

From: [Lee Van Houten](#)
To: [Secretary](#)
Cc: [Lee Van Houten](#); [Lori Fleissner](#); [Admin Support](#)
Subject: Docket 19-05, Demurrage and Detention Comments
Date: Wednesday, October 30, 2019 4:09:21 PM
Importance: High

Dear Rachel E. Dickon,

In reference to Docket 19-05, Demurrage and Detention Comments, Global Fairways would like to provide the following comments.

Regarding Cargo Availability:

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With Respect to Government Inspections, we feel that a client should receive a waiver of demurrage and detention charges until the examination has been completed, as many of these exams can take between 5 – 10 business days

As a majority of our cargo moves inland via rail (IPI) from the Ports of Discharge, many times the containers are arriving on a Friday. The rail is not deramping the containers until late in the afternoon, but before 5 p.m., and the free time for storage and demurrage has already begun with a 48 hour window, making the first day of demurrage and detention on Sunday. This is an unfair practice, leaving the importer with no choice but to pay the charges if they want delivery of the containers.

Steamship Lines, such as OOCL, will only provide you with the pick-up number at destination rail, but will not tell you if the container is available for pickup or when the last free day is. OOCL will advise you to contact the rail for the information.

Regarding Demurrage and Detention:

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Situation # 1

June 13, 2017, we had two CMA containers arrive at the CSX Railroad in Chicago, with the last free day of June 14, 2017. Due to the trucker situation at the time, our trucker was only able to attempt pickup from the Railroad on the last free day of June 14. Upon arrival at the CSX railroad, the trucker was advised that CSX had moved these two containers to an over flow railyard of CSX, Forest Hill. Our driver then attempted to pickup at the Forest Hill Railyard on June 14, and was advised that the lift was broke and they would not know when the lift would be working again.

We immediately contacted CMA for resolution and extension of free time, and were told by CMA customer service that it was not their problem and we would need to work out with the rail ourselves. After many days of calling and emailing the CSX Railyard, CMA advised us that we would need to pay the storage of \$3000 and then file a claim against the rail. As Global Fairways was not a direct customer of the CSX, we could not file a claim against them. Therefore, we attempted to file a claim against CMA.

Situation # 2

We had 3 OOCL containers arrive into the Port of New Orleans July 2, 2019 with the Last free day of July 9. Due to the July 4 Holiday and lack of available truckers, the first available pickup was Thursday, July 11. The Port closed at Noon on July 11 due to tropical storm and truckers were unable to pull. The Port did not re-open until the following Monday, July 15. OOCL charged us for storage and demurrage even though the Port was not open due to the storm.

Currently, Hapag Lloyd has filed in their tariff, 48 hour free time before demurrage, while the CP Rail allows 72 hours free time. Therefore, Hapag attempts to collect demurrage on containers that are not even in storage at the rails.

Thank you and
Kind regards,

Lee Van Houten, Manager Import Operations
Global Fairways LLC.
WWW.GFWUSA.com
Member of Emons Air & Sea GmbH
Phone 734-641-7550 Fax 734-641-7555

We will keep your shipments on track and out of the rough!

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