

VLM Foods USA Ltd. – Importer of food products

Wednesday, October 23rd 2019

FMC NPRM on Demurrage – Comments

Cargo Availability

Containers should only be considered available and free time should only commence if they are physically arrived at their pick-up location in the terminal, there are no government holds and all necessary equipment is available (chassis, genset, etc.).

With respect to government inspections, waiver or extension of free time should be granted as container is not available for pick up.

Notice of cargo availability should be sent to the consignee and notify party on the BL by email. This notice should include the BL number and container number, as well as pick-up location.

Demurrage and Detention

If an export cargo is delivered on time to the port but rolled to another vessel due to circumstances out of the shipper's control, demurrage and detention should not be applicable.

Demurrage and detention invoices should contain adequate information to allow a party to determine what they are being charged for as well as increases over the period of time in question.

Dispute Resolution Process

Carriers and terminals should be required to designate a qualified point of contact for any dispute, as well as a reviewing official within the carrier and terminals. If the dispute cannot be resolved between the party and the carrier/terminals, there should be a specific escalation process to headquarters.

The dispute policy should designate a specific time frame by which the carrier or terminal must make a decision on contested charges. This time frame should be no longer than 30 calendar days.

Truckers and consignees should be able to obtain access to the containers and continue doing business with a carrier even if there is a pending dispute OR outstanding charges to their account.


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