



## FEDERAL MARITIME COMMISSION

800 North Capitol Street, N.W.  
Washington, D.C. 20573-0001

Phone: 202) 523-5793  
Fax: (202) 523-5867

### Bureau of Trade Analysis

December 22, 2023

Wayne R. Rohde, Cozen O'Conner  
1200 19th Street NW  
Washington, DC 20036  
Via email: WRohde@cozen.com

### **RE: Special Permission Request for HAPAG LLOYD AG Org. No. 005980**

Dear Mr. Rhode,

This is to advise that the application for special permission submitted on December 22, 2023, on behalf of HAPAG LLOYD AG has been granted as follows:

Special permission authority is hereby granted to allow **HAPAG LLOYD AG, FMC Org. No. 005980**, to publish in Tariff Code RURE-002 effective December 22, 2023, the following rule:

OPERATIONS COST RECOVERY (OCR) with the following text:

*Imports to U.S. Atlantic and Gulf Coast of the United States from the Indian Subcontinent & Middle East shall be subject to an Operations Cost Recovery Surcharge (OCR) in the following amounts:*

*USD 800 per 20 container  
USD 1000 per 40 container*

*The charge is intended to offset the increased cost of operations resulting from the need to divert vessels away from the Red Sea/Suez Canal. The charge applies to all containers and cargo types.*

*For purposes of this rule, Indian Subcontinent means India, Pakistan, Bangladesh, Sri Lanka and Middle East means United Arab Emirates, Oman, Bahrain, Kuwait, Qatar, Iraq, Saudi Arabia (including Dammam and Al Jubail), and Jordan.*

The Commission's regulations at 46 C.F.R. § 520.14(a) and Section 8(d) of the Shipping Act of 1984, as amended (46 U.S.C. 405010(e)) authorize the Commission, in its discretion and for good cause shown, to approve applications for special permission to depart from the statutory notice period requirements. The Bureau of Trade Analysis has determined that good cause has been shown. The publication shall bear special case number SP-011965.

Sincerely,

Kristen Monaco, Director