



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **16 November 2020** which reads as follows:*

“G.R. No. 253647 (Robinsons Handyman, Inc. [Handyman-Binondo, Manila Branch] v. Department of Trade and Industry-Fair Trade Enforcement Bureau-Enforcement Division). – After a judicious study of the case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the November 22, 2019 Decision² and the September 7, 2020 Resolution³ of the Court of Appeals (CA) in CA-G.R. SP No. 157449 for failure of petitioner Robinsons Handyman, Inc. (Handyman-Binondo, Manila Branch) (petitioner) to sufficiently show that the CA committed any reversible error in denying its petition for *certiorari*⁴ and affirming the June 8, 2018 Decision⁵ of the Department of Trade and Industry (DTI) in Appeal Case No. 2016-116.

As correctly found by the CA, no grave abuse of discretion can be ascribed upon the DTI in ruling that substantial evidence exists to prove that petitioner committed a violation of Section 6, Subsections 6.1.1, 6.1.3, and 6.2.1 of Department Administrative Order No. 2, series of 2007,⁶ the provisions of which clearly make a retailer – such as petitioner – administratively liable for the sale or offer for sale of products that do not comply with the required mandatory product certification and product markings. Notably, petitioner never denied that the subject products did not bear the required product markings and merely raised the defense of good faith on the warranty of the manufacturers of said products, which does not serve to exonerate it from liability. Finally, it bears stressing that findings of fact of administrative agencies in the exercise of their quasi-judicial powers are entitled to respect if supported by substantial evidence, and the Court is not tasked

¹ Rollo, pp. 3-25.

² Id. at 32-48. Penned by Associate Justice Rafael Antonio M. Santos with Associate Justices Manuel M. Barrios and Germano Francisco D. Legaspi, concurring.

³ Id. at 51-53.

⁴ Titled “Petition for *Certiorari* (With Prayer for the Issuance of Temporary Restraining Order and/or Preliminary Injunction); id. at 188-215.

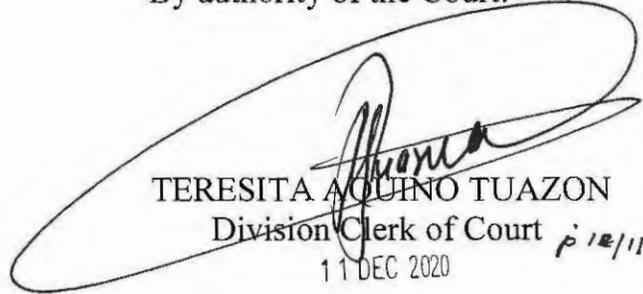
⁵ Id. at 182-187. Signed by Undersecretary Atty. Rowel S. Barba.

⁶ Entitled “DEFINING THE RESPONSIBILITIES AND LIABILITIES OF MANUFACTURERS, IMPORTERS, TRADERS, WHOLESALERS, DISTRIBUTORS, RETAILERS, SERVICE PROVIDERS AND OR THEIR AGENTS, WITH REGARD TO PRODUCTS/SERVICES COVERED BY PHILIPPINE STANDARD CERTIFICATION MARK SCHEMES AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF,” approved on June 7, 2007.

to weigh again the evidence submitted before the administrative body and to substitute its own judgment as to its sufficiency,⁷ as in this case.

SO ORDERED. (Rosario, *J.*, designated Additional Member per Special Order No. 2797 dated November 5, 2020.)”

By authority of the Court:



TERESITA AQUINO TUAZON
Division Clerk of Court
11 DEC 2020

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⁷ See *Ligtas v. People*, 766 Phil. 750-785 (2015).