



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*

**IN THE MATTER OF SHIPMENT  
OF 3 X 40' Reefer Contr. Nos.  
MNBU3753969, MMAU1136676,  
AND MNBU0233562 STC** which  
arrived at the Manila International  
Container Port on March 8, 2025  
covered by Bill of Lading No.  
720635026 declared under Entry  
No. C82186.

**ABANDONMENT PROCEEDING  
NO. 195 -2025(MICP)**

**THE PUREFOODS HORMEL  
COMPANY INC.,  
Consignee**

X-----X

### DECREE OF ABANDONMENT

**WHEREAS**, on March 4, 2025, a shipment of 5 X 40' Reefer Contr. Nos. MMAU1136676, MNBU431788, MMAU1067826, MNBU0233562 and MNBU3753969 STC 1400 cartons frozen mechanically deboned chicken meat arrived at the Manila International Container Port covered by Bill of Lading No. 720628252 declared under Entry No. C82186, **THE PUREFOODS HORMEL COMPANY INC.**, Consignee.

**WHEREAS**, on March 4, 2025, Entry No. C82186 was filed and paid the total assessed amount of P270,955.35 as per Statement of Settlement of Duties and Taxes (SSDT) with Receipt No. R116096 .

**WHEREAS**, on March 10, 2025, containers were discharged on the vessel "Maersk Lavras 504E".

**WHEREAS**, on March 14, 2025, examination was conducted on the 5 x 40 Reefer Contr. Nos. MMAU1136676, MNBU431788, MMAU1067826, MNBU0233562 and MNBU3753969 STC 1400 cartons frozen mechanically deboned chicken meat.

**WHEREAS**, Notice of Violation No. M-7-25 was issued by Reynaldo Quilang, DVM, MSA, Veterinary Quarantine Officer, Veterinary Quarantine Station Region-VQS-MICP on the 3 X 40' Reefer Contr. Nos. MNBU3753969, MMAU1136676, AND MNBU0233562, stating as follows:



"XXX

XXX

XXX

( x) *In violation of DA Administrative Circular No. 06,s2022, Article V Section 2.E and the Food and Safety Act of 2013.*

*Remarks: Upon actual inspection of the abovementioned reefer vans, although in refrozen state, signs of thawing was determined as bloodstains were observed on its meat packages and reefer van floorings. This indicate that required temperature of -18 to -20 degree Celsius was not maintained during transit or storage.*

*Action Taken: The broker was advised to have the reefer van re-plugged at the Reefer Area.*

**WHEREAS**, on March 24, 2025, Elizabeth Niere, Procurement Manager, The Purefoods Hormel Company Inc. submitted a Request for Express Abandonment on shipment covered by Bill of Lading No. 720628252 stating to wit:

*"This has reference to the shipment of 5 x 40 Container Nos. MMAU1136676, MNBU431788, MMAU1067826, MNBU0233562 and MNBU3753969 STC 1400 cartons Frozen Mechanically Deboned Chicken Meat which arrived at the Manila International Container Port on March 4, 2025, on board the vessel "MAERSK LAVRAS 504E", Reg. No. MSK0018-25 covered by B/L No. 720628252 and declared under Entry No. C82186.*

*The containers were discharged from the vessel on March 10, 2025, and was accordingly examined on March 14, 2025. Upon opening of container, the Customs Examiner and the witnesses to the examination, in the presence of the representative from the Bureau of Animal Industry (BAI), noted that there were blood stains on the container floor which oozed from the Container No./s MNBU3753969, MMAU1136676 and MNBU0233562. It would not need an expert opinion to arrive at the condition that the said goods have already been contaminated. We will not venture into any assumption on the cause or reason for the said incident and would attribute the same to natural causes.*



*IN VIEW OF THE FOREGOING, we hereby manifest the intention of the company to voluntarily abandon the subject 3 x 40' Container No/s. MNBU3753969, MMAU1136676 and MNBU0233562 STC: Frozen Mechanically Deboned Chicken Meat pursuant to Section 1129 (a) of the Customs Modernization and Tariff Act (CMTA).xxx"*

**WHEREAS**, an Affidavit of Express Abandonment was likewise executed by Elizabeth Niere, reiterating to wit:

"xxx

xxx

xxx

- 1. I am the Procurement Manager duly authorized representative of THE PUREFOODS HORMEL COMPANY INC. xxx*
- 2. The Corporation is the consignee of the following shipment:*

xxx

- 3. The above shipment, upon actual inspection by the Bureau of Animal Industry on March 14, 2025 at approximately 4:30 pm though its contents were in freezing condition, signs of thawing is evident as bloodstains were present on the flooring of reefer van.*
- 4. The Corporation filed the said request for Express Abandonment due to above stated reason, Bureau of Animal Industry recommended that the shipment is not fit for human consumption. As per AC No. 06, s 2022- any signs of thawing or evidence of thawed contents, whether partially or wholly, shall automatically refused entry at the 1<sup>st</sup> border and disposed accordingly.*
- 5. The Corporation filed the said request for Express Abandonment in favour of the government and leave to the sound discretion of your office for proper disposal."*

**WHEREAS**, attached to the request are the following documents:

1. Commercial Invoice;
2. Packing List;
3. Health Certificate To Export Poultry Meat, Poultry Meat Products and Giblets from Brazil;



4. SPS Import Clearance Nos. ICDABAIQ201242553540, ICDABAIQ201242553541 and ICDABAIQ201242553545; and
5. General Information Sheet (GIS)

**WHEREAS**, Section 1129 (a) of the Customs Modernization and Tariff Act (CMTA) provides:

**“Section 1129. Abandonment, kinds and Effects of: - Imported goods are deemed abandoned under any of the following circumstances:**

***(a) When the owner, importer, or consignee of the imported goods expressly signifies in writing to the District Collector the intention to abandon the same;***

**WHEREAS**, Section 1130 of the CMTA is also worth mentioning in this case, which states that:

***“Section 1130. Treatment and Disposition of Abandoned Goods.-Expressly abandoned goods under paragraph (a) of Section 1129 shall ipso facto be deemed the property of the government and shall be disposed of in accordance with the provisions of this Act.***

xxx

xxx

xxx”

**WHEREAS**, Administrative Circular No. 06-2022, Article V Section 3 of the Department of Agriculture also applies in this case which provides that:

***“Section 3. The concerned DA Regulatory Agency having jurisdiction over a particular agri-fishery product/s which gained unauthorized entry into the Philippines shall determine the mode or manner of which said product shall be disposed.***

xxx

xxx

xxx

***All products or commodities covered by this A.C. imported or brought into the Philippines unlawfully shall only be disposed of in any of the following manners:***



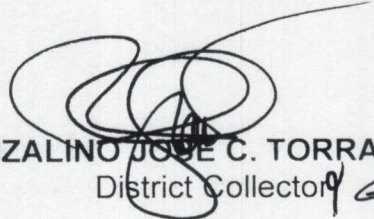
1. **Seized and destroyed;**
2. *Return to country of origin; or*
3. *Shipped to a third country.xxx”*

**WHEREFORE**, premises considered, it is hereby ordered and decreed that the above-described shipment be declared ABANDONED and FORFEITED in favor of the government pursuant to Section 1129 of the Customs Modernization and Tariff Act (CMTA), subject to clearance by the Legal Service of this Bureau prior to actual turn over to the Auction and Cargo Disposal Division, (ACDD), this Port, for custody and safekeeping pending the final disposition thereof in the manner provided for by law without prejudice to the filing of administrative and/or criminal case against persons involved, if warranted under the premises.

Let copies of this Notice and Declaration of Abandonment be furnished to all parties and offices concerned, and a copy thereof be posted on the Bulletin Board of the Law Division, this Port, for their information and guidance.

SO ORDERED.

MICP Customhouse, APR 23 2025 2025.

  
RIZALINO JOSE C. TORRALBA  
District Collector

CONSIGNEE: The Purefoods Hormel Company Inc.  
ENTRY NO. : C82186-2025

