

From: [Joe Meunier](#)
To: [Secretary](#)
Cc: [Joe Meunier](#)
Subject: Docket 19-05, Demurrage and Detention Comments
Date: Thursday, October 31, 2019 4:49:11 PM

To whom it may concern,

First I want to thank the commission for undertaking the time to review and further clarify the issue of demurrage and detention.

After reviewing many of the comments the major concern seems to be relative to import cargo yet there is carrier abuse on export cargo that should be addressed as well.

I would like to keep my comments clear and concise with a couple of actual examples.

1. Carrier: Ocean Network Express

I have received over 30 invoices in the past six months for demurrage/detention on export containers ranging from \$200.00-\$375.00. These charges are being assessed against the time an empty container is pulled from the pier until it is in-gated back to the terminal.

In every single case the carrier's information has been incorrect and does not even match what they post on their website. When I raised the issue with my sales person he told me he was getting the same complaint from many customers. When I asked who I could speak with as it takes time to research each file and then takes the carrier weeks to delete the invoices. I was informed it is generated by their system which took me as very strange because it doesn't match the information on their own website. Interestingly he decided to share some feedback from senior management commending the staff on how much additional revenue they have been generating through demurrage and detention billing. My opinion is that these invoices are being generated automatically in the hopes that many customers may not take the time to dispute them. There is no incentive involved in pulling and returning an empty container within the allotted time frame.

2. Carrier: Hapag Lloyd

I am currently disputing over \$8,000.00 in demurrage/detention. This involves multiple files and multiple containers in which the carrier is handling the door move from Rotterdam to Germany. The delivery instructions are provided by my agent in Germany. The carrier's claim is that these delivery instructions are to be received 3 days prior to the discharge of the container from the vessel. Our instructions were provided the day the container discharged from the vessel. Even if our instructions were not received timely according to their policy it took the carrier between 15-18 days to deliver these containers to the ultimate destination and are invoicing us for the days the containers were in their possession and exceeded the free time off the terminal.

Furthermore they demanded payment in full before they would agree the release these containers. This was not a result of the ultimate consignee not willing to take delivery as they were putting a lot of pressure on us to get this cargo. The delay was caused by the carrier and no one else yet we are being charged. We have been fighting these charges for 7 months and all that is happening is a lot of hand off from one party to the next with no clear end in sight.

While these may be only a couple of examples these are not isolated issues. Destination demurrage and detention are very common and extremely difficult to dispute and resolve as there is no clear direction as to who at the carrier can actually take the lead. No true dispute team or resolution team and for the carriers that do have one actions are not taking quickly enough and often many communications go completely ignored.

Thanks you to Commissioner Dye and the entire team for taking our comments into consideration.

Regards,

Joe Meunier
CEO
New England Groupage

 joemeunier@ecuworldwide.com

 P: 781-961-4200 | M: 617-335-7697

 **New England Groupage**
9 Mear Road
Holbrook, MA 02343

