



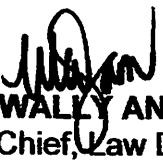
REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

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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 OF FORFEITURE**

DATE : **18 SEPTEMBER 2024**

This refers to the herein attached Decision of Forfeiture:

- 1. SEIZURE IDENTIFICATION NO. 200-2024 (NAIA) :** Republic of the Philippines vs. One (1) Set Mahjong Tiles and One (1) Set Poker brought in by passenger **CARLA DIMAYUGA YULO**, who arrived on 09 March 2024 and held in custody under Held Baggage Receipt No. 00100006647 for custody and safekeeping; and
- 2. SEIZURE IDENTIFICATION NO. 201-2024 (NAIA) :** Republic of the Philippines vs. One (1) Set Mahjong Tiles brought in by passenger **FRUITELLA MARIE O. BONZA**, who arrived on 17 March 2024, and held in custody under Held Baggage Receipt No. 00100006771 for custody and safekeeping.

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 WSD on **Seizure Identification Nos. 200-2024 (NAIA) and 201-2024 (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 and Jessil.garlando@customs.gov.ph.





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REPUBLIC OF THE PHILIPPINES

-versus-

One (1) Set Mahjong Tiles brought in by passenger **FRUITELLA MARIE O. BONZA**, who arrived on 17 March 2024, and held in custody under Held Baggage Receipt No. 00100006771 for custody and safekeeping.

X-----X

SEIZURE IDENTIFICATION

NO. 201-2024 (NAIA)

DECISION

This resolves the seizure and forfeiture proceedings instituted against the above-described One (1) Set Mahjong Tiles for violation of Section 119 (b) in relation to Paragraph 9.3 of Customs Administrative Order (CAO) No. 10-2020 and Section 11 of Presidential Decree No. 956.

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

1. On 17 March 2024, passenger Fruitella Marie O. Bonza, Filipino and holder of Passport No. P4340211C, arrived at the NAIA Passenger Terminal on board Cebu Air Flight 5J5015 from Japan.
2. Her checked-in baggage passed through the non-intrusive examination and was marked with "X", so it was referred to the Customs Examiner on duty at the Examination Lane for verification of its contents.
3. Customs Examiner Peter John M. Agsam, conducted an actual physical examination of Passenger Bonza's checked-in baggage where he found inside one (1) set Mahjong Tiles.
4. Customs Examiner Agsam requested Ms. Bonza to submit her Customs Baggage Declaration Form, wherein he noted that the passenger checked "NO" to all the items on page 3 of the General Declaration, except for No. 3 thereof which refers to Gambling paraphernalia x x x". When asked if she had an Import Permit/Clearance from PAGCOR to import the subject Mahjong Tiles, passenger Bonza replied in the negative.
5. The Mahjong Tiles were withheld from release and passenger Bonza was issued Held Baggage Receipt No. 00100006771 for custody and safekeeping of the Mahjong Tiles pending the submission of the PAGCOR permit, presentation of invoice and for payment of the duty and tax to be imposed thereon.
6. In a Memorandum dated 30 May 2024, Peter John M. Agsam, Customs Examiner, and Patrick G. Guerrero, Flight Supervisor, 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 to the District Collector, this Port, the said incident and recommended for the issuance of Warrant of Seizure and Detention against



the one (1) set Mahjong Tiles for violation of Section 119 (Restricted Importation and Exportation).

DISCUSSION:

On the basis of the records of the instant case, it is indubitable that the subject Set of Mahjong Tiles brought in by incoming Filipino Passenger **FRUITELLA MARIE BONZA** is restricted goods under Section 119 (Restricted Importation and Exportation) of the Customs Modernization and Tariff Act (CMTA) and Section 11 of Presidential Decree 956 in relation to Paragraph 9.3 of Customs Administrative Order (CAO) No. 10-2020 bearing the subject: "Seizure and Forfeiture Proceedings and Appeals Process" 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 119. Restricted importation and exportation. – Except when authorized by law or regulation, the importation or exportation of the following restricted goods are **prohibited**:

(b) Roulette wheels, gambling outfits, loaded dice, marked cards, machines, apparatus or mechanical devices used in gambling or the distribution of money, cigars, cigarettes or other goods when such distribution is dependent on chance, including jackpot and pinball machines or similar contrivances, or parts thereof;

Further, Section 11 of Presidential Decree 956, provides:

"Section 11. Importation of Gaming Paraphernalia and Devices. The importation of gaming paraphernalia and devices shall not be allowed, except when the importation is made by the grantee for its exclusive use in the casino and duly authorized by the Commission. Xxx"

WHEREFORE, the subject set of Mahjong Tiles from the hand carried baggage of **FRUITELLA MARIE BONZA** is hereby declared ***ipso facto FORFEITED*** for violation of Section 119 (b) in relation to Section 11 of Presidential Decree No. 956, to be turned-over to the Auction and Cargo Disposal Division, this Port, for final disposition thereof pursuant to Customs Administrative Order (CAO) No. 10-2020 bearing the subject "Seizure and Forfeiture Proceedings and Appeals Process".

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

SO ORDERED.

BOC-NAIA, Pasay City, SEP 16 2024 September 2024.

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

Law/wady/moz





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-versus-

One (1) Set Mahjong Tiles and One (1) Set Poker brought in by passenger **CARLA DIMAYUGA YULO**, who arrived on 09 March 2024 and held in custody under Held Baggage Receipt No. 00100006647 for custody and safekeeping.

X-----X

SEIZURE IDENTIFICATION
NO. 200-2024 (NAIA)

DECISION

This resolves the seizure and forfeiture proceedings instituted against the above-described One (1) Set Mahjong Tiles and One (1) Set Poker for violation of Section 119 (b) in relation to Paragraph 3.5 of Section 3 of Customs Memorandum Order No. 4-2018 (A) and Section 11 of Presidential Decree No. 956.

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

1. On 09 March 2024, Ms. Carla Dimayuga Yulo, an American citizen and holder of Passport No. A20533678, arrived at the NAIA Passenger Terminal on board Cathay Pacific Airways Flight CX939 from Hongkong.
2. Her checked-in baggage passed through the non-intrusive examination and was marked with "X" by the XIP Inspector on duty, who then referred her to the Customs Examiner on duty at the Examination Lane for verification of its contents.
3. Customs Examiner John Carlo M. Baura conducted an actual physical examination of Passenger Yulo's checked-in baggage where he found inside one (1) set Poker and one (1) set Mahjong tiles.
4. The Customs Examiner requested Ms. Yulo to submit her Customs Baggage Declaration Form, wherein he noted that the passenger checked "NO" to all the items on page 3 of the General Declaration, except for No. 3 thereof which refers to Gambling paraphernalia x x x". When asked if she has an Import Permit/Clearance from PAGCOR to import the subject Poker and Mahjong Tiles, passenger Yulo replied in the negative.
5. The Poker and Mahjong Tiles were withheld from release and passenger Yulo was issued Held Baggage Receipt No. 00100006647 for custody and safekeeping thereof pending the submission of the PAGCOR permit, presentation of invoice and for payment of the duty and tax to be imposed thereon.
6. In a Memorandum dated 10 June 2024, John Carlo M. Baura, Customs Examiner, and Cyrus Victor V. Go, Flight Supervisor, 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 to the District Collector, this Port, the said incident and recommended for the issuance of Warrant of Seizure and Detention against the one (1) set Poker and one (1) set Mahjong Tiles for violation of Section 119 (Restricted Importation and Exportation).

DISCUSSION:

On the basis of the records of the instant case, it is indubitable that the subject Set of Poker and Mahjong Tiles brought in by incoming Filipino Passenger **CARLA DIMAYUGA YULO** is restricted goods under Section 119 (Restricted Importation and Exportation) of the Customs Modernization and Tariff Act (CMTA) and Section 11 of Presidential Decree 956 in relation to Paragraph 9.3 of Customs Administrative Order (CAO) No. 10-2020 bearing the subject: "Seizure and Forfeiture Proceedings and Appeals Process" 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 119. Restricted importation and exportation. – Except when authorized by law or regulation, the importation or exportation of the following restricted goods are **prohibited**:

(b) Roulette wheels, gambling outfits, loaded dice, marked cards, machines, apparatus or mechanical devices used in gambling or the distribution of money, cigars, cigarettes or other goods when such distribution is dependent on chance, including jackpot and pinball machines or similar contrivances, or parts thereof;"

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"Section 11. Importation of Gaming Paraphernalia and Devices. The importation of gaming paraphernalia and devices shall not be allowed, except when the importation is made by the grantee for its exclusive use in the casino and duly authorized by the Commission. Xxx"

WHEREFORE, the subject set of Poker and Mahjong Tiles from the hand carried baggage of **CARLA DIMAYUGA YULO** is hereby declared **ipso facto FORFEITED** for violation of Section 119 (b) in relation to Section 11 of Presidential Decree No. 956, to be turned-over to the Auction and Cargo Disposal Division, this Port, for final disposition thereof pursuant to Customs Administrative Order (CAO) No. 10-2020 bearing the subject "Seizure and Forfeiture Proceedings and Appeals Process".

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

SO ORDERED.

BOC-NAIA, Pasay City, SEP 16 2024 September 2024.

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

Law/wady/moz

