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TO: Rachel E. Dickson, Secretary Federal Maritime Commission

FROM: Bunzl International Services, Inc.

DATE: October 31<sup>st</sup>, 2019

SUBJECT: Docket No 19-05 Demurrage & Detention Comments

We would like to submit feedback in support of docket No. 19-05, FTR 46 CFR Part 545 - Detention and Demurrage proposed rulemaking; on numerous occasions, we have fallen victim to the gaps surrounding availability definitions, weather restrictions, unavailability of equipment (ie. Chassis), insufficient amount of port appointments within free time, etc. In addition to the aforementioned, we have also incurred thousands of dollars in storage expenses on containers called for exam.

In these instances, the accruing demurrage charges do not incentivize cargo movement and the productive use of assets. As one example, a container that undergoes a CBP intensive exam will generally have exam charges due to the CES that can run between \$1,000 and \$1,300. During the time that the container is under exam, it is not uncommon for demurrage charges to total more than double the exam fees. The demurrage charges paid by the importer in this scenario do not serve their intended purpose. As a second example, there are instances during an exam, where the importer is charged demurrage by both the carrier and the terminal operator for the same container/import. Once again, in this example the demurrage charges are not serving their intended purpose but rather serving as an additional revenue stream for some carriers and terminal operators.

In the end, these charges that are not serving their intended purpose make goods more expensive to U.S. consumers. Any future clarity and uniformity in application that this comment process produces would be welcome by the importing community. We look forward to communications published surrounding the growing problem of detention and demurrage within the international shipping industry. It is our hope that the commission will be able to proceed with initiating rules to help ensure detention and demurrage charges are in line with their intended purpose, to incentivize cargo retrieval.