




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*

**1<sup>st</sup> Indorsement**  
25 September 2024

Respectfully forwarded to the Office of the Commissioner, Attn: **MS. KARREN APRIL A. NORONIO-GABION**, Officer-in-Charge, Public Information and Assistance Division, the herein attached Warrants of Seizure and Detention (WSDs) docketed as S.I. No. 19 – 2024, S.I. No. 20 - 2024, and S.I. No. 21 - 2024, issued against boxes of suspected smuggled cigarettes whose owners are unknown or with insufficient address, as well as the corresponding Notice of Hearing, for posting on the official website of the Bureau of Customs pursuant to Section 6.5 of CAO No. 10 - 2020.

For her information and course of action.

  
**COLL. ALEXANDRA Y. LUMONTAD** ✓  
District Collector  
Port of Cagayan de Oro





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**Republic of the Philippines,**

**SEIZURE IDENTIFICATION  
NO. 19 – 2024**

*-versus-*

Two Hundred Eighty-Six (286) boxes of Cannon brand cigarettes (white)

**JOHN DOE**  
Claimant,

X-----/

**Republic of the Philippines,**

**SEIZURE IDENTIFICATION  
NO. 20 – 2024**

*-versus-*

One (1) unit of Toyota Vios (2017 Model) with Plate Number No. NBZ 3514 (Orange) with key, Twelve (12) large transparent cellophane of Cannon brand cigarettes (50 reams per cellophane), Seven (7) large black plastic cellophane (50 reams per cellophane)

**JOMAR DELAS PENAS y BERNARDO**  
Claimant,

X-----/

**Republic of the Philippines,**

**SEIZURE IDENTIFICATION  
NO. 21 – 2024**

*-versus-*

Nineteen (19) boxes of Fort brand cigarettes, Five (5) boxes of White King Pen brand cigarettes, Three (3) plastic cellophanes of White King Pen brand cigarettes (50 reams per cellophane), Two (2) plastic cellophanes of White King Pen brand cigarettes (49 reams per cellophane), One (1) plastic cellophane of Green Fort brand cigarettes (50 reams), One (1) plastic cellophane of Green Fort brand cigarettes (48 reams), One (1) plastic cellophane of Green Fort brand cigarettes (45 reams), Nine (9) boxes of White Cannon brand cigarettes (50 reams per box), One (1) box of White Cannon brand cigarettes (47 reams), One Hundred Sixty-One (161) packs of Red Berlin brand cigarettes

**JOHN DOE**  
Claimant,

X-----/



Barangay Macabalan, Cagayan de Oro City, 9000

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TO: JOHN DOES

JOMAR DELAS PENAS y BERNARDO  
Purok 3, Lunzunan, Zamboanga City

## NOTICE OF PRELIMINARY CONFERENCE HEARING

*Greetings!*

You are hereby notified that the above-entitled case is scheduled for a preliminary conference hearing on **October 16, 2024 (Monday), from 2:00 p.m. onwards** at the District Office - Training Room, 2<sup>nd</sup> Floor, Cagayan de Oro Customshouse, Macabalan, Cagayan de Oro City.

Relative thereto, please take note of the pertinent provisions of **Customs Memorandum Order (CMO) No. 4-2018 (A)**, which state that:

Section 6.3. During the Preliminary Conference Hearing the following shall be discussed:

- 6.3.1. Defining and simplifying the issues of the case;
- 6.3.2. Entering into admission or stipulation of facts;
- 6.3.3. Marking of exhibits;
- 6.3.4. The possibility of disposition of the goods pending forfeiture proceedings in case of perishable articles;
- 6.3.5. The possibility of settlement; and
- 6.3.6. Dates for submission of respective Position Paper of the parties.

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

6.5. Within five (5) days from receipt of the Position Paper, the Government Prosecutor shall file its Comment, copy furnished the Claimant. Failure to submit the Comment within the prescribed period shall be deemed a waiver on the part of the Government Prosecutor to submit his Comment.

6.6. Should the Claimant deem it necessary to submit Reply, the Claimant may file its verified Reply within three (3) days from receipt of the Claimant, copy furnished the Government Prosecutor, thereafter, the case is deemed submitted for



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resolution. Claimant's failure to submit Reply within the prescribed period would render the case submitted for resolution.

Failure to appear at the hearing shall serve as a waiver on your part to be heard and/or to adduce evidence, and the case shall be deemed submitted for resolution of this Port.

Port of Cagayan de Oro, September 25, 2024.

  
**ATTY. MUNAIPHA P. MONTILA**  
Hearing Officer



Barangay Macabalan, Cagayan de Oro City, 9000

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Republic of the Philippines,

SEIZURE IDENTIFICATION  
NO. 19 – 2024

-versus-

Two Hundred Eighty-Six (286) boxes of Cannon brand  
cigarettes (white)

JOHN DOE,  
Claimant

x-----/

TO: **SPAS ALLAN R. CRUZ**  
District Commander  
CPD – ESS, Port of CDO

Greetings!

### WARRANT OF SEIZURE AND DETENTION

**WHEREAS**, on September 9, 2024, at around 4:47 in the morning, personnel from Sultan Naga Dimaporo Municipal Police Station (SND-MPS) led by Deputy PLT Moracaya B. Macalanting, under the supervision of PMAJ Moamar M. Solog (Lead Unit), together with 2<sup>nd</sup> PMFC LDN PPO personnel headed by PLTCOL Sherwin M. Lapiz, Force Commander and Maritime Police Personnel headed by PMAJ Jojo Balanse, while conducting security patrol at the shoreline of Brgy. Sigayan, SND, Lanao del Norte, inadvertently found two hundred eighty-six (286) master cases of abandoned white Cannon brand cigarettes;

**WHEREAS**, on even date, the abandoned cigarettes were turned over to the Bureau of Customs, Subport of Iligan, for inventory and safekeeping pending issuance of a Warrant of Seizure and Detention (WSD);

**WHEREAS**, in the Disposition Form dated September 12, 2024, the Port Collector, Subport of Iligan, recommended the issuance of Warrant of Seizure and Detention (WSD) against the cigarettes since the detailed inventory and physical examination conducted by the assigned Customs Examiner revealed that the cigarettes lack the required Import Commodity Clearance (ICC) from National Tobacco Administration (NTA) thus, a clear violation of Section 117 and Section 1113 (f) and (l) – 1 of the Customs Modernization Tariff Act (CMTA) in relation to National Tobacco Administration (NTA) Memorandum Circular No. 03, series of 2004 and other applicable NTA laws, rules and regulations;

**NOW THEREFORE**, by virtue of the authority vested in this Office in accordance with Republic Act 10863 (Customs Modernization and Tariff Act) and relevant Customs rules and regulations, you are hereby directed to take physical possession and custody of the **two hundred eighty-six (286) boxes of Cannon brand cigarettes (white)**, and turn them over to the Property Custodian/Warehouse – in -Charge, this Port, for safekeeping pending termination of the seizure proceedings thereon or until further order from this Office pursuant to and in strict compliance with the provisions of CMO 8-94 particularly on the matter of making a return of service and the submission of the Inventory Report or list of the articles seized.

Port of Cagayan de Oro, September 16, 2024.

  
COLL. ALEXANDRA Y. LUMONTAD  
District Collector





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Republic of the Philippines,

SEIZURE IDENTIFICATION  
NO. 20 – 2024

-versus-

One (1) unit of 2017 model Toyota Vios (Orange) with plate no. NBZ 3514 with key, twelve (12) large transparent cellophane containing Cannon brand (green) cigarettes (50 reams per cellophane) and seven (7) large black plastic cellophane containing Cannon brand (green) cigarettes (50 reams per cellophane)

**JOMAR DELAS PENAS y BERNARDO,**  
Claimant

X-----/

TO: **SPAS ALLAN R. CRUZ**  
District Commander  
CPD – ESS, Port of CDO

Greetings!

### WARRANT OF SEIZURE AND DETENTION

**WHEREAS**, at around 1259H of September 9, 2024, personnel from 4<sup>th</sup> Platoon, 2<sup>nd</sup> PMFC, LDN, led by PLT Winston O. Daroy, Jr., under the direct supervision of PLTCOL Sherwin M. Lapiz (Lead Unit), intercepted at the checkpoint cases of Cannon brand cigarettes bearing no BIR Stamps and graphic health warning stickers loaded at the backseat of a Toyota Vios with plate number NBZ 3514 driven by a certain Mr. Jomar delas Penas Bernardo; inspection,

**WHEREAS**, on September 10, 2024, the Toyota Vios and the cigarettes were turned over to the Bureau of Customs, Subport of Iligan for inventory and safekeeping;

**WHEREAS**, the assigned Customs Examiner conducted a physical examination and detailed inventory of the confiscated items, and yielded the following:

Quantity	UOM	Description of Goods	Estimated Value
1	Unit	2017 model Toyota Vios (Orange) with plate number NBZ 3514 & with key	Php 500,000.00
12	Transparent Cellophane	Cannon brand cigarettes (green) (50 reams per cellophane)	Php 480,000.00
7	Black Plastic Cellophane	Cannon brand cigarettes (green) ((50 reams per cellophane)	Php 280,000.00
<b>Total</b>			<b>Php 1,260,000.00</b>

**WHEREAS**, the examination revealed that the confiscated cigarettes lack the required Import Commodity Clearance (ICC) from the National Tobacco Administration (NTA) thus, a clear violation of Section 117 and Section 1113 (f) and (l)-1 of the Customs Modernization and Tariff Act (CMTA) in relation to NTA Memorandum Circular No. 03, series of 2004 and other applicable NTA laws, rules and regulations;

**WHEREAS**, the use of the Toyota Vios in transporting the smuggled cigarettes warrants its seizure under Section 1113 (a) and (k) of the CMTA;

**WHEREAS**, in a Disposition Form dated September 12, 2024, the Port Collector, Subport of Iligan, requested the issuance of a Warrant of Seizure and Detention (WSD) against the Toyota Vios and cigarettes for violation of the above-mentioned laws, rules and regulations;



**NOW THEREFORE**, by virtue of the authority vested in this Office in accordance with Republic Act 10863 (Customs Modernization and Tariff Act) and relevant Customs rules and regulations, you are hereby directed to seize the **one (1) unit of 2017 model Toyota Vios (Orange) with plate no. NBZ 3514 with key, twelve (12) large transparent cellophane containing Cannon brand (green) cigarettes (50 reams per cellophane) and seven (7) large black plastic cellophane containing Cannon brand (green) cigarettes (50 reams per cellophane)**, and turn them over to the Property Custodian/Warehouse-in-Charge, this Port, for safekeeping pending termination of the seizure proceedings thereon or until further order from this Office pursuant to and in strict compliance with the provisions of CMO 8-94 particularly on the matter of making a return of service and the submission of the Inventory Report or list of the articles seized.

Port of Cagayan de Oro, September 16, 2024.

  
COLL. ALEXANDRA Y. LUMONTAD  
District Collector 





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SEIZURE IDENTIFICATION  
NO. 21 – 2024

-versus-

Nineteen (19) boxes of Fort brand cigarettes, five (5) boxes of White King Pen brand cigarettes, three (3) plastic cellophanes of White King Pen brand cigarettes (50 reams per cellophane), two (2) plastic cellophanes of White King Pen brand cigarettes (49 reams per cellophane), one (1) plastic cellophane of Green Fort brand cigarettes (50 reams), one (1) plastic cellophane of Green Fort brand cigarettes (48 reams), one (1) plastic cellophane of Green Fort brand cigarettes (45 reams), nine (9) boxes of White Cannon brand cigarettes (50 reams per box), one (1) box of White Cannon brand cigarettes (47 reams) and one hundred sixty-one (161) packs of Red Berlin brand cigarettes

JOHN DOE,  
Claimant

x-----/

TO: **SPAS ALLAN R. CRUZ**  
District Commander  
CPD – ESS, Port of CDO

Greetings!

**WARRANT OF SEIZURE AND DETENTION**

**WHEREAS**, at around 1530H of September 09, 2024, personnel of 2<sup>nd</sup> PMFC LDN led by PLTCOL Sherwin M. Lapiz, FC (Lead Unit), together with Sultan Naga Dimaporo Municipal Police Station (SND MPS) personnel led by PMAJ Moamar M. Solog, COP, as per verified information received, found abandoned boxes of smuggled cigarettes near the National Highway of Brgy. Sugod, SND, Lanao Del Norte;

**WHEREAS**, on September 10, 2024, the following abandoned cigarettes were turned over to the Bureau of Customs, Support of Iligan for inventory and safekeeping pending issuance of a Warrant of Seizure and Detention (WSD);

Quantity	UOM	Description of Goods	Estimated Value
19	Boxes	Fort brand cigarettes (50 reams per box)	Php 760,000.00
5	Boxes	White King Pen brand cigarettes (50 reams per box)	Php 200,000.00
3	Plastic Cellophane	White King Pen brand cigarettes (50 reams per cellophane)	Php 120,000.00
2	Plastic Cellophane	White King Pen brand cigarettes (49 reams per cellophane)	Php 78,400.00
1	Plastic Cellophane	Green Fort brand cigarettes (50 reams)	Php 40,000.00
1	Plastic Cellophane	Green Fort brand cigarettes (48 reams)	Php 38,400.00
1	Plastic Cellophane	Green Fort brand cigarettes (45 reams)	Php 36,000.00
9	Boxes	White Cannon brand cigarettes (50 reams per box)	Php 360,000.00
1	Box	White Cannon brand cigarettes (47 reams)	Php 37,600.00
161	Packs	Red Berlin brand cigarettes	Php 12,880.00
<b>Total</b>			<b>Php 1,683,280.00</b>

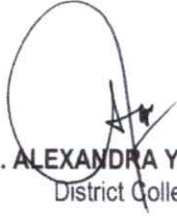




**WHEREAS**, in the Disposition Form dated September 12, 2024, the Port Collector, Subport of Iligan, recommended the issuance of Warrant of Seizure and Detention (WSD) against the cigarettes since the detailed inventory and physical examination conducted by the assigned Customs Examiner revealed that the cigarettes lack the required Import Commodity Clearance (ICC) from National Tobacco Administration (NTA) thus, a clear violation of Section 117 and Section 1113 (f) and (l) – 1 of the Customs Modernization Tariff Act (CMTA) in relation to National Tobacco Administration (NTA) Memorandum Circular No. 03, series of 2004 and other applicable NTA laws, rules and regulations;

**NOW THEREFORE**, by virtue of the authority vested in this Office in accordance with Republic Act 10863 (Customs Modernization and Tariff Act) and relevant Customs rules and regulations, you are hereby directed to seize the **nineteen (19) boxes of Fort brand cigarettes, five (5) boxes of White King Pen brand cigarettes, three (3) plastic cellophanes of White King Pen brand cigarettes (50 reams per cellophane), two (2) plastic cellophanes of White King Pen brand cigarettes (49 reams per cellophane), one (1) plastic cellophane of Green Fort brand cigarettes (50 reams), one (1) plastic cellophane of Green Fort brand cigarettes (48 reams), one (1) plastic cellophane of Green Fort brand cigarettes (45 reams), nine (9) boxes of White Cannon brand cigarettes (50 reams per box), one (1) box of White Cannon brand cigarettes (47 reams) and one hundred sixty-one (161) packs of Red Berlin brand cigarettes**, and turn them over to the Property Custodian/Warehouse-in-Charge, this Port, for safekeeping pending termination of the seizure proceedings thereon or until further order from this Office pursuant to and in strict compliance with the provisions of CMO 8-94 particularly on the matter of making a return of service and the submission of the Inventory Report or list of the articles seized.

Port of Cagayan de Oro, September 16, 2024.

  
COLL. ALEXANDRA Y. LUMONTAD  
District Collector

