



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*

REPUBLIC OF THE PHILIPPINES

DAVAO SEIZURE IDENTIFICATION  
CASE No. 49A - 2024

-versus-

APPROXIMATELY **216,092 LITERS** OF UNMARKED DIESEL FUEL FOUND IN TWO (2) SHORE TANKS OF KRIS TOWN DIESEL DEPOT LOCATED AT BRGY. LAMBAJON, BAGANGA, DAVAO ORIENTAL, PURSUANT TO MISSION ORDER NO. 004-2024



**CHRISTIAN DELA ZALDE**  
Owner of

**KRIS TOWN DIESEL DEPOT**  
Brgy. Lambajon, Baganga  
Davao Oriental

Claimant

X-----X

**AMENDED  
WARRANT OF SEIZURE AND DETENTION**

To: The District Commander  
ESS-CPD, Port of Davao

**WHEREAS**, on 03 July 2024, Joyce S. Semacon, Acting Sub-Port Collector of Mati, submitted a report that they received an information of an alleged fuel smuggling activities at a depot located in Lambajon, Baganga, Davao Oriental;

**WHEREAS**, SA-I Bienvenido L. Plata II, Team Leader for Operations, CIIS, immediately acted on such information and conducted an on-site verification of the alleged smuggling activities at the reported area and found fuel storage tanks inside a depot;

**WHEREAS**, on 03 July 2024, a Mission Order No. 004-2024 was issued by Maita S. Acevedo, Acting District Collector, Bureau of Customs, Port of Davao, to IA-II Nurhussin H. Sajili, SP/LT. Mangurun S. Batuampar, Jr., SA-II Bienvenido L. Plata II, AA-IV Manny E. Sangid, IA-I Sambitore B. Lucman II, COS Juhar B. Palawan, SA-I Dariz Jo S. Pascua, SAI Hosnie Mutin, SAI Orlando Jose Orlino, SA-I Raymond Salazar, SA-I Yacob Dimaampao, SAI Nizar Al-Faizar Gampong, SA-I Georich Llamera, SA-I Jason Obenza, SA-I Settie Khayria Macawadib, SA-I Sadam Marbia, SAI Billy Joel Villagonzalo, SA-I Rafsanjanni Basman, CQM Timothy Jasper B. Nicolas, MEI Justine John O. Rose and CSM Ralph Ashley F. Marasigan to conduct Fuel Field Testing on shore tanks, barges, vessels, tank trucks and delivery retail and fuel stations at import terminals, depots, tank trucks, barges/vessels and retail/fuel stations at Lambajon, Baganga, Davao Oriental;

**WHEREAS**, the SGS Field Technician conducted the sampling of fuel products using the Mobile Fuel Analyzer which resulted to the following, to wit:

PRODUCT TYPE	RESULT	ASSOCIATED ID	SAMPLE ID
DIESEL (SHORE TANK 1-TOP)	Test 1 and 2: Failed	FML24-00165.001	00ANT
DIESEL (SHORE TANK 1-BOTTOM)	Test 1 and 2: Failed	FML24-00165.002	00ANV
DIESEL (SHORE TANK 2-TOP)	Test 1 and 2: Failed	FML24-00165.003	00ANW
DIESEL (SHORE TANK 2-BOTTOM)	Test 1 and 2: Failed	FML24-00165.004	00ANX
DIESEL (SHORE TANK 1-TOP)	RESAMPLE -Test 1 and 2: Failed	FML24-00165.005	00ANY
DIESEL (SHORE TANK 1-BOTTOM)	RESAMPLE - Test 1 and 2: Failed	FML24-00165.006	00ANZ
DIESEL (SHORE TANK 2-TOP)	RESAMPLE - Test 1 and 2: Failed	FML24-00165.007	00AP0
DIESEL (SHORE TANK 2-BOTTOM)	RESAMPLE - Test 1 and 2: Failed	FML24-00165.008	00AP1





**WHEREAS**, on 07 July 2024, IO-II Felix A. Espino III, Officer-in-Charge, ESS District Commander and SP/LT. Mangurun C. Batuampar, Jr., Fuel Marking Davao Team Leader, submitted a report relative to the implementation of the Mission Order and recommended for the issuance of a Warrant of Seizure and Detention;

**WHEREAS**, on 08 July 2024, a Warrant of Seizure and Detention was issued against an approximately 100,000 to 135,000 liters of unmarked diesel fuel;

**WHEREAS**, on 05 September 2024, in a Disposition Form dated 15 August 2024, Pangandaman C. Casan, Chief, Assessment Division, IO-II Felix A. Espino III, Chief, CIIS, and SP/LT. Mangurun C. Batuampar, Jr., District Commander, ESS, submitted an Inventory Report on the physical examination and inventory conducted by Gil D. Generalao, Jr., Customs Examiner, which resulted to the determination of an unmarked 216,092 liters of diesel fuel;

**WHEREAS**, this Office finds probable cause for the issuance of an **amended Warrant of Seizure and Detention** against the approximately **216,092 LITERS of UNMARKED diesel fuel**, in violation of the following laws, rules and regulations, to wit;

*"Section 7 of DOF-BOC-BIR Joint Circular 001-2021, "Treatment of Unmarked Fuel, Diluted Marked Fuel or Containing Counterfeit Fuel Marker Petroleum products found without the Official Fuel Marker or does not contain the required level of Official Fuel Marker, shall be subject to duties and taxes, inclusive of the appropriate fines and penalties, without prejudice to the confiscation and forfeiture of such Unmarked or Diluted Fuel and the filing of the appropriated criminal charges" in relation to Section 13 of Customs Memorandum Order (CMO) No. 43-2019, "Treatment of Unmarked Fuel, Diluted Marked Fuel or Containing Fraudulent Marker"*

**WHEREFORE**, by virtue of the authority vested by law in this Office, you are hereby ordered to forthwith SEIZE the aforementioned articles and take into physical possession and, custody thereof. Compliance with Customs Administrative Order No.10-2020, particularly, in the manner of making a return of service is likewise prescribed.

**SO ORDERED.**

Port of Davao, Sasa, Davao City, 07 October 2024.

  
**MAÍTA S. ACEVEDO**  
Acting District Collector, Port of Davao

Cc: The Commissioner, BOC, Manila  
Deputy Commissioner, AOCG  
Legal Service – RCMG  
Accounts Management Office  
Intelligence Group  
ESS-CPD  
CIIS Davao  
XIP Davao  
Assessment Division  
Cargo Control Division  
COA- Resident Auditor  
KRIS TOWN DIESEL DEPOT  
Christian dela Zalde  
Wenebeth Lancian

DSI NO. 49A-2024  
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DIESEL FUEL FOUND IN TWO (2) SHORE TANKS OF  
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LAMBAJON, BAGANGA, DAVAO ORIENTAL, PURSUANT  
TO MISSION ORDER NO. 004-2024

