



LANCA

March 15, 2022

Docket No 20-04

Dear FMC,

The subject of detention and demurrage has been investigated for the past 10 years in various forms, the only constant has been that free times shrink, and the costs have gone up.

I think the mandate here is a bit misguided, while the lines should be issuing these bills in a timely manner, the free time for empty / load return is well known as well as the LFD before cargo can be picked up without extra charges.

Any importer or exporter that claims that these are not known or visible doesn't know enough about the industry and is only trying to have another entity pay for the shortcomings in their operation.

Where the FMC should be focused, is when D&D and/or per diem is charged when it is no fault of the BCO.

For exports, per diem should not be invoiced if the ERD (earliest return date) is changed after the empty container is picked up.

For imports, D&D should not be charged if the steamship line has failed to release the freight on time (often takes several days after check / ach has been received and same for the return of originals). Also per diem cannot be charged for imports if there is nowhere to return the empty to (Los Angeles and New York have this issue often).

The steamship lines are terrible at documentation and customer service. Due to their internal incompetence BCO often must pay for charges that are the direct result of poor performance. Currently there is nowhere for us to go to get these bills reimbursed.

If these practices are not corrected, many small importers and exporters will simply exit the international field. Under current conditions it is impossible to properly price goods accurately as the amounts and frequency of these bills makes it prohibitive.

The answer is not punitive regulations, the answer is in a service center paid for by the lines to mitigate these issues internally and throughout the shipping community.

All the best,

Tim Avanzato