya found that Passenger Manh checked "No" to all the items except No. 7, and when asked if he had anything to declare, he replied in the affirmative.

**WHEREAS**, Customs Examiner Andaya conducted an actual examination of the passenger's luggage which yielded forty (40) reams of "Vet Filter Kings" Cigarettes with an estimated value of Four Hundred Seventy-Seven US Dollars (US\$477.00).

**WHEREAS**, Passenger Manh failed to present the required Import Permit from the National Tobacco Administration (NTA), which is required under existing NTA rules and regulations in relation to Section 117 of the Customs Modernization and Tariff Act (CMTA). Thereafter, Customs Examiner Andaya issued Held Baggage Receipt No. 00100002182 to passenger Manh and the cigarettes were placed inside the In-Bond Room for safekeeping.

**WHEREAS**, in a Memorandum dated 01 July 2023, Customs Examiner Ariane Krisette M. Andaya and Flight Supervisor Manuel J. Mendoza, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, and 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 against the subject Cigarettes for failure of Passenger Manh to present an Import Permit from the National Tobacco Administration.

**WHEREAS**, in a Memorandum dated 16 October 2023, Mr. Roberto A. Quintana, Chief, Baggage Assistance Division, and Mr. Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, recommended that the subject Cigarettes be seized for violation of Section 117 in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA).

**WHEREAS**, after careful evaluation of the documents submitted and applicable customs laws, rules and regulations, the NAIA District Collector finds probable cause for the seizure and forfeiture of the forty (40) 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 the applicable customs laws, rules and regulations, you, together with the representatives of the concerned offices, are hereby ordered to seize the forty (40) reams of Cigarettes brought in by passenger **NGUYEN VAN MANH**, 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, 21 November 2023.

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

Law/wady/moz







REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
**BUREAU OF CUSTOMS**

*A modernized and credible customs administration that upholds good governance and is among the world's best*

22 November 2023

**NGUYEN VAN MANH**  
Twin Pioneer, Pasay City

**Subject : Seizure Identification No. 136-2023 (NAIA)**  
Republic of the Philippines vs Forty (40) reams of Cigarettes held in custody at the In Bond Room, Baggage Assistance Division, under Held Baggage Receipt No. 00100002182, which were brought by passenger **NGUYEN VAN MANH** on 03 February 2023

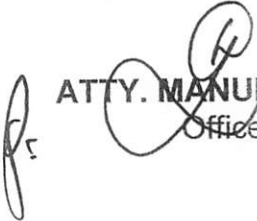
This refers to the shipment which is covered by Seizure Identification No. 136-2023 (NAIA) issued on November 21, 2023 by the District Collector, this Port. A copy of the Warrant of Seizure and Detention is attached for reference.

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](mailto:lawdivision.naia@gmail.com/naia-boc.cares@customs.gov.ph).

Very truly yours,

  
**ATTY. MANUEL O. ZURBITO JR.**  
Officer-on-Case

