

expressly deputized during the period of the public health emergency to conduct, in accordance with applicable laws and their respective mandates, operations against persons or entities reasonably suspected of violating either the Price Act or the Customs Modernization and Tariff Act, and to confiscate the subject goods in accordance with the said Acts.

4. **Inventory of Goods.** The Implementing Agencies and the Deputized Personnel shall strictly follow the rules on the preparation of the inventory of the confiscated goods, and shall ensure that evidence is preserved so as not to frustrate criminal prosecution against the offenders.
5. **Actions by Implementing Agencies.** The Implementing Agencies shall immediately initiate summary proceedings to cause the formal seizure of goods confiscated in the course of the foregoing operations or apprehensions conducted by them or by Deputized Personnel, and pending formal investigation and prosecution, forfeit or dispose of the same whenever supported by substantial evidence, in accordance with the applicable provisions of the Price Act or the Customs Modernization and Tariff Act.
 - 5.1. Inventory shall immediately be made by the Implementing Agency in the presence of the owner/proprietor/manager of the establishment and of such other persons whose presence is required by law, and in accordance with the procedure laid down in the Price Act or the Customs Modernization and Tariff Act.
 - 5.2. In cases where the Price Act and Customs Modernization and Tariff Act are both applicable, the Implementing Agencies shall adopt the proceedings deemed more expedient to facilitate and fast-track the seizure, forfeiture, and disposal of goods in favor of the State.
 - 5.3. Notwithstanding any requirement for public sale or auction as a mode of disposition, the State shall be given preference in the purchase of the goods formally seized which are deemed essential or necessary to address the current public health emergency, in accordance with the authority granted under RA 11469, otherwise known as the Bayanihan to Heal as One Act.
 - 5.4. In the event that the State exercises its preferential right as provided above, it shall purchase the goods based on the latest Suggested Retail Price (SRP) imposed by the respective Implementing Agencies, or the prevailing market price in the absence of SRP.
 - 5.5. The proceeds of any sale of goods thus seized shall, where applicable, be held in escrow by the Implementing Agencies, subject to the final determination of the liability of the persons charged with violating the Price Act or the Customs Modernization and Tariff Act.

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Administrative Officer V
Records Management Section

