



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

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8 November 2024

**MR. HYUN HWAN OH**  
Solaire Hotel

**Subject : Seizure Identification No. 246-2024 (NAIA)**  
Republic of the Philippines vs. Two Hundred Ten Thousand Pesos (Php210,000.00) Philippine Currency, intercepted from incoming Korean male passenger **HYUN HWAN OH** on 02 October 2024, and held in custody at the In-Bond Section, Baggage Assistance Division, under Held Baggage Receipt No. 00100009279

Dear **Mr. Hyun Hwan Oh**

This refers to the seized goods which is covered by Seizure Identification No. 246-2024 (NAIA) issued on November 7, 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 seized goods, 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,

*la* *Had Miranda*  
**ATTY. EMILIO Y. LEGASPI IV**  
Officer-on-Case



Old MIA Road, NAIA Complex, 1300 Pasay City  
+63 (02) 8705-6000, +639776767034 | [www.customs.gov.ph](http://www.customs.gov.ph) | [naia@customs.gov.ph](mailto:naia@customs.gov.ph)



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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 246-2024 (NAIA)

-versus-

Two Hundred Ten Thousand Pesos  
(Php210,000.00) Philippine  
Currency, intercepted from  
incoming Korean male passenger  
**HYUN HWAN OH** on 02 October  
2024, and held in custody at the In  
Bond Section, Baggage Assistance  
Division, under Held Baggage  
Receipt No. 00100009279.

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 02 October 2024, a male Korean traveler named Hyun Hwan Oh, with Passport No. M29234899, arrived on board Korean Air Flight KE621 from Korea. His hand carried luggage was subjected to non-intrusive inspection by XIP Inspector Paul Joshua Anticamara, who, thereafter, referred him to Ms. Katrina Lea Rañeses, Customs Examiner for verification.

WHEREAS, before conducting an actual examination of his hand carried luggage, Customs Examiner Raneses asked passenger Oh to submit his e-Travel generated QR Code and Passport. Upon checking the information in the electronic Customs Baggage Declaration Form (e-CBDF), she noted that the passenger answered "No" to all the items in the General Declaration. Thereafter, she asked him if he has anything to declare and the passenger replied in the negative.

WHEREAS, in the presence of passenger Oh, an actual examination was conducted by Customs Examiner Raneses which yielded several bundles of Philippine pesos inside. She then invited passenger Oh to the Arrival Exclusion Room for the actual physical count of the Philippine pesos witnessed by SA I Archer Peniza of the ESS, CIIS Agent Trespezes and Flight Supervisor Nerissa P. Durante.

WHEREAS, the physical count by Customs Examiner Raneses yielded the total amount of Two Hundred Sixty Thousand Pesos (Php260,000.00). After the verified counting, the amount of Fifty Thousand Pesos (Php50,000.00) was returned to passenger Oh and was issued Held Baggage Receipt No. 00100009279 for the remaining amount of Php210,000.00 which was withheld from release for lack of the required BSP Import Clearance as provided for in BSP Circular No. 1146, series of 2022. Said amount was later on turned over to the In Bond Section, Baggage Assistance Division, for custody and safekeeping.

WHEREAS, in a Memorandum dated 10 October 2024, Katrina Lea Raneses, Customs Examiner, and Nerissa P. Durante, Flight Supervisor, 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, Deputy Collector for Passenger Service, informed the District Collector, this Port, of the interception of the total amount of Php260,000.00 from incoming passenger Hyun Hwan Oh and recommended for the issuance of Warrant of Seizure and Detention against the



remaining amount of Php210,000.00 for lack of the required BSP Import Permit/Clearance, and for violation of Sections 117 and 1113 of the Customs Modernization and Tariff Act (CMTA) in relation to BSP Circular No. 1146 series of 2022 bearing the subject 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 subject currencies for violation of Section 4 of the Manual of Regulations on Foreign Exchange Transactions, in relation to Sections 117 and 1113 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 currencies intercepted from passenger **HYUN HWAN OH** for violation of Sections 117 and 1113 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, NOV 07 2024, November 2024.

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

Law/wady/eyllv





REPUBLIC OF THE PHILIPPINES  
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8 November 2024

**MR. YASUO SUGINO**  
Okada Hotel

**Subject : Seizure Identification No. 247-2024 (NAIA)**  
Republic of the Philippines vs. Fifty Thousand Philippine Pesos (Php50,000.00) and Five Hundred Seventy Thousand Japanese Yen (JPY570,000.00) confiscated from incoming Japanese traveler **YASUO SUGINO** on 26 September 2024, and held in custody at the In Bond Section, Baggage Assistance Division, under Held Baggage Receipt No. 00100011665

Dear **Mr. Yasuo Sugino**

This refers to the seized goods which is covered by Seizure Identification No. 247-2024 (NAIA) issued on November 7, 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 seized goods, 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. MANUEL O. ZURBITO JR.**  
Officer-on-Case



Old MIA Road, NAIA Complex, 1300 Pasay City  
+63 (02) 8705-6000, +639776767034 | [www.customs.gov.ph](http://www.customs.gov.ph) | [naia@customs.gov.ph](mailto:naia@customs.gov.ph)



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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 247-2024 (NAIA)

-versus-

Fifty thousand Philippine Pesos (Php50,000.00) and Five Hundred Seventy Thousand Japanese Yen (JPY570,000.00) confiscated from incoming Japanese traveler **YASUO SUGINO** on 26 September 2024, and held in custody at the In Bond Section, Baggage Assistance Division, under Held Baggage Receipt No. 00100011665.

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 02 October 2024, at around 2305H, a Japanese traveler named Yasuo Sugino with Passport No. TT2057282, arrived on board Flight 7C2305 from Korea. His carry-on baggage was subjected to non-intrusive inspection by XIP Inspector Paul Joseph Lodea, who, thereafter, referred him to Ms. Jewel Iris G. Abuejela, Acting Customs Examiner for verification.

WHEREAS, before conducting an actual examination of his carry-on baggage, Customs Examiner Abuejela asked the traveler if he had completed the E-travel, to which he replied in the negative. The Customs Examiner then instructed the traveler to fill-out manually the Customs Baggage Declaration Form (CBDF), the traveler ticked "No" to all the items on the 3<sup>rd</sup> page of the CBDF. During the initial check on the traveler's bag, bundles of One Thousand Phillippine Peso bills and Ten Thousand Japanese Yen bills were seen.

WHEREAS, Customs Examiner Abuejela, together with ESS Noroden Tomiara, CIIS SA1 Hashoba Sarip and Flight Supervisor Manuel J. Mendoza invited Mr. Sugino to the exclusion room for the physical examination of the latter's baggage. The physical examination yielded to the discovery of One Hundred Thousand Philippine Peso (Php100,000.00) and Two Million Japanese Yen (JPY2,000,000.00) equivalent to USD14,024 using the prevailing exchange rate of JPY to USD .007012.

WHEREAS, after the verified counting of the Phillippine Currency and Foreign Currency, the Customs Examiner explained to the traveler that prior written authorization from the Bangko Sentral ng Pilipinas was required for any amount exceeding the threshold of Php50,000.00, the traveler confirmed that he did not have the prior written authorization. The Customs Examiner explained to the traveler that non-declaration of Foreign Currency in excess of USD10,000.00 or equivalent currency will also be confiscated. A total of Fifty thousand Philippine Pesos (Php50,000.00) and Five Hundred Seventy Thousand Japanese Yen (JPY570,000.00) were confiscated in violation of Sections 1113 and 117 of the CMTA in relation to BSP Circular No. 1146 Series of 2022.



WHEREAS, the allowable amount of Fifty Thousand Philippine Pesos (Php50,000.00) and One Million Four Hundred Thirty Japanese Yen (JPY1,430,000.00) were returned to the traveler. Held Baggage Receipt No. 00100011665 was issued for the excess amount. The confiscated Philippine Currency and Foreign Currency were turned over to Hamimah Mangundaya of the Baggage Assistance Division for Safekeeping.

WHEREAS, in a Memorandum dated 3 October 2024, Jewel Iris G. Abuejela, Acting Customs Examiner and Manuel J. Mendoza, Flight Supervisor, 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, Deputy Collector for Passenger Service, informed the District Collector, this Port, of the confiscation of Fifty thousand Philippine Peso (Php50,000.00) and Five Hundred Seventy Thousand Japanese Yen (JPY570,000.00) from incoming passenger Yasuo Sugino and recommended for the issuance of Warrant of Seizure and Detention for lack of the required BSP Import Permit/Clearance, and for violation of Sections 117 and 1113 of the Customs Modernization and Tariff Act (CMTA) in relation to BSP Circular No. 1146 series of 2022 bearing the subject 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), is instructive and authoritative, and provides that:

**“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)

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 US\$10,000.00 or its equivalent is required to declare the whole amount brought into or taken out of the Philippines using the prescribed Currency Declaration Form.” (Underline for emphasis)”.

WHEREAS, after a careful evaluation of the documents submitted and applicable customs laws, rules, and regulations, the NAIA District Collector found probable cause for the issuance of Warrant of Seizure and Detention against the subject currencies 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 currencies intercepted from incoming passenger **YASUO SUGINO** for violation of Section 117 and Section 1113 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.**

**NOV 07 2024**

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

**ATTY. MARIA YASMIN M. OBRILLO-SHAPA,**  
District Collector, BOC-NAIA

*Law/wady/moz*





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8 November 2024

**MR. LIHONG HUANG**  
Pasig City

**Subject : Seizure Identification No. 248-2024 (NAIA)**  
Republic of the Philippines vs. Three Hundred Thirty Thousand  
Five Hundred Eighty Pesos (Php330,580.00) brought in by  
incoming passenger **LIHONG HUANG** on 11 August 2024

Dear **Mr. Lihong Huang**

This refers to the seized goods which is covered by Seizure Identification No. 248-2024 (NAIA) issued on November 7, 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 seized goods, 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. TEODOLFO MARTIN S. YERRO IV**  
Officer-on-Case



Old MIA Road, NAIA Complex, 1300 Pasay City  
+63 (02) 8705-6000, +639776767034 | [www.customs.gov.ph](http://www.customs.gov.ph) | [naia@customs.gov.ph](mailto:naia@customs.gov.ph)





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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 248-2024 (NAIA)

-versus-

Three Hundred Thirty Thousand  
Five Hundred Eighty Pesos  
(Php330,580.00) brought in by  
incoming passenger **LIHONG  
HUANG** on 11 August 2024

x-----x

**WARRANT OF SEIZURE AND DETENTION**

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

WHEREAS, on 11 August 2024, at around 0132H, Lihong Huang, a male Chinese passenger with Passport No. PE3043116, arrived at Ninoy Aquino International Airport Terminal 1 on board Air China flight CA 179 from Peking, China.

WHEREAS, passenger Huang's carry-on baggage underwent a non-intrusive examination by XIP Operator Mohamad Jonaid Udasan and was referred to Customs Examiner Sheila May V. Asis for verification.

WHEREAS, Customs Examiner Asis asked the passenger if he had completed an Electronic Customs Baggage Declaration Form (e-CBDF) to which he replied in the affirmative. Passenger Huang handed over the duly filled-out e-CBDF answering "No" to all items including number 1 which pertains to "Philippine Currency and/or Philippine Monetary Instrument in excess of Php50,000.00". Customs Examiner explained that a traveler is allowed to carry only the amount of Php50,000.00 without prior authorization from the Bangko Sentral ng Pilipinas (BSP) and any excess thereof requires an authorization prior to entry into the country.

WHEREAS, in the presence of passenger Lihong Huang, ESS SA1 agent Mark Jason A. Jupiri, and Flight Supervisor Felipe Maria T. Regencia Jr., Customs Examiner Asis conducted the physical examination which yielded Three Hundred Eighty Thousand Five Hundred Eighty Pesos (Php380,580.00). The amount of Php50,000.00 was returned to passenger Huang representing the total amount allowed to be brought in by incoming passengers. Thereafter, a Held Baggage Receipt No. 00100008627 was issued for the excess amount of Three Hundred Thirty Thousand Five Hundred Eighty Pesos (Php330,580.00). The confiscated Philippine Currency was turned over to Annaliza L. Reyes of the In-Bond Unit, Baggage Assistance Division, for safekeeping.

WHEREAS, in a Memorandum for the District Collector, this Port, dated 21 August 2024, Customs Examiner Sheila May V. Asis and Flight Supervisor Felipe Maria T. Regencia Jr., 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, recommended for the issuance of Warrant of Seizure and Detention (WSD) against the amount of Php 330,580.00 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, 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 the Warrant of Seizure and Detention against the subject currencies for violation of Section 4 of the Manual of Regulations on Foreign Exchange Transactions, in relation to Sections 117 and 1113 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 currencies intercepted from passenger **LIHONG HUANG** for violation of Sections 117 and 1113 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, NOV 07 2024, November 2024.

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

Wdy/law/tsy





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8 November 2024

**MR. MASAKI KUZE**  
Okada Hotel

**Subject : Seizure Identification No. 249-2024 (NAIA)**  
Republic of the Philippines vs. Three Million Five Hundred  
Thousand Japanese Yen (JPY3,500,000.00) confiscated from  
outgoing passenger **MASAKI KUZE**, who arrived on 14  
October 2024

Dear **Mr. Masaki Kuze**

This refers to the seized goods which is covered by Seizure Identification No. 249-2024 (NAIA) issued on November 7, 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 seized goods, 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,

*for*   
**ATTY. EMILIO Y. LEGASPI IV**  
Officer-on-Case



Old MIA Road, NAIA Complex, 1300 Pasay City  
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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 249-2024 (NAIA)

-versus-

Three Million Five Hundred  
Thousand Japanese Yen  
(JPY3,500,000.00) confiscated  
from outgoing passenger **MASAKI  
KUZE**, who arrived on 14 October  
2024.

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 14 October 2024, a Japanese traveler named Masaki Kuze and holder of Passport Number TT215820, was intercepted at the Final X-ray Departure Check Area by an OTS X-ray Operator after his carry-on luggage passed through the non-intrusive inspection prior to his flight on Philippine Airlines Flight PR 408 bound for Osaka, Japan.

WHEREAS, passenger Kuze and his carry-on luggage was referred to Customs Examiner Shenandoah S. Capili at the Departure Area, NAIA Terminal 1 for verification.

WHEREAS, before conducting an actual examination, Customs Examiner Capili explained to Passenger Kuze why hi handcarry luggage need to undergo physical examination. He was then invited to the Exclusion Room at the Arrival Area for the conduct of the physical examination. Before that, Customs Examiner Capili requested passenger Kuze to present his Currency Declaration Form in the e-Travel to which he replied in the negative. The actual physical count of passenger Kuze's handcarry luggage yielded the undeclared foreign currency in the total amount of Japanese Yen Five Million (JPY5,000,000.00). Thereafter, the amount of JPY1,500,000.00 was returned to passenger Kuze which is the threshold allowed by law and the remaining amount of JPY 3,500,000.00 was withheld from release and Held Baggage Receipt No. 00100009325 was issued by Customs Examiner Capili to passenger Kuze and the amount was turned over to the In Bond Section, Baggage Assistance Division, for custody and safekeeping.

WHEREAS, in a Memorandum dated 14 October 2024, Customs Examiner Shenandoah S. Capili and Flight Supervisor Patrick Guerrero, 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 the incident and recommended that the undeclared amount of JPY3,500,000.00 found in the handcarry luggage of passenger Masaki Kuze be seized for lack of the required BSP Authority to Import which is in violation of BSP Circular No. 1146 series of 2022, referring to the Amendments to the Rules of Cross-Border Transfer of Local and Foreign Currencies, and for violation of Section 117 in relation to Section 1113 of the Customs Modernization and Tariff Act (CMTA).

WHEREAS, Section 4 of the Manual of Regulations on Foreign Exchange Transactions (updated as of May 2023), is instructive and authoritative, and provides that:



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

X X X      X X X

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 US\$10,000.00 or its equivalent is required to declare the whole amount brought into or taken out of the Philippines using the prescribed Currency Declaration Form.” (Underline for emphasis)

WHEREAS, after a careful evaluation of the documents submitted and applicable customs laws, rules, and regulations, the NAIA District Collector found probable cause for the issuance of Warrant of Seizure and Detention against the subject currencies 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 currencies intercepted from incoming passenger **MASAKI KUZE** for violation of Section 117 and Section 1113 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, NOV 07 2024, November 2024.

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

Law/wady/eylIV





REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
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8 November 2024

**MR. YOUNG MAN KIM**  
Solair Resort and Casino NCR Parañaque

**Subject : Seizure Identification No. 250-2024 (NAIA)**  
Republic of the Philippines vs. Four Hundred Fifty Thousand Pesos (Php450,000.00) intercepted from incoming Korean male traveler **YOUNG MAN KIM** on 02 October 2024, and held in custody at the In Bond Section, Baggage Assistance Division, under Held Baggage Receipt No. 00100009291

Dear **Mr. Young Man Kim**

This refers to the seized goods which is covered by Seizure Identification No. 250-2024 (NAIA) issued on November 7, 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 seized goods, 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,

*Hamanda*  
for **ATTY. EMILIO Y. LEGASPI IV**  
Officer-on-Case



Old MIA Road, NAIA Complex, 1300 Pasay City  
+63 (02) 8705-6000, +639776767034 | [www.customs.gov.ph](http://www.customs.gov.ph) | [naia@customs.gov.ph](mailto:naia@customs.gov.ph)



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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 250-2024 (NAIA)

-versus-

Four Hundred Fifty Thousand Pesos (Php450,000.00) intercepted from incoming Korean male traveler **YOUNG MAN KIM** on 02 October 2024, and held in custody at the In Bond Section, Baggage Assistance Division, under Held Baggage Receipt No. 00100009291.

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 02 October 2024, a male Korean traveler named Young Man Kim with Passport No. M60877460 arrived on board Korean Airlines Flight KE 623 from Korea. His handcarried luggage underwent the non-intrusive x-ray examination which showed suspicious image inside, so he was referred by XIP Inspector Michael Martinez to Custom Examiner Feljun M. Roxas for verification and physical examination of his handcarried luggage.

WHEREAS, before conducting an actual examination, Custom Examiner Roxas asked Mr. Kim to submit his e-travel QR code for scanning wherein he noted that the passenger answered "NO" to all the items in the General Declaration in the electronic Customs Baggage Declaration Form (e-CBDF). Thus, Customs Examiner Roxas proceeded with the actual examination of passenger kim's handcarried luggage.

WHEREAS, in the presence of passenger Kim and witnessed by ESS SAI Archer Peniza, CIIS Agent Christian Llovit and Flight Supervisor Annalyn V. Reyes, Customs Examiner Roxas conducted an actual examination of the handcarried luggage which yielded the undeclared Philippine Currency in the total amount of Five Hundred Thousand Pesos (Php500,000.00) in Php1,000.00-peso bills. After the verified counting, the amount of Fifty Thousand Pesos (Php50,000.00) was returned to passenger Kim, which is the amount allowable to be carried by a passenger without the required BSP Permit or Clearance. Thereafter, Held Baggage Receipt (HBR) No. 00100009291 was issued by Customs Examiner Roxas to passenger Kim. Thereafter, the remaining amount of Php450,000.00 which was withheld from release for failure of the passenger to submit the required BSP Permit/Clearance was turned over to the Inbond Section, Baggage Assistance Division, this Port, for safekeeping.

WHEREAS, in a Memorandum dated 07 October 2024, Feljun M. Roxas, Acting Customs Examiner and Annalyn V. Reyes, Flight Supervisor, 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, Deputy Collector for Passenger Service, informed the District Collector, this Port, of the interception of the total amount of Four Hundred Fifty Thousand Pesos Philippine Currency (Php450,000.00) from incoming passenger Young Man Kim and recommended for the issuance of Warrant of Seizure and Detention for lack of the required BSP Import



Permit/Clearance, and for violation of Sections 117 and 1113 of the Customs Modernization and Tariff Act (CMTA) in relation to BSP Circular No. 1146 series of 2022 bearing the subject 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 the Warrant of Seizure and Detention against the subject currencies for violation of Section 4 of the Manual of Regulations on Foreign Exchange Transactions, in relation to Sections 117 and 1113 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 currencies intercepted from passenger **YOUNG MAN KIM** for violation of Sections 117 and 1113 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, NOV 07 2024, November 2024.

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

Law/wady/eyllV







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8 November 2024

**MR. RICHARD BRYAN TAMONAN DOTIG**  
**MS. KRISTINE ANNE PEÑAFIEL**  
No. 67 Magsaysay Street,  
Parang, Marikina City

**Subject : Seizure Identification No. 251-2024 (NAIA)**  
Republic of the Philippines vs. Nine Hundred and One  
Thousand Pesos (Php901,000.00) confiscated from **RICHARD**  
**BRYAN TAMONAN DOTIG** and **KRITINE ANNE PEÑAFIEL**  
at NAIA Terminal 1 on 14 October 2024

Dear **Mr. Dotig and Ms. Peñañiel**

This refers to the seized goods which is covered by Seizure Identification No. 251-2024 (NAIA) issued on November 7, 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 seized goods, 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. TEODOLFO MARTIN S. YERRO IV**  
Officer-on-Case



Old MIA Road, NAIA Complex, 1300 Pasay City  
+63 (02) 8705-6000, +639776767034 | [www.customs.gov.ph](http://www.customs.gov.ph) | [naia@customs.gov.ph](mailto:naia@customs.gov.ph)



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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 251-2024 (NAIA)

-versus-

Nine Hundred and One Thousand Pesos (Php901,000.00) confiscated from **RICHARD BRYAN TAMONAN DOTIG** and **KRISTINE ANNE PEÑAFIEL** at NAIA Terminal 1 on 14 October 2024

x-----x

**WARRANT OF SEIZURE AND DETENTION**

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

WHEREAS, on 14 October 2024, at around 0730H, Filipino passengers named Richard Bryan Tamonan Dotig with Passport Number P2470554C and Kristine Anne Peñafiel with Passport Number P1764471C were about to depart via PR 318 bound for Hong Kong.

WHEREAS, during the Final Screening at the Departure Area, NAIA Terminal 1, Marnelle Comprá of the Office of the Transportation Security (OTS) conducted a non-intrusive inspection on their carry-on baggage and was referred to Acting Customs Examiner Zukry G. Datudacula.

WHEREAS, Acting Customs Examiner Datudacula explained to the travelers that their carry-on baggage must be subjected to physical examination. Subsequently, in the presence of Richard Bryan Tamonan Dotig, Kristine Anne Peñafiel, ESS Samuel M. Delos Santos, CIIS Alexander R. Trespeces, PNP Al-Srimina Y. Ameril and OTS Thomas Anthony S. Quince, Acting Customs Examiner Datudacula conducted the physical examination on the subject baggage which yielded One Million and One Thousand Pesos (Php1,001,000.00). Acting Customs Examiner Datudacula asked the passengers if they had a prior written authorization from the Bangko Sentral ng Pilipinas (BSP) to which they responded in the negative. The amount of One Hundred Thousand Pesos (Php100,000.00) was returned to them representing the total amount allowed to be brought out by passengers. Thereafter, a Held-Baggage Receipt No. 00100009303 was issued for the excess amount of Nine Hundred Thousand and One Thousand Pesos (Php901,000.00). The confiscated Philippine Currencies were turned over to Annaliza Reyes of the In-Bond Unit, Baggage Assistance Division (BAD), for safekeeping.

WHEREAS, in a Memorandum addressed to the District Collector, this Port, dated 14 October 2024, Acting Customs Examiner Zukry G. Datudacula and Flight Supervisor Belinda C. Copioso, thru Atty. Manuel O. Zurbito Jr., Acting Chief, Departure 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, recommended for the issuance of Warrant of Seizure and Detention (WSD) against the amount of Php901,000.00 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, 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 subject currencies for violation of Section 4 of the Manual of Regulations on Foreign Exchange Transactions, in relation to Sections 117 and 1113 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 currencies intercepted from passengers **RICHARD BRYAN TAMONAN DOTIG** and **KRISTINE ANNE PEÑAFIEL** for violation of Sections 117 and 1113 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, NOV 07 2024, November 2024.

**ATTY. MARIA YASMIN M. GEBILLOS-MARA**  
District Collector, BOC-NAIA

Law/wady/tsy





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8 November 2024

**MR. HYEONGYU KIM**

No given address

By posting at the bulletin board

**Subject : Seizure Identification No. 252-2024 (NAIA)**  
Republic of the Philippines vs. Ninety-Four Thousand Three  
Hundred Pesos (Php94,300.00) Philippine Currency  
intercepted from incoming passenger **HYEONGYU KIM** who  
arrived on 07 September 2024

Dear **Mr. Hyeongyu Kim**

This refers to the seized goods which is covered by Seizure Identification No. 252-2024 (NAIA) issued on November 7, 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 seized goods, 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,

*for*   
**ATTY. EMILIO Y. LEGASPI IV**  
Officer-on-Case



Old MIA Road, NAIA Complex, 1300 Pasay City  
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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 252-2024 (NAIA)

-versus-

Ninety-Four Thousand Three  
Hundred Pesos (Php94,300.00)  
Philippine Currency intercepted  
from incoming passenger  
**HYEONGYU KIM**, who arrived on  
07 September 2024.

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 07 September 2024, Hyeongyu Kim, a Korean traveler and holder of Passport No. M312V3597, arrived at the Ninoy Aquino International Airport on board Korean Airlines Flight KE623 from Incheon, Korea.

WHEREAS, his carry-on bag underwent the non-intrusive examination conducted by XIP Inspector Mohammad Junaid Udasan, and thereafter, referred him to Customs Examiner Arnie Jane A. Edrad, who was then on duty at the Arrival Examination Area, for verification and physical examination thereof.

WHEREAS, before conducting an actual examination, Customs Examiner Edrad asked passenger Hyeongyu for his passport and e-Travel QR Code for scanning. Upon scanning his e-Travel QR Code, Customs Examiner Edrad found that passenger Hyeongyu did not declare anything and answered "No" to all the questions in the General Declaration.

WHEREAS, Customs Examiner Edrad explained to passenger Kim that Philippine Currency in excess of Fifty Thousand Pesos (Php50,000.00) requires prior authorization from the Bangko Sentral ng Pilipinas (BSP), and in the absence of the said authorization, the excess amount will be confiscated.

WHEREAS, Customs Examiner Edrad conducted an actual physical count of the money inside passenger Kim's handcarried bag which yielded the total amount of One Hundred Forty Four Thousand Three Hundred Pesos (Php144,300.00). After the verified counting, the amount of Fifty Thousand Pesos (Php50,000.00) was returned to passenger Kim and she issued Held Baggage Receipt No. 00100009095 was issued for the remaining amount of Php94,300.00 and turned over the same to the In Bond Section, Baggage Assistance Division, this Port, for custody and safekeeping.

WHEREAS, in a Memorandum dated 07 September 2024, Customs Examiner Armie Jane A. Edrad and Flight Supervisor Gerardo P. Pascual, 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, recommended that the amount of P94,300.00 intercepted from incoming passenger Hyeongyu Kim be seized for lack of the required BSP Authority to Import which is in violation of BSP Circular No. 1146 series of 2022, referring to the *Amendments to the Rules of Cross-Border Transfer of Local and Foreign Currencies*, and



for violation of Section 117 in relation to Section 1113 of the Customs Modernization and Tariff Act (CMTA).

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 the Warrant of Seizure and Detention against the subject currencies for violation of Section 4 of the Manual of Regulations on Foreign Exchange Transactions, in relation to Sections 117 and 1113 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 currencies intercepted from passenger **HYEONGYU KIM** for violation of Sections 117 and 1113 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, NOV 07 2024, November 2024.

**ATTY. MARIA YASMIN M. OBLANOS MSPA,**  
District Collector, BOC-NAIA

Law/wady/eylIV





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8 November 2024

**CJRJ CONSUMER GOODS TRADING**  
4-D Narra Street, Clarkview Avenue  
Malabanas, Angeles City Pampanga

**Subject : Seizure Identification No. 253-2024 (NAIA)**  
Republic of the Philippines vs. One (1) outbound parcel bound  
for Nuuk Greenland, covered by DHL AWB No. 2221854423,  
which contained various articles including vapes, sent by **CJRJ**  
**CONSUMER GOODS TRADING**

**To: CJRJ Consumer Goods Trading**

This refers to the seized goods which is covered by Seizure Identification No. 253-2024 (NAIA) issued on November 7, 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 seized goods, 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. MANUEL O. ZURBITO JR.**  
Officer-on-Case



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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 253-2024 (NAIA)

-versus-

One (1) outbound parcel bound for Nuuk Greenland, covered by DHL AWB No. 2221854423, which contained various articles including vapes, sent by **CJRJ CONSUMER GOODS TRADING**

X-----X

## WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 30 August 2024, Nabel A. Sahraman, Supervising Trade Control Examiner, Export Division, this Port, conducted a physical examination of an outbound shipment bound for Nuuk Greenland which was intercepted at the DHL Express Hub.

WHEREAS, subject shipment was sent by the CJRJ CONSUMER GOODS TRADING, with address at 4-D Narra Street, Clark View Avenue, Malabanas, Angeles City, Pampanga, with contact number 09190963621, and consigned to CHRISTINE SEVILLA with delivery address at 3900 Nuuk, Greenland, and contact number +200229727.

WHEREAS, upon physical examination in the presence of authorized representatives of the concerned offices, Mr. Sahraman, Supervising Trade Control Examiner, found that the outbound parcel contained assorted beauty products, 2 pads of Paracetamol (Biogesic), 1 pad of Decolgen, 2 pairs of shoes, assorted clothes, 1 herbal tea, 1 massage oil, 7 boxes of hormonal contraceptives (Lynestrenol RX), and 14 pieces of Vape (Shift Chillax Brand).

WHEREAS, after the examination and inventory of the subject outbound parcel, the articles found were returned to their original packing, resealed and thereafter was turned over to the Export Corral at CBW No. 185 (DHL Warehouse), for custody and safekeeping.

WHEREAS, in a Memorandum dated 18 September 2024, Nabel A. Sahraman, Supervising Trade Control Examiner, thru the Chief, Export Division, recommended for the issuance of Warrant of Seizure and Detention against the subject outbound parcel for violation of Sections 1400, 1401 and 117 in relation to Section 117 of the Customs Modernization and Tariff Act (CMTA), and National Tobacco Administration (NTA) Board Resolution No. 079-2005 which requires the registration of exporters of tobacco and tobacco-related products with the NTA.

WHEREAS, Sections 5 and 7 of the NTA Circular No. 002, series of 2020, expressly state that:

### SECTION 5. APPLICATION AND ISSUANCE OF ICC/ECC/CC





1. **Application for ICC/ECC/TCC.** - For every shipment, importers/exporters of tobacco leaf, tobacco products, heated tobacco products and other tobacco related materials and ingredients shall secure from the NTA an ICC/ECC/CC (NTA-RD-F-017 rev 02/018 rev 02) at least three working days prior to the date of unloading/loading of the commodity. x x x

## **SECTION 7. EXEMPTION IN THE FILING OF COMMODITY CLEARANCE FOR EXPORTATION/IMPORTATION/TRANSSHIPMENT**

1. Tobacco commodities, other tobacco related materials, ingredients and spare parts, e-cigarettes and e-juices are exempted from the filing of commodity clearance for the following volume or net weight, for personal consumption, to wit:

- a) Cigarettes/HTPs - not exceeding 5 reams (50 packs), per Passenger/consignee
- b) Cigars -not exceeding 20 sticks, per passenger/consignee
- c) Snus -not exceeding 10 tins or maximum of 200 pcs, per passenger/consignee,”

WHEREAS, further, as provided in the Customs Memorandum Circular No. 21-2020 circulating NTA Memorandum Circular No. 003, which states that:

**“Section 1.** Tobacco commodities, other tobacco related materials, ingredients and spare parts, e-cigarettes and e-juices are exempted from the filing of commodity clearance for the following volume of net weight, for personal consumption, to wit:

1. Cigarettes -not exceeding 5 reams (50 packs), per passenger/consignee
2. Cigars -not exceeding 20 sticks, per passenger/consignee
3. Snus -not exceeding 10 tins or maximum of 200 pcs, per passenger/consignee
4. E-Cigarettes -not exceeding 2 sets of Atomizer device, per passenger/consignee
5. E-juices -not exceeding 200ml, per passenger/consignee
6. Parts/Accessories of Atomizer Devices -not exceeding 100 grams, per passenger/-consignee

x x x



**Section 2. In excess of the above quantities, the concerned exporter/importer/transshipper shall be required to secure the necessary ECC/ICC/TCC from the NTA.”**

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 subject outbound parcel for violation of Section 1400 (Misdeclaration), Section 1401 (Unlawful Importation and Exportation) and Section 117 (Regulated Importation and Exportation) in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), and also for violation of the NTA Memorandum Circular No. 002, series of 2020 in relation to Customs Memorandum Circular No. 21-2020 circulating NTA Memorandum Circular No. 003.

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 outbound parcel shipped by **CJRJ CONSUMER GOODS TRADING** for violation of Section 1400 (Misdeclaration), Section 1401 (Unlawful Importation and Exportation) and Section 117 (Regulated Importation and Exportation) in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), National Tobacco Administration (NTA) Memorandum Circular No. 002, series of 2020 in relation to Customs Memorandum Circular No. 21-2020 circulating NTA Memorandum Circular No. 003 and to turn over the same to the Auction and Cargo Disposal 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.**

**NOV 07 2024**

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

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

Law/wady/moz





REPUBLIC OF THE PHILIPPINES  
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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 254-2024 (NAIA)

- versus -

Eighty (80) bottles of GlutaSlim Dietary Supplement weighing 4,75 kilograms, intercepted from **ALJON RECLUSADO**, a Filipino traveler, who arrived on 28 April 2024 and held in custody under Held Baggage Receipt No. 00100010226

X-----X

**NOTICE OF DECISION**

**TO: MR. ALJON RECLUSADO**  
San Vicente, Ilocos Sur

**MS. WILNORA L. CAWILE**  
Deputy Collector for Operations  
BOC-NAIA

**MR. ROBERTO A. QUINTANA**  
Chief  
Auction & Cargo Disposal Division  
BOC-NAIA

**MR. NORSALEM RAYMOND M. MAMA-O**  
Deputy Collector for Passenger Service  
BOC NAIA

**MR. RICHARD S. REBONG, DPA**  
Chief  
Baggage Assistance Division  
BOC-NAIA

**ATTY. DANILO M. CAMPOS JR.**  
Chief, Arrival Operations Division  
BOC-NAIA

**The Government Prosecutor**  
Prosecution and Litigation Division  
Legal Service, Bureau of Customs

**NOTICE** is hereby given that the District Collector, this Port, issued a Decision dated November 7, 2024, ordering the forfeiture of the subject goods in favor of the government. A copy of the said Decision is hereto attached for information.

Issued this 8<sup>th</sup> day of November 2024 at the Law Division, NAIA Customhouse, Pasay City, Metro Manila.

By the authority of  
the Chief, Law Division

**ATTY. EMLIO Y. LEGASPI IV**  
Hearing Officer

Encl.: As stated  
Law/wdy/eyl



Old MIA Road, NAIA Complex, 1300 Pasay City  
+63 (02) 8705-6000, +639776767034 | www.customs.gov.ph | naia@customs.gov.ph



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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 254-2024 (NAIA)

-versus-

Eighty (80) bottles of GlutaSlim Dietary Supplement weighing 4.75 kilograms, intercepted from **ALJON RECLUSADO**, a Filipino traveler, who arrived on 28 April 2024, and held in custody under Held Baggage Receipt No. 00100010226.

X-----X

## DECISION

This resolves the seizure and forfeiture proceedings instituted against the above described Eighty (80) bottles of GlutaSlim Dietary Supplement weighing 4.75 kilograms for violation of Section 118 (g) and 1113 (f) of the Customs Modernization and Tariff Act (CMTA) and Paragraph 9.3 of Customs Administrative Order No. 10-2020, in relation to 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.

A perusal of the records of the instant case shows the following antecedents:

1. The above-described articles were brought into the country by a Filipino Traveler Aljon G. Reclusado, and holder of Passport No. P8517221B who arrived at NAIA Terminal 3 on 28 April 2024 on board Cebu Air Flight 5J015 from Dubai.
2. His check-in baggage underwent the non-intrusive x-ray inspection and was marked "X" by the XIP Inspector on duty. Thereafter, his baggage was referred to Ariane Krisette M. Andaya, Customs Examiner on duty, for physical examination.
3. Before conducting an actual physical examination of the check-in baggage of Mr. Reclusado, Customs Examiner Andaya asked Mr. Reclusado to submit his filled-out Customs Baggage Declaration Form (CBDF), and she noted that the latter answered "No" to all the items in the General Declaration except for Item No. 4 which pertains to "Cosmetics, skin-care products, food supplements and medicines in excess of quantities for personal use". Thereafter, she requested the passenger provide more information on the items to be examined, to which he declared the items to be dietary supplements.
4. The physical examination led to the discovery of eighty (80) bottles of GlutaSlim Dietary Supplements weighing 4.75 kilograms. However, Mr. Reclusado failed to present a permit from the Food and Drug Administration (FDA) for the subject articles, nor any document to prove the actual value of the articles found inside his check-in baggage.
5. After the conduct of the actual examination, Customs Examiner Andaya issued Held Baggage Receipt No. 00100010226 to passenger Reclusado



and thereafter turned over the subject articles to the In Bond Section, Baggage Assistance Division, for custody and safekeeping.

6. In a Memorandum for the District Collector dated 05 May 2024, Customs Examiner Ariane Krisette M. Andaya and Flight Supervisor Michelle Ann M. Untalan, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, Mark Jhon O. Almase, Assistant Deputy Collector for Passenger Service, and Norsalem Raymond M. Mamao, Deputy Collector for Passenger Service, reported the incident and recommended for the issuance of Warrant of Seizure and Detention against the eighty (80) bottles GlutaSlim Dietary Supplements for violation of Book 2, Article 1, Section 1 (b) of the Department of Health Department Circular No. 2011-0101 (The Rules and Regulations Implementing Republic Act No. 9711, otherwise known as the Food and Drug Administration Act of 2009.

#### DISCUSSION:

As culled from the records of the instant case, consignee **ALJON RECLUSADO** brought into the country the subject Eighty (80) bottles of GlutaSlim Dietary Supplement 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:

- (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 substances 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.** (Emphasis ours)

Relatively, Article 1 (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.

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, importation, exportation, 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.** (Emphasis ours)



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:

X X X

- (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**, the subject goods brought by passenger to **ALJON RECLUSADO** 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 to the Auction and Cargo Disposal Division (ACDD) for final disposition thereof 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, NOV 07 2024 November 2024.

**ATTY. MARIA YASMIN M. OBLANOS-JANPA**  
District Collector, BOC-NAIA

Law/wady/eyllV





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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 255-2024 (NAIA)

- versus -

Thirty (30) packs of antipodean  
espresso coffee beans brought in  
by a Japanese traveler named **INA  
TATSUZAWA** at NAIA Terminal 1

X-----X

**NOTICE OF DECISION**

**TO: MS. INA TATSUZAWA**  
Naga City, Albay

**MR. ROBERTO A. QUINTANA**  
Chief  
Auction & Cargo Disposal Division  
BOC-NAIA

**MR. RICHARD S. REBONG, DPA**  
Chief  
Baggage Assistance Division  
BOC-NAIA

**MS. WILNORA L. CAWILE**  
Deputy Collector for Operations  
BOC-NAIA

**MR. NORSALEM RAYMOND M. MAMA-O**  
Deputy Collector for Passenger Service  
BOC NAIA

**ATTY. DANILO M. CAMPOS JR.**  
Chief, Arrival Operations Division  
BOC-NAIA

**The Government Prosecutor**  
Prosecution and Litigation Division  
Legal Service, Bureau of Customs

**NOTICE** is hereby given that the District Collector, this Port, issued a Decision dated November 7, 2024, ordering the forfeiture of the subject goods in favor of the government. A copy of the said Decision is hereto attached for information.

Issued this 8<sup>th</sup> day of November 2024 at the Law Division, NAIA Customhouse, Pasay City, Metro Manila.

By the authority of  
the Chief, Law Division

  
**ATTY. HYACINTH A. MIRANDA**  
Hearing Officer

*Encl.: As stated  
Law/wdy/nam*



Old MIA Road, NAIA Complex, 1300 Pasay City  
+63 (02) 8705-6000, +639776767034 | www.customs.gov.ph | naia@customs.gov.ph



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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 255-2024 (NAIA)

-versus-

Thirty (30) packs of antipodean  
espresso coffee beans brought in  
by a Japanese traveler named **INA  
TATSUZAWA** at NAIA Terminal 1

X-----X

## DECISION

This resolves the seizure and forfeiture proceedings instituted against the above described articles brought in the Philippines on September 18, 2024 by Ms. Ina Tatsuzawa for violation of Section 118 (g) and Paragraph (f) of Section 1113 (Property Subject to Seizure and Forfeiture) of the Customs Modernization and Tariff Act (CMTA), in relation to Republic Act No. 9711 or the Food and Drug Administration (FDA) Act of 2009 and Section 1 of Article I, Book II of the Rules and Regulations Implementing Republic Act No. 9711-The Food and Drug Administration Act of 2009.

A perusal of the records of the instant case shows the following antecedents:

1. The above-described articles were brought into the country by incoming passenger Ina Tatsuzawa, a Japanese holder of Passport No. TZ0833669 who arrived at NAIA Terminal 1 on 18 September 2024 on board flight MH806 from Malaysia.
2. Before conducting physical examination of the check-in baggage of Ms. Tatsuzawa, Customs Examiner Shiela May V. Asis asked the passenger to submit her filled-out Customs Baggage Declaration Form (CBDF). It was noted that passenger Tatsuzawa answered "No" to all items indicated on page 3 of the CBDF. The Customs Examiner asked the passenger to provide more information on the items to be examined before proceeding with the physical examination.
3. Customs Examiner Asis conducted a physical examination of the check-in baggage of passenger Tatsuzawa and yielded to the discovery of 30 packs of Antipodean Espresso Coffee with an estimated value of Php45,000.00. Passenger failed to present the Import Permit/Clearance from the Food and Drug Administration (FDA).
4. Customs Examiner Asis withheld the release of the subject 30 packs of Antipodean Espresso Coffee and issued Held Baggage Receipt No. 00100004241 to passenger Ina Tatsuzawa and turned-over to the in-bond Baggage Assistance Division for custody and safekeeping.
5. However, up to this time, passenger Tatsuzawa nor her duly authorized representative failed to appear at the Baggage Assistance Division to claim the subject articles.





6. Thus, on 22 August 2024 on the Passenger Service, recommended for the issuance of a Warrant of Seizure and Detention against the subject 30 packs of Antipodean Espresso Coffee for lack of FDA Import Clearance in violation of Republic Act No. 9711 or the Food and Drug Administration Act of 2009.

#### DISCUSSION:

As culled from the records of the instant case, consignee **INA TATSUZAWA** brought into the country the subject goods 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:

- (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 substances 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.**” (Emphasis ours)

Relatively, Article 1 (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.

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, importation, exportation, 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.** (Emphasis ours)

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:



X X X

- (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**, the subject goods brought by passenger to **INA TATSUZAWA** 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 to the Auction and Cargo Disposal Division (ACDD) for final disposition thereof 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, NOV 07 2024 November 2024.

**ATTY. MARIA YASMIN M. OENILLOS MORA**  
District Collector, BOC-NAIA

Wdy/law/ham





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REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 256-2024 (NAIA)

- versus -

Twenty (20) boxes of 500mg of Rituximag Injection "RituxiRel" Brand, brought in by Indian Traveler **PAYAL PRANAVKUMAR JOSHI** on 09 October 2023, and held for safekeeping under Held Baggage Receipt No. 00100004779

X-----X

**NOTICE OF DECISION**

**TO: MS. PAYAL PRANAVKUMAR JOSHI**  
Las Piñas City

**MS. WILNORA L. CAWILE**  
Deputy Collector for Operations  
BOC-NAIA

**MR. ROBERTO A. QUINTANA**  
Chief  
Auction & Cargo Disposal Division  
BOC-NAIA

**MR. NORSALEM RAYMOND M. MAMA-O**  
Deputy Collector for Passenger Service  
BOC NAIA

**MR. RICHARD S. REBONG, DPA**  
Chief  
Baggage Assistance Division  
BOC-NAIA

**ATTY. DANILO M. CAMPOS JR.**  
Chief, Arrival Operations Division  
BOC-NAIA

**The Government Prosecutor**  
Prosecution and Litigation Division  
Legal Service, Bureau of Customs

**NOTICE** is hereby given that the District Collector, this Port, issued a Decision dated November 7, 2024, ordering the forfeiture of the subject goods in favor of the government. A copy of the said Decision is hereto attached for information.

Issued this 8<sup>th</sup> day of November 2024 at the Law Division, NAIA Customhouse, Pasay City, Metro Manila.

By the authority of  
the Chief, Law Division

  
**ATTY. MANUEL O. ZURBITO JR.**  
Hearing Officer

Encl.: As stated  
Law/wdy/moz



Old MIA Road, NAIA Complex, 1300 Pasay City  
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**REPUBLIC OF THE PHILIPPINES**

**SEIZURE IDENTIFICATION  
NO. 256-2024 (NAIA)**

**-versus-**

Twenty (20) boxes of 500mg of Rituximab Injection "RituxiRel" Brand, brought in by Indian Traveler **PAYAL PRANAVKUMAR JOSHI** on 09 October 2023, and held for safekeeping under Held Baggage Receipt No. 00100004779.

X-----X

## **DECISION**

This resolves the seizure and forfeiture proceedings instituted against the above described Twenty (20) boxes of 500mg of Rituximab Injection "RituxiRel" Brand for violation of Section 118 (g) and 1113 (f) of the Customs Modernization and Tariff Act (CMTA) and Paragraph 9.3 of Customs Administrative Order No. 10-2020, in relation to 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.

Culled from the records of the instant seizure case are the antecedent facts, to wit:

1. On 09 October 2023 at NAIA Terminal 3, passenger a female Indian passenger Payal Pranavkumar Joshi, holder of Passport No. P6814832, arrived on board Singapore Airlines Flight SQ912 from Singapore.
2. Passenger Joshi's checked-in baggage underwent the non-intrusive inspection by XIP Inspector Joshua Zurbito, who then referred her to Customs Examiner Sheila V. Asis for physical examination thereof.
3. Before conducting an actual physical examination, Customs Examiner Asis asked passenger Joshi to submit her filled-out Customs Baggage Declaration Form (CBDF) wherein she noted that the said passenger ticked "NO" to all items pertaining to the General Declaration. She also asked passenger Joshi to provide more information on the contents of her checked-in baggage before conducting the physical examination.
4. Customs Examiner Asis conducted an actual physical examination of passenger Joshi's checked-in baggage led to the discovery of twenty (20) boxes of 500mg Rituximab Injection (RituxiRel Brand), with an estimated value of Php100,000.00. Passenger Joshi, however, was unable to provide the required Import Permit/Clearance from the Food and Drug Administration (FDA) nor any document to show the actual value of the items that Customs Examiner Asis found during the physical examination.
5. Held Baggage Receipt No. 0100004779 was issued to passenger Joshi and thereafter the 20 boxes of Rituximab Injection were turned over to the In Bond Section, Baggage Assistance Division, for custody and safekeeping.
6. In a Memorandum dated 29 March 2024, Customs Examiner Sheila May V. Asis and Felipe Maria T. Regencia, Flight Supervisor, 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**, Deputy Collector for Passenger Service, this Port, reported their findings to the District Collector, this Port, and recommended the release of the commodity upon presentation of the necessary FDA Import Permit and payment of the customs duty and tax to be assessed thereon.

7. Despite the length of time given to passenger Joshi to submit the required Import Permit/Clearance from the FDA and proof of payment that would show the actual value of the imported goods, passenger Joshi nor her authorized representative failed and continuously failed to comply.
8. In a Memorandum dated 22 August 2024, IOV Richard S. Rebond, DPA, Chief, Baggage Assistance Division, recommended for the issuance of Warrant of Seizure and Detention against the 20 boxes of Rituximar Injection found in the checked-in baggage of incoming passenger Payal Pranavkumar Joshi, for lack of FDA Import Clearance in violation of Republic Act 9711 or the Food and Drug Administration Act of 2009.

#### **DISCUSSION:**

As culled from the records of the instant case, passenger **PAYAL PRANAVKUMAR JOSHI** brought into the country the subject goods 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:

- (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 substances 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.**” (Emphasis ours)

Relatively, Article 1 (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.

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, importation, exportation, 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. (Emphasis ours)

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:

X X X

- (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, the subject goods brought by passenger to **PAYAL PRANAVKUMAR JOSHI** 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 to the Auction and Cargo Disposal Division (ACDD) for final disposition thereof 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, NOV 07 2024 November 2024.

**ATTY. MARIA YASMIN M. OBULOS-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*

REPUBLIC OF THE PHILIPPINES

SEIZURE IDENTIFICATION  
NO. 257-2024 (NAIA)

- versus -

Two Hundred Fifteen (215) pieces of assorted nail polish and nail glue, brought in by incoming passenger **SHEENA MAE FERRER** on 09 December 2023 and held in custody at the In Bond Section, Baggage Assistance Division, under Held Baggage Receipt No. 00100005129  
X-----X

**NOTICE OF DECISION**

**TO: MS. SHEENA MAE FERRER -**  
W21G Orchard Residence,  
Masangkay, Manila

**MS. WILNORA L. CAWILE**  
Deputy Collector for Operations  
BOC-NAIA

**MR. ROBERTO A. QUINTANA**  
Chief  
Auction & Cargo Disposal Division  
BOC-NAIA

**MR. NORSALEM RAYMOND M. MAMA-O**  
Deputy Collector for Passenger Service  
BOC NAIA

**MR. RICHARD S. REBONG, DPA**  
Chief  
Baggage Assistance Division  
BOC-NAIA

**ATTY. DANILO M. CAMPOS JR.**  
Chief, Arrival Operations Division  
BOC-NAIA

**The Government Prosecutor**  
Prosecution and Litigation Division  
Legal Service, Bureau of Customs

**NOTICE** is hereby given that the District Collector, this Port, issued a Decision dated November 7, 2024, ordering the forfeiture of the subject goods in favor of the government. A copy of the said Decision is hereto attached for information.

Issued this 8<sup>th</sup> day of November 2024 at the Law Division, NAIA Customhouse, Pasay City, Metro Manila.

By the authority of  
the Chief, Law Division

  
**ATTY. MANUEL O. ZURBITO JR.**  
Hearing Officer

Encl.: As stated  
Law/lwdy/moz



Old MIA Road, NAIA Complex, 1300 Pasay City  
+63 (02) 8705-6000, +639776767034 | www.customs.gov.ph | naia@customs.gov.ph



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SEIZURE IDENTIFICATION  
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X-----X

**DECISION**

This resolves the seizure and forfeiture proceedings instituted against the two hundred and fifteen (215) pieces of Nail Polish and Nail glue for violation of Section 117 (Regulated Importation and Exportation) and Paragraph (f) of Section 1113 (Property Subject to Seizure and Forfeiture) 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.

Culled from the records of the instant case are the following antecedent facts, viz:

1. The 215 pieces of Nail Polish and Nail Glue were brought in by Sheena Mae Ferrer, a female Filipino traveler, holder of Passport No. P6706163B, who arrived on board Flight MF817 from China on 09 December 2023.
2. Passenger Ferrer's checked-in baggage underwent the non-intrusive x-ray examination at the Arrival Area and was marked "X" by the XIP Inspector on duty, who, then referred the same to the Customs Examiner on duty at the Arrival Area for actual physical examination thereof.
3. Before conducting the actual examination, Customs Examiner Kyle Christian U. Vioria asked passenger Ferrer to submit her accomplished Customs Baggage Declaration Form (CBDF) which she did and handed over her Passport and accomplished CBDF. Going over the same, he took note that passenger Ferrer answered "No" to all the items of the General Declaration on page 3 thereof.
4. Thereafter, Customs Examiner Vioria conducted an actual physical examination of the check-in baggage of passenger Ferrer which yielded the two hundred fifteen (215) pieces of Nail Polish and Nail Glue.
5. After the discovery of the above-enumerated articles, Customs Examiner Vioria explained to passenger Ferrer that these articles cannot be released for lack of the required Import Permit/Clearance from the Food and Drug Administration (FDA). He explained further that importation of cosmetics such as nail polish and nail glue should be covered by a prior Import Permit or Clearance from the Food and Drug Authority (FDA) before they could be released. Passenger Ferrer was also asked to submit an Invoice for the





subject cosmetic products, but she could not present any. Thus, Customs Examiner Vioria withheld the release and issued Held Baggage Receipt No. 00100005129 for custody of the subject articles pending the submission of the required Import Permit or Clearance from the FDA and Invoice for the assessment of the customs duties and taxes due thereon. Thereafter, the assorted cosmetics were turned over to the In Bond Section, Baggage Assistance Division, for custody and safekeeping.

6. In a Memorandum dated 29 May 2024 for the District Collector, this Port, Customs Examiner Kyle Christian U. Vioria and Flight Supervisor Felipe Maria T. Regencia, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, Mr. Mark Jhon O. Almase, Ph.D., Assistant Deputy Collector, and Mr. Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, reported the incident and recommended for the issuance of Warrant of Seizure and Detention against the assorted cosmetics for lack of the required Import Permit/Clearance from the Food and Drug Administration, and for violation of Section 117 of the Customs Modernization and Tariff Act (CMTA).

#### DISCUSSION:

As culled from the records of the instant case, consignee **SHEENA MAE FERRER** brought into the country the subject Two Hundred Fifteen (215) pieces of assorted nail polish and nail glue 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:

- (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 substances 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.**” (Emphasis ours)

Relatively, Article 1 (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.

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, importation, exportation, transfer or retail of any drug or device, the manufacture, **importation**, exportation, transfer or distribution of any food, cosmetics, household hazardous



facility or pest control establishment **without the appropriate authorization from the FDA is prohibited.** (Emphasis ours)

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:

X X X

- (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**, the subject goods brought by passenger to **SHEENA MAE FERRER** 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 final disposition thereof 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, NOV 07 2024 November 2024.

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

Law/wady/moz

