



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

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Fifty-Nine (59) overstaying cargoes covered by Fifteen (15) Airway Bills which remained unclaimed at **CARGOHAUS FACILITY, CFW NO. 007**

ABANDONMENT PROCEEDINGS
NO. 036-2024 (NAIA)

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NOTICE AND DECLARATION OF ABANDONMENT

WHEREAS, in a Disposition Form dated 12 November 2024 addressed to the Deputy Collector for Operations, this port, Arnaldo R. Dela Torre, Jr., Chief, Customs Bonded Warehouse Division, recommended the issuance of abandonment proceeding of the attached "Report on Overstaying Goods stored at CFW No. 007, Cargohaus Facility".

WHEREAS, upon evaluation of the records and the submitted "Report on Overstaying Goods stored at CFW No. 007, Cargohaus Facility", Fifty-Nine (59) overstaying shipments are reportedly stored and intact at Cargohaus Facility, CFW No. 007, per certifications of Mr. Eric Casapao, CFW Operator of Cargohaus Facility and Mr. Christopher Peregrino, Warehouse Supervisor of Cargohaus Facility, CFW No. 007 dated 15 October 2024 and 31 October 2024.

WHEREAS, as of date, various consignees failed to lodge the necessary goods declaration on their respective shipments despite due notice.

WHEREAS, records further reveal that said shipments stated in the said "Report on Overstaying Goods stored at CFW No. 007, Cargohaus Facility" arrived at Port of NAIA on various dates which remained unclaimed despite service and/or posting of the required Notice to Claim and Final Notice to Claim as attested by Mr. Eric Casapao, CFW Operator of Cargohaus Facility and Mr. Christopher Peregrino, Warehouse Supervisor of Cargohaus Facility, CFW No. 007 dated 15 October 2024 and 31 October 2024.

WHEREAS, the subject shipments are deemed abandoned pursuant to Section 1129(b) in relation to Section 407 and Section 1129 (c) and (d) of the Customs Modernization and Tariff Act, which provides that:

Section 1129: Abandonment, kinds and effects of- Imported goods are deemed abandoned under any of the following circumstances:

X X X

(b) When the owner, importer, consignee, or interested party after due notice, fails to file the goods declaration within the prescribed period in Section 407 of this Act;

(c) Having filed such goods declaration, the owner, importer, consignee or interested party after due notice, fails to pay the assessed duties, taxes and other charges thereon, or if within fifteen (15) days from the date of final assessment. Provided, that if such regulated goods are subject to an Alert Order and the assessed duties, taxes and other charges due thereof are not paid within fifteen (15) days



from notification by the Bureau of the resolution of the Alert Order, the same shall also be deemed abandoned; or

(d) Having paid the assessed duties, taxes and other charges, the owner, importer or consignee or interested party after due notice, fails to claim the goods within thirty (30) days from payment.

X X X

Section 407. Goods Declaration and Period to Filing. —

X X X

Goods declaration must be lodged within fifteen (15) days from the date of the discharge of the last package from the vessel or aircraft. (Emphasis and underline supplied.)

WHEREFORE, premises considered, the goods listed in the attached “Report on Overstaying Goods stored at CFW No. 007, Cargohaus Facility”, are hereby declared **ABANDONED** in favor of the government pursuant to Section 1129 in relation to Section 407 of the Customs Modernization and Tariff Act (CMTA), *without prejudice to the possible criminal or administrative liability of the importer, or its officers and employees as may be warranted*, the same to be turned over to the Auction and Cargo Disposal Division, this Port, for inventory, custody and safekeeping pending the final disposition thereof in the manner provided for by law and subject further to the strict compliance with existing customs laws, rules, and regulations.

Let copies of this Notice and Declaration of Abandonment be furnished to all parties thru the Cargohaus Facility, CFW No. 007 and offices concerned, a copy thereof be posted on the Bulletin Board of the Law Division, this Port, and electronic posting in the BOC website, through the Public Information and Assistance Division (PIAD) pursuant to existing Customs laws, rules and regulations.

SO ORDERED.

BOC-NAIA, Pasay City, 20 November 2024.

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

Wdy/Law/tsy

