



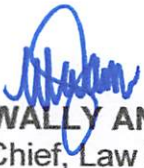
REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

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MEMORANDUM

TO : **KARREN APRIL A. NOROÑO-GABION**
Officer-in-Charge
Public Information and Assistance Division (PIAD)

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

FROM : 
ATTY. WALLY ANN D. YUMUL
Acting Chief, Law Division

SUBJECT : **PUBLICATION IN THE BOC WEBSITE OF THE ISSUED
WARRANT OF SEIZURE AND DETENTION (WSD)**

DATE : **4 NOVEMBER 2024**

This refers to the herein attached issued Warrant of Seizure and Detention (WSD):

1. **SEIZURE IDENTIFICATION NO. 234-2024 (NAIA)** : Republic of the Philippines vs. One Hundred and Fifty-Five Thousand Pesos (Php155,000.00) Philippine Currency, intercepted from incoming Chinese passenger **LIAN LIAN ZHANG** and held in custody at the In Bond Section, Baggage Assistance Division, under Held Baggage Receipt No. 00100011519;
2. **SEIZURE IDENTIFICATION NO. 235-2024 (NAIA)** : Republic of the Philippines vs. One Million Nine Hundred Thousand Pesos (Php1,900,000.00) intercepted from departing travelers **GOVINDAN VIJAYAN NAIR** and **PRECY CORDOVA CORDERO** on 24 September 2024;
3. **SEIZURE IDENTIFICATION NO. 236-2024 (NAIA)** : Republic of the Philippines vs. One Hundred Nine Thousand Philippine Pesos (Php109,000.00) brought in by Japanese traveler **ISHIDA TATSUYUKI** on 18 September 2024;
4. **SEIZURE IDENTIFICATION NO. 237-2024 (NAIA)** : Republic of the Philippines vs. Six Hundred Thirty-Five Thousand Seven Hundred Hongkong Dollars (HKD635,700.00) brought in by Filipino traveler named **JOHN RIC HILARIO** on 11 September 2024;
5. **SEIZURE IDENTIFICATION NO. 238-2024 (NAIA)** : Republic of the Philippines vs. Ninety Thousand Pesos (Php90,000.00) brought in by incoming passenger **JAEHUN LEE** on 19 September 2024;
6. **SEIZURE IDENTIFICATION NO. 239-2024 (NAIA)** : Republic of the Philippines vs. Sixty Thousand US Dollars (USD60,000.00) intercepted from departing passenger **DAVID JOSEPH LUJAN** on 12 September 2024;



7. **SEIZURE IDENTIFICATION NO. 240-2024 (NAIA)** : Republic of the Philippines vs. Two Hundred Thousand Pesos (Php200,000,00) Philippine Currency, intercepted from outgoing passenger **HUAN YIK PING**, and held in custody under Held Baggage Receipt No. 00100011654;
8. **SEIZURE IDENTIFICATION NO. 241-2024 (NAIA)** : Republic of the Philippines vs. Ten (10) pieces of Vape Flavored E-Cigarettes, found inside the luggage of a Chinese traveler **LIANHONG GAO**, who arrived on 23 February 2024 at NAIA Terminal 1 on flight ZH9011 from China;
9. **SEIZURE IDENTIFICATION NO. 242-2024 (NAIA)** : Republic of the Philippines vs. Outbound shipment covered by DHL AWB No. 8059674733, sent by a certain **SIBAL GRACE** found to contain seventeen (17) packs of Shift Grip Bar with assorted flavor Vape E-cigarettes, and Two (2) pieces of E-Juice liquid; and
10. **SEIZURE IDENTIFICATION NO. 243-2024 (NAIA)** : Republic of the Philippines vs. Twenty-eight (28) units of assorted flavored Vapes found in the luggage of incoming passenger **NASRIN ZARA CHAVEZ**, who arrived on 26 March 2024.

As the aforementioned passengers/claimants have indicated insufficient addresses in the Philippines, the WSDs must be served by posting in the bulletin board of this Port and by electronic posting in the BOC website for fifteen days, as provided under Section 6.5.2 of CAO No. 10-2020, to wit:

6.5.2. To the owner of the goods or his authorized representative.

For the purpose of serving the WSD, the importer, consignee, named in the bill of lading or airway bill, or possessor shall be deemed the owner of the goods.

If the owner is unknown, with insufficient address, or a foreign entity or individual, service shall be effected by posting of the WSD by the ESS in the bulletin board of the concerned collection district office, **and by electronic posting through the BOC website, or printed publication, for fifteen (15) days.**

In view of the foregoing, this Office respectfully requests that the copy of the WSD on **Seizure Identification Nos. 234-2024 (NAIA), 235-2024 (NAIA), 236-2024 (NAIA), 237-2024 (NAIA), 238-2024 (NAIA), 239-2024 (NAIA), 240-2024 (NAIA), 241-2024 (NAIA), 242-2024 (NAIA) and 243-2024 (NAIA)**, respectively, be electronically posted with the BOC website for fifteen (15) days. A copy of said warrant is herein attached. Furthermore, scanned copies thereof were also forwarded to Piad@customs.gov.ph and Jessil.garlando@customs.gov.ph.





REPUBLIC OF THE PHILIPPINES
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4 November 2024

MS. LIAN LIAN ZHANG

Tuna Mktg. Ramona St. Cogan
Cagayan De Oro

Subject : Seizure Identification No. 234-2024 (NAIA)

Republic of the Philippines vs. One Hundred and Fifty-Five Thousand Pesos (Php155,000.00) Philippine Currency, intercepted from incoming Chinese passenger **LIAN LIAN ZHANG** and held in custody at the In Bond Section, Baggage Assistance Division, under Held Baggage Receipt No. 00100011519

Dear **Ms. Lian Lian Zhang**

This refers to the seized goods which is covered by Seizure Identification No. 234-2024 (NAIA) issued on October 31, 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.

Very truly yours,


ATTY. MANUEL O. ZURBITO JR.
Officer-on-Case





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REPUBLIC OF THE PHILIPPINES

-versus-

One Hundred and Fifty-Five Thousand Pesos (Php155,000.00) Philippine Currency, intercepted from incoming Chinese passenger **LIANLIAN ZHANG** and held in custody at the In Bond Section, Baggage Assistance Division, under Held Baggage Receipt No. 00100011519.

X-----X

SEIZURE IDENTIFICATION
NO. 234-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 01 September 2024, a female Chinese traveler named LianLian Zhang, and holder of Passport No. EC6191537, arrived on board Flight CZ3091 from China. Her hand carried luggage was subjected to non-intrusive inspection by XIP Inspector Maria Lyn Dela Ganar, who, thereafter, referred her to Customs Examiner Jeinallem G. Go for verification.

WHEREAS, before conducting an actual examination of her hand carried luggage, Customs Examiner Go asked passenger Zhang to submit her Passport and e-Travel Code for scanning. Passenger Zhang admitted she did not have an e-travel Code, so Customs Examiner Go required her to accomplish a Customs Baggage Declaration Form. After going over the CBDF, Customs Examiner Go noted that passenger Zhang answered "No" to all the items in the General Declaration.

WHEREAS, in the presence of passenger Zhang, an actual examination was conducted by Customs Examiner Go which yielded the undeclared Philippine Currency in the total amount of Two Hundred and Five Thousand Pesos (Php205,000.00). After the verified counting, the amount of Fifty Thousand Pesos (Php50,000.00) was returned to passenger Zhang and issued Held Baggage Receipt (HBR) No. 00100011519 for the excess amount of Php155,000.00 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 05 September 2024, Jeinallem G. Go, Acting Customs Examiner, and Sahlee C. Ysa-al, Acting 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 Php205,000.00 from incoming passenger Lianlian Zhang and recommended for the issuance of Warrant of Seizure and Detention against the remaining amount of Php155,000.00 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 **LIANLIAN ZHANG** 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, **OCT 31 2024**, October 2024.

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

Law/wady/moz





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4 November 2024

**MR. GOVINDAN VIJAYAN NAIR and
MS. PRECY CORDOVA CORDERO**
c/o ROMIEL ABRAHAM
2219C Oroqueta Street
Brgy. 347 District 3
Sta. Cruz, Manila

Subject : Seizure Identification No. 235-2024 (NAIA)
Republic of the Philippines vs. One Million Nine Hundred
Thousand Pesos (Php1,900,000.00) intercepted from
departing travelers **GOVINDAN VIJAYAN NAIR** and **PRECY
CORDOVA CORDERO** on 24 September 2024

Dear **Mr. Nair and Ms. Cordero**

This refers to the seized goods which is covered by Seizure Identification No. 235-2024 (NAIA) issued on October 31, 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.

Very truly yours,


ATTY. HYACINTH A. MIRANDA
Officer-on-Case





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REPUBLIC OF THE PHILIPPINES

-versus-

One Million Nine Hundred
Thousand Pesos
(Php1,900,000.00) intercepted
from departing travelers
GOVINDAN VIJAYAN NAIR and
PRECY CORDOVA CORDERO
on 24 September 2024.

X-----X

**SEIZURE IDENTIFICATION
NO. 235 - 2024 (NAIA)**

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 24 September 2024, at the NAIA Terminal 3, the hand-carried baggage of a departing Singaporean traveler named Govindan Vijayan Nair and his companion, a Female Filipino named Precy Cordova Cordero with passport numbers K3827035P and P6059838B respectively, who are about to board flight No. SQ919 for Singapore underwent non-intrusive inspection conducted by Leah Mae B. Urmeneta of the Office for Transportation Security (OTS) at the Final X-Ray Check Area. Thereafter, the subject hand carried baggage was assigned to Customs Examiner Mamerto Mark N. Buban for physical examination.

WHEREAS, before conducting physical examination, Customs Examiner Buban explained to the traveler that his carry-on bag needed to undergo physical examination. The traveler was asked to show his Bangko Sentral ng Pilipinas (BSP) permit and noted that the traveler answered "None". The Customs Examiner then invited the traveler to the exclusion room for physical examination of his baggage together with ESS SA1 Noroden M. Tomoira, and CIIS IA1 Ediex D. Liwanag.

WHEREAS, the physical count yielded to the discovery of undeclared local currency amounting to Two Million Pesos (Php2,000,000.00). Verified counting was afterwards conducted, which generated the same amount.

WHEREAS, for failure to produce BSP Permit/Clearance of the local currency, the One Million Nine Hundred Thousand Philippine Peso was confiscated and issued Held Baggage Receipt No. 00100011643 while the amount of One Hundred Thousand Pesos was returned to Mr Govindan and Ms. Cordero. The confiscated noted were turned-over to Jonathan Mesa of the In-bond Unit, Baggage Assistance Division for safekeeping.

WHEREAS, in a Memorandum dated 24 September 2024, Customs Examiner Mamerto Mark N. Buban and Flight Supervisor erico E. Flores, 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, reported to the District Collector, this Port, the said incident and recommended for the issuance of Warrant of Seizure and Detention against the amount of One Million Nine Hundred Thousand Pesos (Php1,900,000.00) in violation of Section 117 of the CMTA on Regulated Importation and Exportation; and 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 **GOVINDAN VIJAYAN NAIR** and **PRECY CORDOVA CORDERO** 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, **OCT 31 2024**, October 2024.

ATTY. MARIA YASMIN M. OBILLAS-TAPAS
District Collector, BOC-NAIA

Wdy/law/ham





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4 November 2024

MR. ISHIDA TATSUYUKI
The Malayan Plaza Hotel

Subject : Seizure Identification No. 236-2024 (NAIA)
Republic of the Philippines vs. One Hundred Nine Thousand
Philippine Pesos (Php109,000.00) brought in by Japanese
traveler **ISHIDA TATSUYUKI** on 18 September 2024

Dear **Mr. Ishida Tatsuyuki**

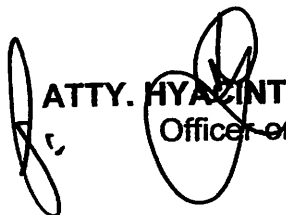
This refers to the seized goods which is covered by Seizure Identification No. 236-2024 (NAIA) issued on October 31, 2024 by the District Collector, this Port. A copy of the Warrant of Seizure and Detention is attached for reference.

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.

Very truly yours,


ATTY. HYACINTH A. MIRANDA
Officer-in-Charge



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

-versus-

One Hundred Nine Thousand
Philippine Pesos (Php109,000.00)
brought in by Japanese traveler
named **ISHIDA TATSUYUKI** on 18
September 2024

X-----X

SEIZURE IDENTIFICATION
NO. 236-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on or about 21901H of 18 September 2024, on board flight no. Z2 286 from Dong Mueang, Thailand, a male Japanese traveler named Ishida Tatsuyuki with Passport No. TT5646378 arrived at the NAIA Terminal 3 and his hand carry baggage underwent non-intrusive inspection conducted by X-ray Inspection Project (XIP) Inspector Paul Joseph Lodea who thereafter referred to Customs Examiner John Carlo Baura for verification and physical examination of the items of the carry-on baggage which appeared to be bills.

WHEREAS, before conducting physical examination, Examiner Baura asked the traveler for the e-Travel QR Code for scanning, to which he responded in the affirmative. Upon scanning of the QR code, it was found that the traveler did not declare anything and answered "No" to all questions in the General Declaration.

WHEREAS, upon seeing a bundle of Philippine peso bills in the traveler's carry-on bag, the Customs Examiner immediately asked if the traveler had a prior written authorization from the Bangko Sentral ng Pilipinas (BSP) to which he replied in the negative. The traveler was then invited in the exclusion room for the verification and counting of the money.

WHEREAS, the physical examination yielded one hundred and fifty-nine (159) pieces of one thousand Philippines Peso-bills equivalent to One Hundred and Fifty Nine Thousand Pesos (Php159,000.00).

WHEREAS, in the presence of traveler Tatsuyuki Ishida and witnessed by ESS SAI Mark Jason Jupuri and supervised by flight Supervisor Reginaldo Z. Castaneda, verified counting of the Philippine Currency was conducted and exceeded the threshold amount of fifty thousand pesos, the Customs Examiner explained to the traveler that prior written authorization from the BP was required, otherwise the amount in excess of Php50,000 shall be confiscated. Consequently, the allowable amount of Php50,000 pesos was returned to passenger while the excess amount of One Hundred and Nine Thousand Pesos was confiscated in violation of Section 1113 in relation to Section 117 of the CMTA and BSP Circular No. 1146 series of 2022 bearing the subject: Amendments to the Rules on Cross-Border Transfer of Local and Foreign Currencies, and passenger was issued Held Baggage Receipt with number 00100011610. The confiscated Philippine currency was thereafter, turned-over to Mr. Arbe Amama of the Baggage Assistance Division for safekeeping.

WHEREAS, on 18 September 2024, Acting Customs John Carlo M. Baura, Flight Supervisor Reginaldo Z. Castaneda thru Acting Deputy Collector for Passenger Service, Assistant Deputy Collector for Passenger Service, and Chief, Arrival Operation Division, submitted their incident report to the District Collector and recommended for the issuance of Warrant of Seizure and Detention (WSD) of the subject foreign currency for violation of



Section 1400 (Misdeclaration) in relation to Section 1113 (Property Subject to Seizure and Forfeiture) of the Customs Modernization and Tariff Act (CMTA) and Bangko Sentral ng Pilipinas(BSP) Circular No. 1146 Series of 2022-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 ISHIDA TATSUYUKI 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, OCT 31 2024 , October 2024.

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

Wdy/law/ham





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4 November 2024

MR. JOHN RIC HILARIO
0032 Sapphire St. Sumapang Matanda
Hiyas Subdivision, Malolos, Bulacan

Subject : Seizure Identification No. 237-2024 (NAIA)
Republic of the Philippines vs. Six Hundred Thirty-Five
Thousand Seven Hundred Hongkong Dollars
(HKD635,700.00) brought in by Filipino traveler named **JOHN
RIC HILARIO** on 11 September 2024

Dear **Mr. John Ric Hilario**

This refers to the seized goods which is covered by Seizure Identification No. 237-2024 (NAIA) issued on October 31, 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.

Very truly yours,


ATTY. HYACINTH A. MIRANDA
Officer-on-Case





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REPUBLIC OF THE PHILIPPINES

-versus-

Six Hundred Thirty-Five Thousand
Seven Hundred Hongkong Dollars
(HKD635,700.00) brought in by
Filipino traveler named **JOHN RIC
HILARIO** on 11 September 2024

X-----X

**SEIZURE IDENTIFICATION
NO. 277-2024 (NAIA)**

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on or about 2020H of 11 September 2024, on board flight no. UO514 from Hongkong, a male Filipino traveler named John Ric Hilario with Passport No. P2763592C arrived at the NAIA Terminal 3 and his hand carry baggage underwent non-intrusive inspection conducted by X-ray Inspection Project (XIP) Inspector Paul Joseph Lodea who thereafter referred the subject baggage for verification to Customs Examiner Jireh Marielle E. Bautista due to suspicious images of possible currencies.

WHEREAS, Examiner Bautista asked the traveler to show his e-travel generated QR Code and passport. Upon checking the information in the electronic Customs Baggage Declaration Form (e-CBDF), it was noted that the traveler answered "no" to all questions in the General Declaration. Thereafter, Examiner Bautista even asked if the passenger if he had anything to declare to which he replied in the negative.

WHEREAS, upon further scrutiny, examiner discovered two (2) plastic bags containing bundles of Hongkong Dollars concealed in the lining of the bag. The Customs Examiner also checked the traveler's body bag and found another two (2) plastic bag containing bundles of Hongkong Dollars.

WHEREAS, examiner then invited the passenger to the Customs Exclusion Room for his safeguard and privacy, and in the presence of ESS SA1 Edmond James Mozao, CIIS Hashoba Sarip and Flight Supervisor Regina Santos, conducted physical counting and further verification of the foreign currency. Documentation of the physical examination were conducted including taking notes of the serial numbers of the Hongkong Dollars.

WHEREAS, the physical count yielded to the amount of Six Hundred Thirty-Five Thousand Seven Hundred Hongkong Dollars (HKD635,700.00).

WHEREAS, for failure to declare the foreign currency, the same was confiscated and Held Baggage Receipt No. 00100011463 was issued to traveler Hilario. The foreign currency was turned over to Jonathan Mesa of the In-Bond Unit, Baggage Assistance Division for safekeeping.

WHEREAS, on 08 October 2024, Customs Examiner Jireh Marielle E. Bautista, Flight Supervisor Regina D. Santos thru Acting Deputy Collector for Passenger Service, Assistant Deputy Collector for Passenger Service, and Chief, Arrival Operation Division, submitted their incident report to the District Collector and recommended for the issuance



of Warrant of Seizure and Detention (WSD) of the subject foreign currency for violation of Section 1400 (Misdeclaration) in relation to Section 1113 (Property Subject to Seizure and Forfeiture) of the Customs Modernization and Tariff Act (CMTA) and Bangko Sentral ng Pilipinas (BSP) Circular No. 1146 Series of 2022-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.

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"

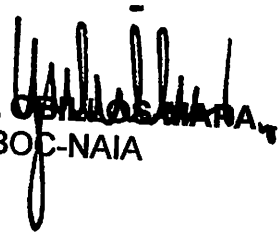
WHEREFORE, by virtue of the authority vested by law in this Office, and in compliance with applicable customs laws, rules, and regulations, you, together with the representatives of the concerned offices, are hereby ordered to seize the subject currencies intercepted from incoming passenger **JOHN RIC HILARIO** 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, **OCT 31 2024**, October 2024.

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



Wdy/law/ham





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DEPARTMENT OF FINANCE
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4 November 2024

MR. JAEHUN LEE
Batangas City

Subject : Seizure Identification No. 238-2024 (NAIA)
Republic of the Philippines vs. Ninety Thousand Pesos
(Php90,000.00) brought in by incoming passenger **JAEHUN**
LEE on 19 September 2024

Dear **Mr. Jaehun Lee**

This refers to the seized goods which is covered by Seizure Identification No. 238-2024 (NAIA) issued on October 31, 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.

Very truly yours,

ATTY. TEODOLFO MARTIN S. YERRO IV
Officer-on-Case





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REPUBLIC OF THE PHILIPPINES

-versus-

Ninety Thousand Pesos
(Php90,000.00) brought in by
incoming passenger **JAEHUN
LEE** on 19 September 2024

X-----X

**SEIZURE IDENTIFICATION
NO. 238-2024 (NAIA)**

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 19 September 2024, at around 2246H, a Korean passenger named Jaehun Lee with Passport Number M066M0500 arrived at Ninoy Aquino International Airport Terminal 1 on board flight KE 623 from Incheon, Korea.

WHEREAS, Lee's hand-carried baggage underwent a non-intrusive examination by XIP Operator Edgardo Soriano and was referred to Acting Customs Examiner John Rey M. Falcon for verification.

WHEREAS, passenger Lee presented his electronic Customs Baggage Declaration Form (e-CBDF) to the assigned Customs Examiner. It was noted that the traveler answered "NO" to all items in the General Declaration of the e-CBDF. Customs Examiner Falcon explained that a traveler is allowed to carry only the amount of Php 50,000.00 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 Lee, representatives from ESS, CIIS, and Acting Flight Supervisor Dianne Karen V. Caceres, Customs Examiner Falcon conducted the physical examination which yielded a total amount of One Hundred Forty Thousand Pesos (Php140,000.00). The amount of Php50,000.00 was returned to Mr. Lee representing the total amount allowed to be brought in by incoming passenger. Thereafter, a Held Baggage Receipt No. 00100008931 was issued for the excess amount of Ninety Thousand Pesos (Php90,000.00). The confiscated Philippine Currencies were turned over to Jonathan Mesa of the In-Bond Unit, Baggage Assistance Division (BAD), for safekeeping.

WHEREAS, in a Memorandum for the District Collector, this Port, dated 23 September 2024, Acting Customs Examiner John Rey M. Falcon and Acting Flight Supervisor Dianne Karen V. Caceres, 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 Php90,000.00 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 passenger **JAEHUN LEE** 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.

OCT 31 2024

BOC-NAIA, Pasay City, _____, October 2024.

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

Law/wady/tsy





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4 November 2024

MR. DAVID JOSEPH LUJAN
Holiday Inn & Suites
Makati City

Subject : Seizure Identification No. 239-2024 (NAIA)
Republic of the Philippines vs. Sixty Thousand US Dollars
(USD60,000.00) intercepted from departing passenger **DAVID**
JOSEPH LUJAN on 12 September 2024

Dear **Mr. David Joseph Lujan**

This refers to the seized goods which is covered by Seizure Identification No. 239-2024 (NAIA) issued on October 31, 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.

Very truly yours,

ATTY. TEODOLFO MARTIN S. YERRO IV
Officer-on-Case





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REPUBLIC OF THE PHILIPPINES

-versus-

Sixty Thousand US Dollars
(USD60,000.00) intercepted from
departing passenger **DAVID
JOSEPH LUJAN** on 12
September 2024

X-----X

SEIZURE IDENTIFICATION
NO. 239-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 12 September 2024, at around 2030H, a male American passenger named David Joseph Lujan with Passport Number A35379855 together with his wife Anna Billett Lujan with Passport Number 567021990 was about to depart via UA 184 bound to Guam.

WHEREAS, the carry-on baggage of David Joseph Lujan underwent a non-intrusive examination by the personnel of the Office of the Transport Security (OTS) at the Final X-Ray Check Area and was referred to Acting Customs Examiner Osaimen M. Balindong for physical inspection.

WHEREAS, Acting Customs Examiner Balindong asked passenger Lujan to submit his Currency Declaration Form (CDF) to which he responded "NONE". Subsequently, passenger Lujan was invited to the exclusion room for the physical examination of his baggage together with ESS SA1 Edmond James Mozo and CIIS SA1 Hashoba Sarip.

WHEREAS, in the presence of passenger David Joseph Lujan, ESS SA1 Edmond James Mozo and CIIS SA1 Hashoba Sarip, Customs Examiner Balindong conducted the physical examination which yielded Eighty Thousand US Dollars (USD80,000.00). The amount of Twenty Thousand US Dollars (USD20,000.00) was returned to passengers David Joseph Lujan and Anna Billett Lujan representing the total allowable amount to be brought out of the country. Thereafter, a Held Baggage Receipt No. 00100011575 was issued to passenger Lujan for the undeclared amount of Sixty Thousand US Dollars (USD 60,000.00). The confiscated Foreign Currencies were turned over to Jonathan Mesa of the In-Bond Unit, Baggage Assistance Division (BAD), for safekeeping.

WHEREAS, in a Memorandum for the District Collector, this Port, dated 12 September 2024, Acting Customs Examiner Osaimen M. Balindong and Flight Supervisor Ivan Paolo B. Durana 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 Sixty Thousand US Dollars (USD60,000.00) for violation of Section 117 in relation to Section 1113 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), 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 **DAVID JOSEPH LUJAN** 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, OCT 31 2024 , October 2024.

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

Law/wady/tsy





REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
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4 November 2024

MR. HUAN YIK PING
502 Pampanga Clark

Subject : Seizure Identification No. 240-2024 (NAIA)
Republic of the Philippines vs. Two Hundred Thousand Pesos
(Php200,000.00) Philippine Currency, intercepted from
outgoing passenger **HUAN YIK PING**, and held in custody
under Held Baggage Receipt No. 00100011654

Dear **Mr. Huan Yik Ping**

This refers to the seized goods which is covered by Seizure Identification No. 240-2024 (NAIA) issued on October 31, 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.

Very truly yours,

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





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REPUBLIC OF THE PHILIPPINES

-versus-

Two Hundred Thousand Pesos
(Php200,000.00) Philippine
Currency, intercepted from
outgoing passenger **HUAN YIK
PING**, and held in custody under
Held Baggage Receipt No.
00100011654.

X-----X

SEIZURE IDENTIFICATION
NO. 240-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 26 September 2024, a Malaysian citizen by the name of Huan Yik Ping and holder of Passport No. K55109082 was about to depart for Kuala Lumpur, Malaysia on Airasia Flight AK583. She was intercepted at the Final X-ray Check Area of NAIA Terminal 3 after her handcarried luggage passed through the non-intrusive inspection being conducted by the Office for Transportation Security (OTS).

WHEREAS, passenger Huan Yik Ping was referred to Charlene Mae L. Falcon, Customs Examiner, Departure Operations Division, for physical examination of her handcarried luggage.

WHEREAS, before conducting an actual examination, Customs Examiner Falcon asked passenger Ping if she has any Bangko Sentral ng Pilipinas (BSP) Permit vis-à-vis her hand carried Philippine currencies to which the latter replied in the negative. Thus, Customs Examiner Falcon invited the passenger to the Exclusive Examination Room for the conduct of physical examination of her handcarried luggage.

WHEREAS, in the presence of passenger Ping, ESS Operative Noroden M. Tomiara and CIIS AGENT Ediex D. Liwanag, Customs Examiner Falcon conducted an actual examination of the passenger's luggage which yielded an undeclared amount of Philippine Currency in the total amount of Two Hundred Fifty Thousand Pesos (Php250,000.00). After the verified counting, the amount of Fifty Thousand Pesos (Php50,000.00) was returned to passenger Ping, and Held Baggage Receipt (HBR) No. 00100011654 was issued for the remaining amount of Php200,000.00 for failure of the passenger to submit the required BSP Permit/Clearance. Thereafter, the said amount was turned over to the In Bond Section, Baggage Assistance Division, this Port, for safekeeping.

WHEREAS, in a Memorandum dated 26 September 2024, Charlene Mae L. Falcon, Customs Examiner, and Cyrus Victor V. Go, Flight Supervisor, 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, Deputy Collector for Passenger Service, informed the District Collector, this Port, of the interception of the Php200,000.00 from outgoing passenger Huan Yik Ping, and





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4 November 2024

MS. LIAN HONG GAO
241 Juan Luna Street
Binondo, Manila

Subject : Seizure Identification No. 241-2024 (NAIA)
Republic of the Philippines vs. Ten (10) pieces of Vape
Flavored E-Cigarettes, found inside the luggage of a Chinese
traveler **LIANHONG GAO**, who arrived on 23 February 2024
at NAIA Terminal 1 on flight ZH9011 from China

Dear **Ms. Lian Hong Gao**

This refers to the seized goods which is covered by Seizure Identification No. 241-2024 (NAIA) issued on October 31, 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.

Very truly yours,

ATTY. EMILIO V. LEGASPI IV
Officer-in-Charge





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REPUBLIC OF THE PHILIPPINES

-versus-

Ten (10) pieces of Vape Flavored E-Cigarettes, found inside the luggage of a Chinese traveler **LIANHONG GAO**, who arrived on 23 February 2024 at NAIA Terminal 1 on flight ZH9011 from China.

X-----X

SEIZURE IDENTIFICATION
NO. 241-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 23 February 2024, Lianhong Gao, a female Chinese national and holder of Passport No. EE9008526, arrived at the Ninoy Aquino International Airport Terminal 1 on board Flight ZH9011 from China. Her handcarried luggage passed through the non-intrusive x-ray scanning and was later on referred by XIP Inspector MJ Udasan to the Customs Examiner on duty at the Arrival Area for verification of the contents thereof.

WHEREAS, before conducting the physical examination, John Rey M. Falcon, Acting Customs Examiner, asked passenger Gao to submit her duly filled out Customs Baggage Declaration Form (CBDF). After going over, Acting Examiner Falcon noted that passenger Gao did not answer the questions asked in the General Declaration. When he asked if she has anything to declare, passenger Gao declared that she brought vapes which is in Item 12 of the CBDF. Based on said declaration, Acting Examiner Falcon proceeded with the actual physical examination of passenger Gao's hand carried luggage.

WHEREAS, Acting Examiner Falcon found ten (10) pieces of Vape Flavored E-cigarettes inside the hand carried luggage of passenger Gao for which she could not present the required prior Import Permit/Clearance from the Food and Drug Administration. That being so, the subject E-cigarettes were withheld from release and Acting Examiner Falcon issued Held Baggage Receipt No. 00100005501 to passenger Gao and thereafter the vape-flavored E-cigarettes were turned over to the In Bond Section, Baggage Assistance Division for safekeeping.

WHEREAS, in a Memorandum dated 03 June 2024, John Rey M. Falcon, Acting Customs Examiner, and Diana Abegail E. Asilo, Acting Flight Supervisor, thru Atty. Danilo M. Campos, Jr., Chief, Arrival Operations Division, and Norsalem Raymond M. Mama-o, Deputy Collector for Passenger Service, reported to the District Collector, this Port, of the said incident and recommended for the issuance of Warrant of Seizure and Detention against the ten (10) pieces of Vape-flavored E-Cigarettes lack of prior Import Permit/Clearance from the Food and Drug Administration (FDA), in violation of Section 117 in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA).



WHEREAS, on this score, Republic Act No. 11900 otherwise known as the “Vaporized Nicotine and Non-Nicotine Products Regulation Act” provides that:

“Section 19. Product Registration. — All manufacturers and importers of the following products shall register with the DTI by submitting information demonstrating conformity with Section 18 of this Act:

- (a) HTP Consumable;
- (b) HTP Device;
- (c) Vapor Product Refill;
- (d) Vapor Product Device; and
- (e) Novel Tobacco Products.”

Further, Department Administrative Order No. 22-16 of the Department of Trade and Industry (series of 2022) on the Implementing Rules and Regulations of Republic Act No. 11900 provides that:

RULE II DECLARATION OF POLICY

xxx

“For this purpose, the government shall regulate the importation, assembly, manufacture, sale, packaging, distribution, use, advertisement, promotion and sponsorship of Vaporized Nicotine and Non-Nicotine Products, and their devices, and Novel Tobacco Products in order to promote a healthy environment, protect the citizens from any potential hazards of these novel consumer products, reduce the harm caused by smoking, and ensure that the sale to minors and the illicit trade of Vaporized Nicotine and Non-Nicotine Products, and their devices, and Novel Tobacco Products in the country are prevented.

RULE XI PRODUCT REGISTRATION

All manufacturers and importers of the covered products shall apply for product registration and certification with the BPS by submitting information demonstrating conformity with the technical regulations set by the office.”

WHEREAS, after 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 of the subject goods brought in by incoming Passenger Lianhong Gao for violation of Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), in relation to Section 12 (j) of Republic Act No. 11900 otherwise known as “An Act Regulating the Manufacture, Sale, Packaging, Distribution, Use and Communication of Vaporized Nicotine and Non-Nicotine Products, and Novel Tobacco Products”, and implemented by DTI Department Administrative Order No. 22-16 series of 2022.



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 goods brought in by incoming Passenger **LIANHONG GAO** for violation of Republic Act No. 11900 as implemented by Department Administrative Order No. 22-16 of the Department of Trade and Industry (series of 2022) and Section 1400, and Section 1113 (f) in relation to Sections 117 of the Customs Modernization and Tariff Act (CMTA); and to turn over the same to the Auction and Cargo Disposal Division, pursuant to CAO No. 10-2020 and related issuances, pending the resolution of the seizure case before 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, OCT 31 2024, October 2024.

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

Law/wady/eylV





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4 November 2024

MS. SIBAL GRACE

A and T Online Store, San Antonio St.
Sampaloc, Manila

Subject : Seizure Identification No. 242-2024 (NAIA)

Republic of the Philippines vs. Outbound shipment covered by
DHL AWB No. 8059674733, sent by a certain **SIBAL GRACE**
found to contain seventeen (17) packs of Shift Grip Bar with
assorted flavor Vape E-cigarettes, and Two (2) pieces of E-
Juice liquid

Dear **Ms. Sibal Grace**

This refers to the seized goods which is covered by Seizure Identification No. 242-2024 (NAIA) issued on October 31, 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.

Very truly yours,


ATTY. MANUEL O. ZURBITO JR.
Officer-on-Case





REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS

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SEIZURE IDENTIFICATION
NO. 242-2024 (NAIA)

-versus -

Outbound shipment covered by DHL AWB No. 8059674733, sent by a certain **SIBAL GRACE** found to contain seventeen (17) packs of Shift Grip Bar with assorted flavor Vape E-cigarettes, and two (2) pieces of E-Juice liquid.

X-----X

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, subject shipment covered by DHL AWB No. 8059674733 and declared to contain two (2) pieces of Knorr Seasoning, t-shirts (made of cotton), and two (2) pieces Snack Pinoy Crackers, was withheld at the DHL Express where it was brought for export to Japan by one Grace Sibal of A and T Online Store, San Antonio Street, Sampaloc, Manila.

WHEREAS, on 13 September 2024, Mr. Edrenzo M. Mat-an, Supervising Trade Control Examiner, Export Division, this Port, conducted an actual physical examination of the subject shipment where he found inside the following articles: one (1) t-shirt, two (2) packs of Ding-dong, one (1) muncher, two (2) sachets of Knorr Sinigang, one (1) pack of Happy One, one (1) box bawang, one (1) pack of Pork Savor, seventeen (17) packs of Shift Grip Bar with assorted flavor Vape E-cigarettes, and two (2) pieces of E-Juice liquid.

WHEREAS, In a Disposition Form dated 23 September 2024, Mr. Edrenzo M. Mat-an, Supervising Trade Control Examiner, thru Mr. Calil G. Dimangadap, Chief, Export Division, this Port, reported the interception of the subject outbound shipment at the DHL Express and recommended for the issuance of Warrant of Seizure and Detention against the said shipment for violation of Sections 119 (Regulated Importation and Exportation), 1400 (Misdeclaration), 1401 (Unlawful Importation and Exportation) in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), and National Tobacco Authority (NTA) Board Resolution No. 079-2005.

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:

- a. Cigarettes – not exceeding 5 reams (50 packs) per passenger

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 **SIBAL GRACE** 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 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.

OCT 31 2024

BOC-NAIA, Pasay City, _____, October 2024.

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

Law/wady/moz





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4 November 2024

MS. NASRIN ZARA CHAVEZ
Carmen, Cagayan De Oro

Subject : Seizure Identification No. 243-2024 (NAIA)
Republic of the Philippines vs. Twenty-eight (28) units of assorted flavored Vapes found in the luggage of incoming passenger **NASRIN ZARA CHAVEZ**, who arrived on 26 March 2024

Dear **Ms. Nasrin Zara Chavez**

This refers to the seized goods which is covered by Seizure Identification No. 243-2024 (NAIA) issued on October 31, 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.

Very truly yours,

ATTY. EMILIO V. LEGASPI IV
Officer-in-Charge





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REPUBLIC OF THE PHILIPPINES

-versus-

Twenty-eight (28) units of assorted flavored vapes found in the luggage of incoming passenger **NASRIN ZARA CHAVEZ**, who arrived on 26 March 2024

x-----x

SEIZURE IDENTIFICATION
NO. 243-2024 (NAIA)

WARRANT OF SEIZURE AND DETENTION

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

WHEREAS, on 26 March 2024, Narin Zara Chavez, a Filipino traveler and holder of Passport No. P9697693B, arrived at the Ninoy Aquino International Airport Terminal 3 on board Cebu Air Flight 5J015 from Dubai, United Arab Emirates.

WHEREAS, passenger Chavez' hand carried luggage passed through the x-ray non-intrusive inspection and thereafter he was referred to the Customs Examiner on duty for verification of the contents of his luggage.

WHEREAS, before conducting the actual physical examination, Customs Examiner Sheila May V. Asis asked Ms. Chavez to submit her filled-out Customs Baggage Declaration Form (CBDF), where she noted that the latter answered "No" to all the items in the General Declaration. Customs Examiner Assis proceeded and conducted an actual examination of the luggage of Ms. Chavez which yielded twenty-eight (28) pieces of assorted flavored vapes.

WHEREAS, Customs Examiner Asis informed passenger Chavez that importation of vape products require prior permit/registration with the Department of Trade and Industry (DTI), but the passenger had none. She was also required to provide a proof of payment or any document that would show the actual value of the assorted flavored vapes.

WHEREAS, the subject articles were held from release and Customs Examiner Asis issued Held Baggage Receipt No. 00100006883 to passenger Chavez and thereafter turned over the articles to the In Bond Section, Baggage Assistance Division, for custody and safekeeping.

WHEREAS, in a Memorandum dated 29 March 2024, Sheila May V. Asis, Customs Examiner, 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, reported the incident to the District Collector, this Port, and recommended for the issuance of Warrant of Seizure and Detention against the twenty eight (28) pieces of assorted flavored vapes for violation of Section 117 in relation to Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA) and Section 19 of Republic Act No. 11900 otherwise known as "An Act Regulating the Importation, Manufacture, Sale, Packaging, Distribution, Use and Communication of Vaporized Nicotine and Non-Nicotine Products and Novel Tobacco Products".



WHEREAS, on this score, Republic Act No. 11900 otherwise known as the "Vaporized Nicotine and Non-Nicotine Products Regulation Act" provides that:

"Section 19. Product Registration. — All manufacturers and importers of the following products shall register with the DTI by submitting information demonstrating conformity with Section 18 of this Act:

- (a) HTP Consumable;
- (b) HTP Device;
- (c) Vapor Product Refill;
- (d) Vapor Product Device; and
- (e) Novel Tobacco Products."

Further, Department Administrative Order No. 22-16 of the Department of Trade and Industry (series of 2022) on the Implementing Rules and Regulations of Republic Act No. 11900 provides that:

RULE II DECLARATION OF POLICY

xxx

"For this purpose, the government shall regulate the importation, assembly, manufacture, sale, packaging, distribution, use, advertisement, promotion and sponsorship of Vaporized Nicotine and Non-Nicotine Products, and their devices, and Novel Tobacco Products in order to promote a healthy environment, protect the citizens from any potential hazards of these novel consumer products, reduce the harm caused by smoking, and ensure that the sale to minors and the illicit trade of Vaporized Nicotine and Non-Nicotine Products, and their devices, and Novel Tobacco Products in the country are prevented.

RULE XI PRODUCT REGISTRATION

All manufacturers and importers of the covered products shall apply for product registration and certification with the BPS by submitting information demonstrating conformity with the technical regulations set by the office."

WHEREAS, after 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 of the subject goods brought in by incoming Passenger Nasrin Zara Chavez for violation of Section 1113 (f) of the Customs Modernization and Tariff Act (CMTA), in relation to Section 12 (j) of Republic Act No. 11900 otherwise known as "An Act Regulating the Manufacture, Sale, Packaging, Distribution, Use and Communication of Vaporized Nicotine and Non-Nicotine Products, and Novel Tobacco Products", and implemented by DTI Department Administrative Order No. 22-16 series of 2022.



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 goods brought in by incoming Passenger **NASRIN ZARA CHAVEZ** for violation of Republic Act No. 11900 as implemented by Department Administrative Order No. 22-16 of the Department of Trade and Industry (series of 2022) and Section 1400, and Section 1113 (f) in relation to Sections 117 of the Customs Modernization and Tariff Act (CMTA); and to turn over the same to the Auction and Cargo Disposal Division, pursuant to CAO No. 10-2020 and related issuances, pending the resolution of the seizure case before 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, OCT 31 2024 October 2024.


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

Law/wady/eylIV

