

From: [Jean-Luc Carriere](#)
To: [Secretary](#)
Subject: Docket No. 22-04, Comments on Demurrage and Detention Billing Requirements ANPRM
Date: Friday, February 18, 2022 7:17:41 PM

Good day,

Please excuse my briefness here but I wanted to provide a commentary despite the lack of time day to day business allows us to. I will thus be to the point:

1. Demurrage rate levels are, too often, unjustified. The container value is likely amortized over its life span and cost less than \$10/day. Demurrage can be up to \$500/day or more. The premise, as I understand it, is that <<they need the container>> and loss of container days are loss of business. I would certainly like to see that equation.
2. Shipping lines will charge demurrage for containers stocked at the port, even at times when they are not available for pick up. We are currently disputing a invoice of over \$6000 for demurrage while the truck of our supplier was refused as the container was not available for pick up.
3. Shipping lines make us wait weeks to have the container available to pick up than give us 3-4 days to pick up and return...while drayage services are 2-3 weeks out....and they know it. thus we end up paying demurrage because for the 2-3-4-5-6 week they had the container, they could not tell us when it will be available and when it is, they give us a few days to pick it up.
4. We are currently debating tens of thousands of dollars in demurrage for containers not returned on time. Shipping lines make it difficult, through several filters, to return empty containers. This is an indecent trap, whereby these many filters make it difficult to return containers and this shipping line then charges us for demurrage on containers they did not allow us to return. From what we read, they have no room to receive these containers at port anyway as the port is full of empty containers so they end up winning all the way!
5. I admit that our issues have been in LA/LB mainly but not uniquely.
6. Now, if you want to dispute something, ladies, gentlemen. You better have time, patience, have proof beyond reason as you are guilty until you can prove your innocence.

I am not sure what is the solution except, simply, regulating the demurrage rate and base it on the value of the container per day, as opposed to a phony value dictated by the shipping lines.

This is submitted on a personal basis as I had no time to get the opinion, nor the authorization, of our owners.

Kind regards,

Jean-Luc

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Please meet with us at the MRC for the 2022 International Petrochemical Conference in San Antonio, Tx 27-29 March 2022



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