



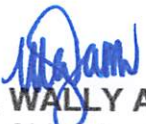
REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
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**MEMORANDUM**

**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 :** **23 APRIL 2024**

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

- 1. SEIZURE IDENTIFICATION NO. 037-2024 (NAIA):** Republic of the Philippines vs. The (10) Boxes of Six (6) Sachets and Twenty-Four (24) Loose Packs of Twenty-Six (26) Sachets of Organic Young Barley Grass with an Estimated Value of Three Hundred US Dollars (USD300.00) brought in by passenger **YOSHIDE BANGKAS APO** who arrived on 21 December 2023, which are held in bond under Held Baggage Receipt No. 00100005725;
- 2. SEIZURE IDENTIFICATION NO. 038-2024 (NAIA):** Republic of the Philippines vs. Fifty Thousand Pesos (Php50,000.00) Philippine Currency intercepted from incoming passenger **MARTIN DANIEL SIEGRIST** and held in custody at the In Bond Section, Baggage Assistance Division under Held Baggage Receipt No. 00100006423;
- 3. SEIZURE IDENTIFICATION NO. 039-2024 (NAIA):** Republic of the Philippines vs Japanese Yen and Thai Baht currencies equivalent to USD1,514.12 in excess of the allowed threshold found in the possession of passenger **SHISHIKURA SATOSHI**, who arrived on 18 March 2024 at NAIA Terminal 1 and flight Z2 191 from Narita, Japan;
- 4. SEIZURE IDENTIFICATION NO. 040-2024 (NAIA):** Republic of the Philippines vs One Hundred Thousand Pesos (Php100,000.00) Philippine Currency, seized from incoming passenger **MYOUNG KU PARK**, Korean national and holder of Passport No. M87427277; and
- 5. SEIZURE IDENTIFICATION NO. 041-2024 (NAIA):** Republic of the Philippines vs One Hundred Two Thousand Pesos (Php102,000.00) Philippine Currency, seized from incoming passenger **JUNTAE KIM**, Korean national and holder of Passport No. M06667320.



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 and WSD on Seizure Identification Nos. 037-2024 (NAIA), 038-2024 (NAIA), 039-2024 (NAIA), 040-2024 (NAIA) and 041-2024 (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).





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REPUBLIC OF THE PHILIPPINES

-versus-

SEIZURE IDENTIFICATION  
NO. 037-2024 (NAIA)

Ten (10) Boxes of Six (6) Sachets and Twenty-Four (24) Loose Packs of Twenty-Six (26) Sachets of Organic Young Barley Grass with an Estimated Value of Three Hundred US Dollars (USD 300.00) brought in by passenger **YOSHIDE BANGKAS APO** who arrived on 21 December 2023, which are held in bond under Held Baggage Receipt No 00100005725.

X-----X

## DECISION

This resolves the seizure and forfeiture proceedings instituted against the above-described shipment for violation of Section 118 (g) and Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), in relation to Article I (Licensing of Establishments and Registration of Health Products), Book II of the Department of Health Department Circular No. 2011-0101 (The Rules and Regulations Implementing Republic Act No. 9711 - The Food and Drug Administration Act of 2009).

A cursory review of the entire records of the instant seizure and forfeiture case reveals the following antecedents, to wit:

1. On 21 December 2023 at Terminal 3, the checked-in baggage of a male Filipino passenger named Yoshide Bangkas Apo with passport number P9732143B on board GK 95 from Japan was marked "X" by X-ray Inspection Project (XIP) Inspector Jason Billante and was referred to Customs Examiner Jessica F. Castor for physical examination.
2. Before conducting the physical examination, Customs Examiner Castor asked the passenger to submit her duly filled out Customs Baggage Declaration Form (CBDF). It was noted that said passenger ticked "no" to all items pertaining to page 3 except item no. 12 of said form. Said passenger was then asked if he had anything to declare to which he replied in the affirmative. Customs Examiner Castor then proceeded with the examination.
3. The physical examination yielded to the discovery of ten (10) boxes of six (6) sachets and twenty-four (24) loose packs of twenty-six (26) sachets of Organic Young Barley Grass with an estimated value of Three Hundred US Dollars (USD 300.00).
4. The discovered items were then held for the presentation of FDA Permit/Clearance. Held Baggage Receipt was issued to the passenger with HBR No. 00100005725 and the items were turned over to Jonathan Mesa of the In-Bond Unit, Baggage Assistance Division for safekeeping.
5. In a Memorandum dated 04 January 2024, Customs Examiner Jessica F. Castor and Acting Flight Supervisor Michelle Ann M. Untalan, thru. 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 recommended the presentation of the corresponding import permit from the Food and Drug Administration (FDA) and payment of the duties and taxes, if any, prior clearance, and release.

6. In a Memorandum dated 25 March 2024, the Baggage Assistance Division, thru the Acting Deputy Collector for Passenger Service, recommended for the issuance of Warrant of Seizure and Detention against the ten (10) boxes of six (6) sachets and twenty-four (24) loose packs of twenty-six (26) sachets of Organic Young Barley Grass with an estimated value of Three Hundred US Dollars (USD 300.00) for lack of FDA Import Clearance in violation of Republic Act No. 9711 otherwise known as the Food and Drug Administration (FDA) Act of 2009.

#### DISCUSSION:

As culled from the records of the instant case, passenger Yoshide Bangkas Apo brought into the country the subject ten (10) boxes of six (6) sachets and twenty-four (24) loose packs of twenty-six (26) sachets of Organic Young Barley Grass 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), is 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, Ten (10) Boxes of Six (6) Sachets and Twenty-Four (24) Loose Packs of Twenty-Six (26) Sachets of Organic Young Barley Grass brought in by **YOSHIDE BANGKAS APO** are 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 to the regulatory agency 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, APR 22 2024 April 2024.

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

Law/wady/moz





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23 April 2024

**MR. MARTIN DANIEL SIEGRIST**  
Dusit Thani Makati

**Subject : Seizure Identification No. 038-2024 (NAIA)**  
Republic of the Philippines vs. Fifty Thousand Pesos  
(Php50,000.00) Philippine Currency intercepted from incoming  
passenger **MARTIN DANIEL SIEGRIST** and held in custody at the  
In Bond Section, Baggage Assistance Division under Held  
Baggage Receipt No. 00100006423

This refers to the shipment which is covered by Seizure Identification No. 038-2024 (NAIA) issued on April 22, 2024 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.

Kindly 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. EMILIO Y. LEGASPI IV**  
Officer-on-Case



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REPUBLIC OF THE PHILIPPINES

-versus-

SEIZURE IDENTIFICATION  
NO. 038-2024 (NAIA)

Fifty Thousand Pesos  
(Php50,000.00) Philippine Currency  
intercepted from incoming passenger  
**MARTIN DANIEL SIEGRIST** and  
held in custody at the In Bond  
Section, Baggage Assistance  
Division under Held Baggage Receipt  
No. 00100006423.

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 06 March 2024, passenger Martin Daniel Siegrist, a Swiss national and holder of Passport No. X8186775 arrived at the NAIA Terminal 1 on board Philippine Airlines Flight PR 502 from Switzerland.

WHEREAS, passenger Siegrist approached the Customs Examiner on duty with the intention to declare the currency in his possession at that time. Before conducting the physical examination, Customs Examiner Jovelyn A. Ritual asked passenger Siegrist to submit his duly filled-out Customs Baggage Declaration Form (CBDF). It was noted that passenger Siegrist answered "NO" to all the items on page 3 of the CBDF except for Item 1 which pertains to Philippine Currency in excess of Php50,000.00, and upon verbal verification, the passenger confirmed to bringing in Philippine Currency in excess of the limit.

WHEREAS, Customs Examiner Ritual conducted an actual examination of passenger Siegrist's hand carried luggage which yielded various currencies. Passenger Siegrist verbally declared that he has in his possession the following currencies: One Hundred Thousand Philippine Pesos (Php100,000.00), Six Hundred Sixty-Five Singapore Dollars (SGD665.00), and One Hundred Four Thousand Japanese Yen JPY104,000.00.

WHEREAS, Customs Examiner Ritual explained to the passenger that the limit allowed to be brought in is Php50,000.00 and any excess thereof will require prior authorization from the Bangko Sentral ng Pilipinas (BSP). In the presence of the representatives of the ESS, CIIS, XIP and Flight Supervisor Roger P. Agias, Customs Examiner Ritual conducted an actual physical examination of the various currencies which yielded Php100,000.00, SGD665.00, JPY104,000. Thereafter, she returned the Php50,000.00 which is allowed under BSP regulations to passenger Siegrist, and she issued Held Baggage Receipt No. 00100006423 for the remaining amount of Php50,000.00 and turned over the same to the In Bond Section for safekeeping.

WHEREAS, in a Memorandum dated 11 March 2024, Customs Examiner Jovelyn A. Ritual, Acting Flight Supervisor Roger P. Agias, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, Mr. Mark Jhon O. Almase, Assistant Deputy Collector for Passenger Service, and Mr. Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, reported their findings to the District Collector, this Port, and recommended for the issuance of Warrant of Seizure and Detention against the Php50,000.00 for violation of



Section 117 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, Section 4 of the Manual of Regulations on Foreign Exchange Transactions (updated as of May 2023), states:

**Section 4. Cross-Border Transfer of Local and Foreign Currencies.**

"1. Local Currency. A person may import or export, or bring into or take out of the Philippines, or electronically transfer, legal tender Philippine notes and coins, checks, money order and other bills of exchange drawn in pesos against banks operating in the Philippines in an amount not exceeding PHP50,000.00 without prior authorization by the BSP.

Amounts in excess of aforementioned limit shall require: (a) prior written authorization from the BSP; and (b) in case of Physical cross-border transfer of Philippine currency, declaration of the whole amount brought into or taken out of the Philippines using prescribed Currency Declaration Form (Annex K)."

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 Fifty Thousand Pesos (Php50,000.00) Philippine Currency, for violation of Section 117 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".

**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 in the total amount of Fifty Thousand Pesos (Php50,000.00) Philippine Currency from Swiss national passenger **MARTIN DANIEL SIEGRIST** 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.**

APR 22 2024  
BOC-NAIA, Pasay City, \_\_\_\_\_ April 2024.

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

Law/wady/eylIV







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23 April 2024

**MR. SHISHIKURA SATOSHI**  
Robinson Tower 2  
Malate, Manila

**Subject : Seizure Identification No. 039-2024 (NAIA)**  
Republic of the Philippines vs. Japanese Yen and Thai Baht currencies equivalent to USD1,514.12 in excess of the allowed threshold found in the possession of passenger **SHISHIKURA SATOSHI**, who arrived on 18 March 2024 at NAIA Terminal 1 and flight Z2 191 from Narita, Japan

This refers to the shipment which is covered by Seizure Identification No. 039-2024 (NAIA) issued on April 22, 2024 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.

Kindly 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. EMILIO Y. LEGASPI IV**  
Officer-on-Case



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SEIZURE IDENTIFICATION  
NO. 039-2024 (NAIA)

-versus-

Japanese Yen and Thai Baht currencies equivalent to USD1,514.12 in excess of the allowed threshold found in the possession of Passenger **SHISHIKURA SATOSHI**, who arrived on 18 March 2024 at NAIA Terminal 1 on flight Z2 191 from Narita, Japan

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 18 March 2024, Shishikura Satoshi, a Japanese national and holder of Passport No. TR7748525, arrived at NAIA Terminal 1 on board flight Z2 191 from Narita, Japan.

WHEREAS, passenger Satoshi's hand carried bag underwent a non-intrusive X-ray inspection by XIP Inspector Joshua Zurbito Jr., and was subsequently endorsed to ESS Special Agent I Joselito Custodio, who, in turn, referred the passenger to the Customs Examiner on duty for physical examination.

WHEREAS, before conducting the physical examination, Customs Examiner May Ann B. Panaligan asked passenger Satoshi if he accomplished a Customs Baggage Declaration Form (CBDF). Passenger Satoshi handed over his passport and accomplished CBDF. Customs Examiner Panaligan went over the same and found that Mr. Satoshi answered "No" to all the items on page 3 of the CBDF. Thereafter, Customs Examiner Panaligan conducted the actual physical examination of passenger Satoshi's hand carried bag.

WHEREAS, the actual examination yielded the following currencies: JPY1,400,000.00 or (USD9,441.60), Thai Baht in the amount of THB12,370.00 or USD346.063, and JPY256,000.00 or USD1,726.464, for the total amount of USD11,514.12. Customs Examiner Panaligan then informed Mr. Manuel J. Mendoza, Flight Supervisor, regarding her findings.

WHEREAS, in a Memorandum dated 21 March 2024, May Anne B. Panaligan, Customs Examiner, and Manuel J. Mendoza, Flight Supervisor, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, Mark Jhon O. Almase, Ph.D., Asst. Deputy Collector for Passenger Service, and Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, reported to the District Collector, this Port, of their findings and recommended that the excess foreign currencies out of the USD10,000.00 allowable or threshold amounting to USD1,514.12 which was found inside the handcarried bag of passenger Satoshi be seized for violation of Bangko Sentral ng Pilipinas (BSP) Circular No. 308, series of 2001, as amended by BSP Circular No. 507, series of 2006, in relation to Section 4.2 of the Manual of Regulations on Foreign Exchange Transactions" and Section 1113 (L-2) of the Customs Modernization and Tariff Act (CMTA).



Old MIA Road, NAIA Complex, 1300 Pasay City

+63 (02) 8705-6000, +639776767034 | www.customs.gov.ph | naia@customs.gov.ph

WHEREAS, Section 4 of the Manual of Regulations on Foreign Exchange Transactions (updated as of May 2023), states:

**Section 4. Cross-Border Transfer of Local and Foreign Currencies.**

xxx

2. Foreign Currency. Any person, who brings into or takes out of the Philippines foreign currency, as well as other foreign currency-denominated bearer monetary instruments, in excess of USD10,000 or its equivalent is required to declare the whole amount brought into or taken out of the Philippines using the prescribed Currencies Declaration Form

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 USD1,514.12 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.

**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 amount of USD1,514.12 from incoming passenger **SHISHIKURA SATOSHI** 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, APR 22 2024 April 2024.

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

Law/wady/eyl





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23 April 2024

**MR. MYOUNG KU PARK**  
City of Dreams Hyatt Hotel

**Subject : Seizure Identification No. 040-2024 (NAIA)**  
Republic of the Philippines vs. One Hundred Thousand Pesos  
(Php100,000.00) Philippine Currency, seized from incoming  
passenger **MYOUNG KU PARK**, Korean national and holder of  
Passport No. M87427277

This refers to the shipment which is covered by Seizure Identification No. 040-2024 (NAIA) issued on April 22, 2024 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.

Kindly 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. EMILIO Y. LEGASPI IV**  
Officer-on-Case



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SEIZURE IDENTIFICATION  
NO. 040-2024 (NAIA)

-versus-

One Hundred Thousand Pesos  
(Php100,000.00) Philippine  
Currency, seized from incoming  
passenger **MYOUNG KU PARK**,  
Korean national and holder of  
Passport No. M87427277.

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 23 February 2024, passenger Myoung Ku Park and his wife Jooyeon Yeo, both Korean nationals and holders of Passport No. M87427277 and M26000882, respectively, arrived at the NAIA Passenger Terminal 1 on board Philippine Airlines Flight PR 469 from Korea.

WHEREAS, passenger Park and his wife proceeded to the Customs Examination Lane manned by Customs Examiner Kimberly A. Sangalang with the intention to declare the currency in their possession. Before conducting an actual physical examination, Customs Examiner Sangalang asked passenger Park to submit his duly accomplished Customs Baggage Declaration Form (CBDF). After going over the said CBDF, Customs Examiner Sangalang noted that passenger Park answered "NO" to all the items in the General Declaration thereof except for Item No. 1 which pertains to Philippine Currency in excess of the allowable amount of Php50,000.00. Moreover, Customs Examiner Sangalang asked passenger Park if he had Philippine Currency in excess of the allowable amount of Php50,000.00 to which the latter answered in the affirmative, so he required Mr. Park to accomplish the Currency Declaration Form.

WHEREAS, an actual examination by Customs Examiner Sangalang yielded two (2) bundles of Php1,000.00 Peso denominations or the total amount of Two Hundred Thousand Pesos (Php200,000.00) which passenger Park declared in his Currency Declaration Form. She explained to Mr. Park that every traveler is allowed only the amount of Php50,000.00 and the excess thereof requires prior authorization from the Bangko Sentral ng Pilipinas to be able to import the same into the country.

WHEREAS, after the verified counting of the Philippine Currency, the amount of One Hundred Thousand Pesos (Php100,000.00) was returned to Mr. Park and his wife. Held Baggage Receipt No. 00100005499 was issued for the custody of the remaining Php100,000.00 which was later on turned over to the In Bond Section, Baggage Assistance Division, this Port, for safekeeping.

WHEREAS, in a Memorandum dated 18 March 2024, Customs Examiner Sangalang and Acting Flight Supervisor Diana Abigail E. Asilo, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, Mr. Mark Jhon O. Almase, Assistant Deputy Collector for Passenger Service, and Mr. Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, reported their findings to the District Collector, this Port, and recommended for the issuance of Warrant of Seizure and Detention against the subject Philippine Currency in the



amount of Php100,000.00 for violation of Section 117 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, Section 4 of the Manual of Regulations on Foreign Exchange Transactions (updated as of May 2023), states:

**Section 4. Cross-Border Transfer of Local and Foreign Currencies.**

"1. Local Currency. A person may import or export, or bring into or take out of the Philippines, or electronically transfer, legal tender Philippine notes and coins, checks, money order and other bills of exchange drawn in pesos against banks operating in the Philippines in an amount not exceeding PHP50,000.00 without prior authorization by the BSP.

Amounts in excess of aforementioned limit shall require: (a) prior written authorization from the BSP; and (b) in case of Physical cross-border transfer of Philippine currency, declaration of the whole amount brought into or taken out of the Philippines using prescribed Currency Declaration Form (Annex K)."

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 One Hundred Thousand Philippine Pesos (Php100,000.00) for violation of Section 117 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".

**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 in the total amount of One Hundred Thousand Pesos (Php100,000.00) Philippine Currency from Korean passenger **MYOUNG KU 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.**

APR 22 2024

BOC-NAIA, Pasay City, \_\_\_\_\_ April 2024.

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

Law/wady/eylIV







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

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23 April 2024

**MR. JUNTAE KIM**  
City of Dreams, Pasay

**Subject : Seizure Identification No. 041-2024 (NAIA)**  
Republic of the Philippines vs. One Hundred Two Thousand Pesos  
(Php102,000.00) Philippine Currency, seized from incoming  
passenger **JUNTAE KIM**, Korean national and holder of Passport  
No. M06667320

This refers to the shipment which is covered by Seizure Identification No. 041-2024 (NAIA) issued on April 22, 2024 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.

Kindly 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. EMILIO C. LEGASPI IV**  
Officer-in-Charge



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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 041-2024 (NAIA)

-versus-

One Hundred Two Thousand Pesos (Php102,000.00) Philippine Currency, seized from incoming passenger **JUNTAE KIM**, Korean national and holder of Passport No. M06667320.

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 27 March 2024, passenger Juntae Kim, a Korean national and holder of Passport No. M06667320, arrived at the NAIA Passenger Terminal 1 on board Asiana Airways Flight OZ 701 from Korea.

WHEREAS, passenger Kim passed through the non-intrusive examination conducted by the X-ray Inspection Project (XIP), and his hand carried bag was marked with "X" by XIP Inspector Jade Perez and referred him to ESS Special Agent I Noroden M. Tomiara, who, in turn, referred him to Acting Customs Examiner John Rey M. Falcon.

WHEREAS, before conducting an actual physical examination, Acting Customs Examiner Falcon asked passenger Kim to submit his duly accomplished Customs Baggage Declaration Form (CBDF). After going over the said CBDF, Acting Examiner Falcon noted that passenger Kim answered "NO" to all the questions on page 3 thereof except for Items 1 and 2 which pertains to Philippine Currency in excess of the allowable amount of Php50,000.00 and Foreign Currency in excess of the allowable \$10,000.00. Further, Acting Examiner Falcon asked passenger Kim if he is carrying more than the allowable amount of Philippine Pesos 50,000.00 to which the latter answered in the affirmative. Thus, Acting Examiner Falcon requested Mr. Kim to fill out the Currency Declaration Form (CDF).

WHEREAS, Acting Examiner Falcon conducted an actual examination which yielded the total amount of One Hundred Fifty Two Thousand Philippine Pesos (Php152,000.00) and Nineteen Thousand Eight Hundred US Dollars (USD19,800.00). Thereafter, the amount of Fifty Thousand Pesos (Php50,000.00) and US\$19,800.00 were returned to Passenger Kim and the remaining amount of Php102,000.00 was withheld under Held Baggage Receipt No. 00100007266. Thereafter, the said amount was transferred to the In Bond Section, Baggage Assistance Division, this Port, for safekeeping.

WHEREAS, in a Memorandum dated 27 March 2024, Acting Customs Examiner John Rey M. Falcon and Acting Flight Supervisor Diana Abigail E. Asilo, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, Mark Jhon O. Almase, Assistant Deputy Collector for Passenger Service, and Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, reported their findings to the District Collector, this Port, and recommended for the issuance of Warrant of Seizure and Detention against the subject Philippine Currency in the amount of Php102,000.00 for violation of Section 117 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, Section 4 of the Manual of Regulations on Foreign Exchange Transactions (updated as of May 2023), states:

**Section 4. Cross-Border Transfer of Local and Foreign Currencies.**

"1. Local Currency. A person may import or export, or bring into or take out of the Philippines, or electronically transfer, legal tender Philippine notes and coins, checks, money order and other bills of exchange drawn in pesos against banks operating in the Philippines in an amount not exceeding PHP50,000.00 without prior authorization by the BSP.

Amounts in excess of aforementioned limit shall require: (a) prior written authorization from the BSP; and (b) in case of Physical cross-border transfer of Philippine currency, declaration of the whole amount brought into or taken out of the Philippines using prescribed Currency Declaration Form (Annex K)."

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 One Hundred Two Thousand Philippine Pesos (Php102,000.00) for violation of Section 117 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".

**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 in the total amount of One Hundred Two Thousand Pesos (Php102,000.00) Philippine Currency from Korean passenger **JUNTAE KIM** or violation of Section 117 of the Customs Modernization and Tariff Act, Section 4 of the Manual of Regulations on Foreign Exchange Transactions, 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, **APR 22 2024** April 2024.

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

Law/wady/eyllv

