



**WORLD WIDE CLAIMS SERVICES**

*Established in 2004*

*Licensed under Dubai Economic Dept.*

*Claims Consultancy*

**And**

*Claims Recovery*

*in respect of*

*Sea Carriage, Airfreight , Road Transport*

**and**

*Property claims*





## WORLD WIDE CLAIMS SERVICES

### PRE SHIPMENT THEFT OF CARGO FROM PALLETS.

A Forwarder in U.S. arranged a shipment of 5 pallets containing 1148 cartons of perfumery products in a container from New York to Jebel Ali. Upon arrival at Jebel Ali, the consignee reported that 60 cartons of value AED 80,000 are missing from 2 pallets. The subject pallets were found stacked one on top of the other in the container and there were no obvious signs of tampering with the pallets. The pre shipment history of the cargo was thoroughly investigated and it was learnt that the pallets were transported by road from the shipper's premises and stored in the Forwarder's warehouse for two weeks prior to loading onboard. As per the Forwarders' Dock Receipt, the heights of the subject two pallets were 68 and 59 inches thus making a total of 127 inches if stacked one above the other. Such double stacking would not have been possible in a 40' HC container whose internal height is 106 inches only. However, these two pallets were found stacked one above the other inside the container upon arrival at Jebel Ali. Upon checking, their height was found to be 44 and 49 inches i.e. a total height of 93 inches. It was obvious that some cartons were removed from the top of the pallets at the load port to reduce the height and facilitate their stuffing inside the container.

The pallets had edge protectors as per normal practice. Pre loading photos of these two pallets showed some cartons above the top level of the edge protectors. However, at Jebel Ali, no cartons were found above the level of the edge protectors. This again confirmed our suspicion that the top layer of cartons had been removed from these two pallets.



..... Page 2

***“Meaningful Silence is always better than Meaningless Words”***

- ***“SOLUTION FOR ALL YOUR CLAIMS”*** -

Tel - 00971 4 3510705; Email - [wwcsuae@eim.ae](mailto:wwcsuae@eim.ae) ; P.O. Box. - 114900, Dubai  
[WWW.CLAIMSSERVICESUAE.COM](http://WWW.CLAIMSSERVICESUAE.COM)



Though the issue was taken up with the Forwarding Co., they refused to accept responsibility for the shortage. The cargo Underwriters were therefore advised to consider legal action to recover the claim.

*Pilferage from pallets are not uncommon in shipping. In this case, it appears to have been done to facilitate their loading inside the container. Besides, perfumery products are a natural temptation for theft. To avoid such incidents, shipper should discuss beforehand with the Forwarder about the feasibility of loading their entire cargo in one container. It is also advisable to release the cargo for export only closer to the date of loading on the ship, thus avoiding their prolonged storage in the Port or in the Forwarder's warehouse where they are susceptible to theft.*

\*\*\*\*\*

### **RISKS ARISING FROM LCL SHIPMENTS**

A Forwarder in Colombo arranged a shipment of 3 pallets of black pepper and cinnamon sticks to Constanta via Singapore. The pallets were loaded in a container as a LCL shipment. The container was de-consolidated in Singapore and the subject cargo was loaded in another container along with another consignment from US and dispatched to destination. There was considerable delay in Constanta port before the cargo was delivered to the consignee. Later, the consignee alleged damages to the cargo due to the prolonged delay and claimed USD 36,000 as compensation from the Forwarder.

The Forwarder's Insurer in Colombo appointed WWCS to review the claim. Our investigations revealed that when the container arrived at Constanta, it was detained by Customs Authority due to suspected irregularities in respect of the US origin cargo which was inside the same container. As a result, the subject cargo was also held up in port. Though efforts were made by the Clearing Agent to get the subject cargo released, the Customs did not oblige. The container was released only after the Customs completed their investigations.

The Forwarder was advised to reject claim as it was due to detention by the Customs Authority. The Forwarder's bill of lading contained the usual standard clause which absolves the Carrier from liabilities arising out of compliance with Government orders. Further, as per bill of lading terms, the Carrier does not undertake that goods shall be delivered at any particular time, and that the Carrier shall in no circumstances be liable for direct, indirect or consequential loss or damage caused by delay.

Moreover, the consignee did not substantiate their claim with a survey report and the amount of USD 36,000 appeared to be a random figure brought up by them. The claim was thus rejected and was not pursued further.

..... Page 3

***“ The only difference between a good day and a bad day is your Attitude ”.***

**- “SOLUTION FOR ALL YOUR CLAIMS” -**

**Tel - 00971 4 3510705; Email - [wwcsuae@eim.ae](mailto:wwcsuae@eim.ae) ; P.O. Box. - 114900, Dubai  
[WWW.CLAIMSSERVICESUAE.COM](http://WWW.CLAIMSSERVICESUAE.COM)**



**NEWS LETTER**

**ISSUE No. 40**

*This incident highlights the risks involved with LCL shipments when different shippers' cargoes are stowed together in one container. In this case, the problem arose not due to any issue with the subject cargo. The Customs had an issue with another cargo in the same container. As a result, the subject cargo was also held up due to no fault of theirs. These situations are unavoidable and beyond anyone's control.*

\*\*\*\*\*

**LAW'S OF NATURE**

The less important you are to the Organisation, the more your absence will be noticed.

The salary rise is just large enough to increase your taxes and small enough to have no effect on your take home pay.

When leaving office late, you will go unnoticed. When you leave office early, you will invariably run into the boss.

The chocolate you planned to eat on the way home from the market will invariably be at the bottom of the shopping bag.

If you ask your husband to pick up five items from the store and then you add one more as an after-thought, he will forget two of the first five.

\*\*\*\*\*



- "SOLUTION FOR ALL YOUR CLAIMS" -

Tel - 00971 4 3510705; Email - [wwcsuae@eim.ae](mailto:wwcsuae@eim.ae) ; P.O. Box, - 114900, Dubai  
[WWW.CLAIMSSERVICESUAE.COM](http://WWW.CLAIMSSERVICESUAE.COM)