POWER OF THE ADMINISTRATOR OR HIS DEPUTIZED REPRESENTATIVES TO INSPECT WAREHOUSES AND OTHER ESTABLISHMENTS WHERE GRAINS ARE STORED OR FOUND; POWER TO MAKE ARREST, IMPOUND, SEIZE...

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Pursuant to NFA Council's approval, the authority of the Administrator or his deputized representatives to inspect, investigate or take samples of grains especially palay, rice and corn shall be exercised in warehouses and other establishments where grains are being stored or found. The power to inspect, investigate or take samples shall extend to the setting up of monitoring points for purposes of checking and inspecting vehicles and other kinds of conveyances which are being used in transporting grains.

Furthermore, should in the course of such inspection, there are actual violations and/or reasonable grounds to believe that there are violations of the provisions of P.D. 4, as amended, the rules, regulations and circulars issued pursuant thereto, the power to arrest or cause the arrest of the violators, would include as an incident thereto, the impounding, seizure or confiscation of the instruments, tools and commodities subject of the offense, to be used as evidence in the investigation and/or prosecution of the case/s against violators. For this purpose, the apprehending officers may ask for the assistance of law enforcement officers.

The apprehending officers shall deliver the arrested violators, and the tools, instruments and commodities subject of the offense to proper authorities, to be dealt with in accordance with law, P.D. No. 4 as amended and the rules, regulations and circulars issued pursuant thereto;

Finally, the Administrator is hereby authorized to deputize local government authorities, other enforcement agencies, or non-governmental organizations (NGOs) to assist in the implementation of the provisions of P.D. 4 as amended, the rules, regulations and circulars issued pursuant thereto; and

The Administrator, or the Assistant Administrator for Industry Regulations, or the Director, Assistant Director, Chief, Industry Enforcement and Investigation Division of the Business Regulations Directorate, or the Regional Directors, Assistant Regional Directors, Provincial Managers/Officers-In-Charge of the Regional and Provincial Offices are likewise authorized to sign Mission Orders for the conduct of inspection and other related enforcement activities.

Violation of this Letter-Circular shall subject the offender to prosecution under Section 29 of PD No. 4 as amended, and/or to the imposition of administrative sanctions in accordance with NFA Revised Rules and Regulations, including the issuance of preventive orders pending investigation.

This Letter-Circular shall take effect immediately upon its publication in three newspapers of general circulation and filing thereof with the U.P. Law Center.

Adopted: 26 June 1995

(SGD.) ROMEO G. DAVID
Administrator

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