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 Law Offices of Countryman & McDaniel

THE CARGO LETTER [495]

 Air & Ocean Logistics - Customs Broker News

 28 March 2013

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Good Thursday Morning from our Observation Deck.....overlooking the officially designated "Cargo City" area and..... Runway 25-Right, at **Los Angeles International Airport**, voted "**Best Cargo Airport in North America.**"

The Cargo Letter is now perfectly designed to be enjoyed on your **iPad**. Access all our internet links directly from your device. We seek to teach. Your comments are welcomed.

Here is what happened in our industry during the Month of March 2013. Our thanks to Director Brandon Fried and the AirForwarders Association for the great event of Air Cargo 2013 !

To help you find what you need -- **FAST** -- there's now a transport search engine installed at our www.CargoLaw.com website!

Contribute your knowledge, stories & company information.....by e-mail to **The Cargo Letter**. We strive to bring you useful information which is timely & topical. Be sure to visit our website.....<http://cargolaw.com>

Archive of **The Cargo Letter** www.cargolaw.com/cl-archives.php

Michael S. **McDaniel**, Editor, Countryman & McDaniel, forwarder/broker, hull & machinery attorneys at LAX.

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OUR "A" Section: Trade, Financial & Inland News***

- 1. **Freight Forwarder Trade Briefs** _____

*****Forwarders Gather At Las Vegas For AirCargo 2013.....**as the Air Forwarders Association, Airports Council International of North America and Air & Expedited Motor Carriers Association partnered to host a particularly informative and successful conference in March. Byron Countryman and Christoph Wahner of **Countryman & McDaniel (C&McD)** presented at General Session with Rodolfo Sabonge, an Executive Vice President for the Panama Canal Authority, to discuss the widespread implications of cargo paradigm shifts expected as a result of emerging markets and industries and the canal expansion. Please contact **C&McD** for a courtesy copy of the presentation. Many thanks to AFA Executive Director Brandon Fried for a fantastic conference and his gracious hospitality.

Read How Airforwarders Association Works

<http://airforwarders.org/cpages/homepage>

AirCargo2013

www.aircargoonline.com/

*****U.S. Trade Deficit With China Rises** as the U.S. Dept. of Commerce announced this month in January, the U.S. international goods and services deficit rose to US\$44.4Bn, up from US\$38.1Bn in December (revised). The U.S. goods deficit with China rose to US\$27.8Bn in January, up from US\$24.5Bn in December. The U.S. goods deficit with Japan also increased, to \$6.1 billion in January, up from US\$5.7Bn in December.

*****U.S. Export & Import Prices Rise In February** as the price index for U.S. imports rose 1.1% in February, the U.S. Bureau of Labor Statistics reported March 13, after increasing 0.6 percent the previous month. The February and January rises were both driven by higher fuel prices. U.S. export prices advanced 0.8% in February following a 0.3% increase in January. All Imports: Import prices increased 1.1 percent in February, the largest monthly advance since a 1.2% rise in August 2012. The advance followed a 0.6 % increase in January, after import prices fell the final quarter of 2012. Despite the February advance, import prices fell 0.3% over the past year, and have not recorded a year-over-year increase since April 2012.

www.bls.gov/news.release/ximpim.nr0.htm

*****Implementation of the Canada-Panama Free Trade Agreement** as CPAFTA becomes effective on April 1, 2013, and with the exception of a few agricultural goods, they will eliminate duties on all imports of Panama origin, either immediately upon implementation of the agreement, or through tariff phase-out. Under the CPAFTA, importers must have a Canada-Panama Certificate of Origin, completed by the exporter in Panama, in their possession for each qualifying shipment.

www.cbsa-asfc.gc.ca/publications/cn-ad/cn13-005-eng.html

*****Dumping Tomatos** as after months of wrangling, the U.S. and Mexico signed a new tomato trade agreement on March 4, officially suspending an antidumping investigation of fresh tomatoes from south of the border and raising floor prices for Mexican tomatoes. The agreement, announced in February, prevented a trade war between the two countries. U.S. growers in Florida had accused their Mexican counterparts of selling their tomatoes below fair market value -- a practice known as dumping -- and last year asked the U.S. Commerce Dept. to scrap the 17-year-old trade agreement.

Read How Dumping Works:

[http://en.wikipedia.org/wiki/Dumping_\(pricing_policy\)](http://en.wikipedia.org/wiki/Dumping_(pricing_policy))

*****Dumping Sinks** as the U.S. International Trade Commission said March 22 it believed China's

government was providing subsidies that allow Chinese manufacturers to sell drawn stainless steel sinks at below-market prices in the U.S. at the expense of American companies. The commission issued a unanimous preliminary ruling that said underpriced Chinese sinks were hurting U.S. manufacturers and said the U.S. Dept. of Commerce will rule next month on whether to impose countervailing duties. The Commerce Dept. alleged on Feb 20 Chinese producers and exporters sold drawn stainless steel sinks in the U.S. market at dumping margins ranging from 27.14% to 76.53%, and that those products also received countervailable subsidies ranging from 4.8% to 12.26%. Imports of drawn stainless sinks from China were estimated at US\$119M in 2011, according to the U.S. Int'l Trade Commission.

Read How Countervailing Duties Work:

http://en.wikipedia.org/wiki/Countervailing_duties

*****Solar Wars** as business has been booming for Taiwanese solar companies since they became the middlemen in a trade war between the United States, China and Europe over the multi-billion dollar solar power equipment market. Green Energy Technology Inc., which makes wafers used in solar cells, is receiving so many orders from Chinese firms seeking to circumvent U.S. import duties that the company is considering renting extra capacity. If, as expected, the European Union also introduces punitive tariffs on Chinese-made solar equipment, Taiwanese companies may inch back toward profitability after posting losses for at least the last six quarters. A supply glut and a sharp drop in demand from Europe, the No. 1 solar market, have led to a 75% decline in panel prices since 2008. European and U.S. manufacturers have accused Chinese competitors of flooding the market with low-cost panels.

*****Electronics Bellwether Philippines Is Down** as January exports suffered their first decline in 5 months as demand for electronics, representing 10% of the world's semiconductor manufacturing, fell despite recovery in its big U.S. market, Reuters reported. Total merchandise exports in January fell 2.7% from a year earlier, with its top shipment electronics, contracting 31.9%, the biggest drop in 14 months. Electronics value also fell to a near 4-year low at US\$1.47Bn, the lowest since Feb. 2009. Manila predicts a 6% to 7% GDP increase in 2013, after the economy grew 6.6% in 2012, the best in Asia after China.

*****Malaysia Trade Slide** as it posted its smallest trade surplus in nearly 11 years in January as exports rose modestly while a surge in domestic demand boosted imports. January's trade balance stood at a meagre US\$1.06Bn, its lowest since April 2002, government data showed. The trade -dependent country's exports in January rose 3.5%, rebounding from a surprise 5.8% slide in December, while imports leapt 16% from a year earlier due to buoyant trade activity with Singapore, Thailand, Indonesia, and other countries within the region. Shipments to China, Malaysia's largest single export market, in January climbed 8.6% from a year earlier. Growth in Asia 's manufacturing sector has shown signs of cooling as the pace of economic recovery in main export markets slacken. Singapore's factory output surprisingly fell in January due to soft electronics and pharmaceutical production while in Thailand, factory output grew at a slightly lower than forecast rate from a year earlier, reflecting soft global demand. Malaysia's trade -sensitive economy has suffered from tepid global financial conditions and the euro zone debt crisis which hampered demand, causing exports last year to expand by a mere 0.6% from 2011. Electrical and electronic products make up about a third of Malaysia's total exports.

*****New German Entry Requirement** as a Harmonised System (HS) Code must be provided for all cargo entering or being transshipped at German ports to facilitate the veterinary (animal products) inspection by port officials. News came in a notice from Hong Kong's Orient Overseas Container Line (OOCL), which warned:"To avoid any cargo clearance delays and potential extra costs imposed by the authority or as

demurrage, OOCL strongly recommends our customers to provide the appropriate HS Code in the Shipping Instruction at the loading end for all types of commodities." The regulation comes as a European Commission's directive, which was adopted by Germany with immediate effect, said OOCL.

*****Consumers "Watching" The Supply Chain** as McDonald's Australian business (Macca's) had just unveiled an iOS app to help consumers learn more about what they are eating. The TrackMyMacca's app, developed in collaboration with global marketing company DDB Group, uses an iOS camera to scan the image of a food item bought from Macca's. Then, using GPS data secured with free Wi-Fi service at Macca's restaurants, and combining it with date and time, consumers can tap into the company's supply chain data to pinpoint the exact source of the meat, and other ingredients. The app currently works on select menu items. Integrating the solution required redesigning more than 150 million packaging units to add scanning codes. This practice will trend with Near Field Communications (NFC) technology which alerts your mobile device to a nearby information resource, without having to take a picture.

Read How NFC Works

http://en.wikipedia.org/wiki/Near_field_communication

*****UPS First To Own All of Vietnam**as it has become the first global express delivery company to be 100% owned in Vietnam, following its acquisition of the 49% interest of VN Post Express in the two companies' express delivery joint venture.

*****UPS Jobs For Our Returning Vets** as it has announced a commitment to hire more than 25,000 veterans over the next 5 years as well as committing to serve more than 25,000 employee volunteer hours helping veterans and Veterans Service Organizations (VSO). UPS made the announcement in cooperation with the Obama Administration initiative "Joining Forces," a program dedicated to connecting our servicemen and women, veterans and military spouses with the critical resources they need to find high-value jobs at home.

*****DHL Supply Chain Expands In Indonesia** as it is investing US\$52.6M by 2015 to strengthen its presence in Indonesia by expanding its warehouse network, staff numbers and transportation fleet. The announcement was made at the launch of its latest 17,000-square meter warehouse in Cimanggis, the third built-to-suit (BTS) warehouse by the company. The latest warehouse follows others in Cikarang, Kedunghalang, Marunda, Sunter, Sentul and Cillitan, which supports customers in the automotive, retail, and the hi-tech sectors. Cikarang and Cillitan are also BTS warehouses.

www.dhlsupplychainexperts.com/home

*****U.S. Trucking Makes Biggest Moves Since 2011** as the American Trucking Assn. (ATA) reported today that trucking volumes showed modest gains in February. The ATA said that seasonally-adjusted (SA) truck tonnage in February increased 0.6% to 123.6 (2000=100), following a 1% (downwardly revised from 2.4%) gain in January. This represents the fourth straight month the not seasonally-adjusted (NSA) index has grown, which has not occurred since late 2011, according to the ATA. And the ATA added that over the last 4 months NSA tonnage has increased a cumulative 7.7%. On an annual basis, the February NSA is up 4.2%, which is in line with January's 4.6 annual bump. Year-to-date, the NSA is up 4.4%, compared to a 2.3% annual gain for the same period in 2012 compared to 2011.

www.trucking.org/Pages/Home.aspx

*****Dampening The Churn** as the driver turnover rate in the truckload sector took a surprising dip in the 4th quarter of 2012, according to the American Trucking Assns' Trucking Activity Report. In all likelihood, the drop could be attributed to a weakened economy and overall freight volumes. Turnover at large truckload carriers dropped from an annualized rate of 104% in the third quarter to 90%, its lowest point since the first quarter of of last year. For all of 2012, turnover averaged 98%, the highest since 2007 when the churn rate averaged 117%. At smaller truckload fleets, the turnover rate dipped to 76% from 94% in the previous quarter. Small fleet turnover averaged 82% in 2012--the highest since 2007's average of 90%.

*****Rail Yards Not A Place To Sleep** as three men were crushed to death and another was injured when a pile of steel beams fell on them in the railway car where they were sleeping on March 5, Alabama authorities said. A fifth man escaped harm and summoned help, a Mobile Fire-Rescue spokesman said. Mobile police said the men were believed to be transients in their 20s and had been sleeping in an open car, two on top of the beams and three below at the CSX rail yard. The injured man was taken to the University of South Alabama Medical Center. Police spokesman Christopher Levy said his foot or lower leg was crushed, but that otherwise, "he's going to be fine." Workers were using a crane to move the beams so the other men's bodies could be recovered, something that was expected to take several hours after the loss was reported. The rail car was en route from Virginia to Houston, a CSX spokeswoman said. Transients often use rail cars for shelter and transportation and many live temporarily at encampments near the rail yard.

Video:

www.youtube.com/watch?v=v53hVQw4qcQ

*****Danger For Motor Carriers On Interstate Highway 15** as the National Insurance Crime Bureau (NICB) warned drivers in the Las Vegas area to be on the lookout for criminals targeting trucks in a deliberate attempt to cause an accident for the purpose of collecting insurance money. As many as 100 suspected staged accidents along the I-15 corridor through the metropolitan Las Vegas area have been reported to NICB in the past 12-18 months and as many as 25 of those accidents targeted big rig trucks. The NICB is working closely with its member companies, the Nevada Insurance Council, the Nevada Highway Patrol, and the Nevada Attorney General's Office to track down the organizers behind these schemes. Paul Enos of the Nevada Trucking Association said that trucks are perceived as valuable targets because they carry high levels of insurance. "The people behind these staged accidents are criminals, preying on trucking companies and endangering our drivers and the public," said Enos. "You know when a driver is behind the wheel of something that weighs 80,000 pounds, and someone deliberately slams on the brakes in front of them, that's not going to be a good day for anybody." Anyone with information concerning vehicle or cargo fraud can report it anonymously by calling toll-free 1-800-TEL-NICB ([1-800-835-6422](tel:1-800-835-6422)) or texting keyword "fraud" to TIP411 (847411)

Video Report

www.youtube.com/watch?v=eCNY2dE5eJQ

*****Self Driving Trucks Being Tested in Japan** as companies look to reduce costs and increase efficiencies, a government funded company in Japan his making headway in developing self-driving trucks. New Energy and Industrial Technology Development Organization (NEDO) has programed a convoy of four trucks to drive just four meters apart and in doing so the trucks cut down on air resistance, reducing drag similar to drafting with a race car. It is estimated fuel savings of about 15%, not to mention the payroll efficiencies. The four-truck convoy uses one human-driven lead truck and three computer-controlled vehicles following it. The NEDO's system allows the following three trucks to drive completely autonomously, without a human guiding them.

www.gsmnation.com/blog/2013/03/02/self-driving-trucks-being-tested-in-japan/

Amazing Video

www.youtube.com/watch?v=IgMekYoaUlk

2. **The Cargo Letter** Financial Page _____

****Cathay Pacific Group. DOWN** as profit for 2012 fell 83.3%, year over year, to US\$118M.

****CMA CGM (French Line). UP** with a net profit of US\$361M in 2012 compared to a loss of US\$5M in 2011.

****CSAV. UP** with operating profit of US\$8.4M in the 4th quarter of 2012, an improvement on the US\$158.1M the line lost in same quarter 2011.

****FedEx. DOWN** as net income fell by 31% – from US\$521M last year to US\$361M in 2012.

****Hapag-Lloyd. DOWN** with a net loss of US\$166M in 2012.

****Horizon Lines. DOWN** with a net loss of US\$17.9M in 4th quarter ending Dec. 23, compared to a net loss of US\$63.6M in the same 2011 period.

****JAL Group. DOWN** with a 5.3% drop in total net income for the first 9 months of fiscal 2012 ending March 31 to US\$1.5Bn year on year

****Lufthansa Cargo. DOWN** as operating income fell to US\$134M in 2012, down from US\$321M the previous year.

****OOCL. UP** as 2012 operating profits rose 86.9% year-on-year in 2012 to \$343.2M.

OUR "B" Section: FF World Air News***

3. **Freight Forwarder World Air Briefs** _____

*****IATA Predicts Little 2013 Growth** as it expects cargo demand to grow by 2.7% and cargo yields to be flat – an improvement over the last two years, which has seen cargo demand and yields decline. The organization announced a modest improvement in its forecast for the 2013 financial performance of the global airline industry. Stronger revenues, including those from cargo, are the main reason for the improved outlook. IATA expects airlines to produce a combined net post-tax profit margin of 1.6 % with a net post-tax profit of US\$10.6Bn. Both these figures are higher than previous projections. Asian-Pacific airlines are expected to deliver the largest contribution to industry performance with a US\$4.2Bn net profit expected for 2013. Asian carriers comprise about 40% of the air cargo market and will be the biggest beneficiaries of the predicted upturn in cargo demand. North American, European, Middle Eastern and African airlines will see improvement, according to IATA. Latin American airlines will see a decline. IATA noted that considerable risks that could derail recovery remain. Growing business confidence could take a hit from the financial situation in Cyprus, evidence that the Eurozone crisis is not over.

Read How IATA Works

http://en.wikipedia.org/wiki/International_Air_Transport_Association

*****The Plan To Relaunch Dreamliner** as the Federal Aviation Administration (FAA) has approved Boeing's certification plan for the redesigned 787 battery system. The modifications include redesigned internal battery components to minimize initiation of a short circuit in the battery, better insulation of the cells and a new containment and venting system. Boeing will now conduct "extensive" testing and analysis on the redesigned battery. FAA engineers will be present for the tests, which establish specific pass/fail criteria, define the

parameters which should be measured and specify the test setup and design. The FAA has also approved "limited" test flights on two aircraft with the prototype containment system installed, "to validate the aircraft instrumentation for the battery and battery enclosure testing in addition to product improvements for other systems," FAA said in a release. The airworthiness directive which temporarily ceased 787 operations in mid-January following two battery incidents, is still in effect and FAA continues to review the 787 design, production and manufacturing process.

Battery Solution PDF:

www.boeing.com/787-media-resource/docs/787-Battery-Solution.pdf

B-787 Technical Briefing

<http://787updates.newairplane.com/Certification/Webcast>

*****A Boeing Shanghai Aviation Services First** as it has celebrated its first 737-300 passenger-to-freighter conversion for Kenya Airways with Aeronautical Engineers, Inc. at a redelivery ceremony. The ceremony was held in Boeing Shanghai's hangar next to Pudong Airport. Boeing Shanghai began the conversion work on Kenya Airways' 737-300 in December and celebrated the cargo door cutting completion in February.

History of The B-737

www.b737.org.uk/737classic.htm

*****Southern Air Turnaround** as it is expected to exit Chapter 11 in September, following the approval of its reorganization plan by a bankruptcy court in the U.S., and igniting hopes of an exit from bankruptcy protection within a few weeks. The development comes despite the air carrier reporting a net loss of US\$159.8M on global turnover of US\$428.2M for the 12 months ending July 31 2012, after 4 years of zero growth in demand for its services, reports Lloyd's Loading List. Six months later its prospects appear brighter. From its new operational & corporate base at North Kentucky's Cincinnati Airport, the cargo carrier will continue the work it has secured from DHL, to operate a fleet of four Boeing 777 freighters on a round-the-world basis.

Read About Southern Air

http://en.wikipedia.org/wiki/Southern_Air

*****Cheaper To Share A Room** as Air Transport Services Group (ATSG) has completed a merger of two of its airline units, Air Transport Int'l and Capital Cargo Int'l Airlines, to create a single airline branded as ATI. The new airline will operate 13 aircraft of which 7 will be Boeing 767Fs, three Boeing 757Fs and three DC-8s combo (combination passenger and main-deck cargo), which will be replaced by four Boeing 757 combis, reports Atlanta area Air Cargo World. ATI will be based in Little Rock, Arkansas, led by the management team from its operation center at Wilmington, Ohio.

Read About Air Transport Services Group

http://en.wikipedia.org/wiki/Air_Transport_Services_Group

*****American Airlines Adds Important Feature** as it has decided to equip all of its A320 family fleet with Airbus' Runway Overrun Prevention System technology. This on-board cockpit technology increases pilots' awareness during landing and reduces exposure to runway excursion risk.

How Runway Overrun Prevention Systems Work

<http://futureairnavigationsystems.tumblr.com/post/19901564123/future-technology-runway-overrun-protection-systems>

*****Boeing's Newest** as it has rolled out the first Next-Generation 737 built at the new production rate of 38 airplanes a month. Copa Airlines will take delivery of the 737-800 in early April.

http://en.wikipedia.org/wiki/Boeing_737_Next_Generation

*****German 2012 Decline** as the Federal Statistical Office of Germany reported on March 4, air freight out of that country was down across the board last year when compared to 2011. Shipments within Germany came to 4.3 million tons, a decline of 2.2%, year over year. Loaded goods declined by 1.7% and unloaded goods fell by 2.8%, year over year.

*****Houston, Dragon Is At Station**as a rocket built by Space Exploration Technologies blasted off carrying a capsule filled with food, supplies and science experiments for the International Space Station. The 157-foot (48-meter) tall Falcon 9 rocket and Dragon cargo ship lifted off on March 1, from the company's leased launch pad at Cape Canaveral Air Force Station, just south of NASA's Kennedy Space Center in Florida. NASA turned to private companies to ferry supplies to the Space Station, a US\$100Bn project of 15 nations, following the retirement of its shuttle fleet in 2011. Staffed by rotating crews of six, the orbiting laboratory flies about 250 miles (400 km) above the Earth. With the shuttles grounded, NASA plans to hire private firms to fly astronauts as well as cargo, breaking Russia's monopoly on crew transport that costs more than US\$60M per trip.

www.spacex.com/

*****Volumes** >>> Copenhagen had 6.4% growth in 2012. With 354,269 tons of cargo last year, Copenhagen is the 13th largest cargo hub in Europe. >>> Hong Kong volume in February was 248,000 tons, as flight movements increased by 4.1% to 27,665. >>> Delta Air Lines flew 178,698 cargo ton miles in Feb., a year-over-year decrease of 3.5%. >>> **Saudi Airlines Cargo** has emerged as the 2nd largest cargo airline in terms its traffic volumes out of Dubai, after carrying 12,242 tons of air freight on passenger aircraft, an increase of 27% against 2011.

*****Easing Electronics Use Aloft** as the New York Times is reporting the FAA may soon loosen its rules around the use of electronics during takeoff & landing. The change, however, will not affect cell phone use. Instead, it applies to reading devices such as iPads and Kindles. Anonymous employees at an industry working group the FAA set up last year told the news outlet the governmental agency is under tremendous pressure to either allow use of these types of devices, or provide significant evidence why they cannot be used. According to multiple scientific sources, there is no proof these types of devices affect a plane's avionics.

*****The Cargo Is "Flying Rhinos"** as for some endangered rhinos, a 1,000-mile road to rescue from poachers starts with a helicopter ride — hanging upside down, blindfolded and sedated. That might sound uncomfortable, but experts say it's actually easier on the massive mammals than other means.

The Video:

www.youtube.com/watch?v=pTWPg_8sK78

*****One Man's Treasure** as the man claimed they were intended as food for personal consumption. The U.K. Border Force said March 22 that inspectors at London's Gatwick Airport found the dried caterpillars shrink-wrapped in cellophane and packed into hessian bags carried by a passenger travelling from Burkina Faso via Istanbul. The caterpillars were seized by authorities after the Feb. 23 find because they breached restrictions on importing animal products. The 22-year-old passenger was let off with a warning. Border Force

*****Foreign Flags Cheaper Than Jones Act Carriers?** as the U.S. Government Accountability Office has released a report on shipping between Puerto Rico and the United States and possible modification of the Jones Act requirement that vessels participating in the trade be registered in the United States, crewed by U.S. citizens, and built in a U.S. shipyard. The report, prepared at the request of Puerto Rico's representative in the U.S. House of Representatives, said "Shippers doing business in Puerto Rico that GAO contacted reported that the freight rates are often-although not always-lower for foreign carriers going to and from Puerto Rico and foreign locations than the rates shippers pay to ship similar cargo to and from the United States, despite longer distances."

www.gao.gov/assets/660/653047.pdf

www.gao.gov/assets/660/653182.txt

Read How The Jones Act Works

http://en.wikipedia.org/wiki/Merchant_Marine_Act_of_1920

*****The Asian Gypsy Moth (AGM) Menace**as the risk of introducing the AGM into North American supply chains is high this year, judging by actions of the U.S. Dept. of Agriculture and Canadian Food Inspection Agency. They are issuing regulations for vessels arriving at North American ports this summer from Far East Russia, Japan, Korea, and Northern China. The Asian Gypsy Moth is a pest that can be carried on the superstructure of ships and cargo and is prevalent in some seaport areas. Inchcape Shipping Services (ISS) reports that U.S. and Canadian authorities intercepted a large number of vessels with AGM egg masses arriving in North America last year. ISS issued an announcement that vessels arriving without the required AGM documentation or if AGM infestation is detected, there can be significant delays in cargo loading or discharging activities. It is the responsibility of shipping lines to meet all requirements for entry to the U.S. and Canada, ISS added. "Vessels must arrive at North American ports with required pre-departure certification and free of AGM," its announcement stated. Vessels must provide two year port of call data, at least 96 hours prior to arrival at a North American port, to the Canadian or U.S. agent. The agent will ensure that this information is provided to U.S. and Canadian officials.

www.iss-shipping.com/home.aspx

www.asiangypsymoth.org/

www.aphis.usda.gov/plant_health/plant_pest_info/gypsy_moth/agm-background.shtml

*****Arctic Lanes** as channels are opening to commercial shipping through a shortcut across the Arctic Ocean to the United States and Europe using ice-strengthened ships that will save time and money. It is unlikely that the growth in icebreaker vessels will be staggering due to the shortness of the navigation season. Despite this, container trade through this route is forecast to grow between five and 14% by 2020, with 10% of projected trade to create US\$683Bn in trade. The route is not without risks but the growth in shipping from oil, gas exploration and mining businesses has increased to around 50 commercial vessels globally during 2012. Still, Demark's Nordic Bulk Carriers managing director, Christian Bonfils, doubts there will be enough melting to change commercial ship routing. The Danish shipping company sent 10 vessels through the route in 2012 and although there is potential it is never going to be the "new Suez Canal", said Mr Bonfils. Hong Kong shipmanagers Anglo-Eastern recently told its annual media lunch that increased Arctic shipping had little to do with climate change, but rather with improvements in hulls and the increased capacity of ice-strengthened ships combined with the rising prices of commodities which are more abundant in northern regions.

*****Labor Deal Reached On March 14** as the International Longshoremen's Assn. has set April 9, as the date it will hold a ratification vote on a new 6-year master contract with employers New York Shipping

Assn. The ILA and the employers in the Port of New York and New Jersey, the port where about 3,250 of the 14,500 union workers covered by the master contract are employed, have settled the local working conditions dispute. Negotiations ended with a deal just before a deadline, and a spokesman for the International Longshoremen's Assn. said the deal was tentative, though declined to provide details, Reuters said. About 4,500 longshoremen work at the port — about a third of all East Coast longshoremen. The port handles about 3 million containers annually, mostly through three major terminals, Reuters reported.

*****German Merger Stalled** as talks of a merger between Germany's largest container shipping companies have been suspended because terms of a deal could not be reached. Oetker Group, which owns Hamburg Süd, asked for the merger talks that [began in December](#) be suspended after the parties were unable to agree on the terms of a merger, Hapag-Lloyd said in a statement on March 24..

*****Zim Line Snapshot** as the Israeli container carrier suffered a 25.3% operating loss in 2012 yet declared US\$107M profit in 2012 against the US\$82M loss in 2011 in terms of earnings before interest, tax, depreciation and amortisation, while revenues increased 5% year on year to US\$3.9Bn. Zim faced cancellation charges from Samsung Heavy Industries of US\$133M for stopping orders on five 12,600-TEUers. Nine of them were first ordered at US\$170M each while remaining ship deliveries will be deferred until 2016. Container volume was flat at 2.4 million TEU, but yield was higher with average freight rates increasing two per cent to US\$1,342 per TEU.

Read More About Zim Line

http://en.wikipedia.org/wiki/Zim_Integrated_Shipping_Services

*****Indonesia Expands Logistics Footprint** as President Susilo Bambang Yudhoyono broke ground March 21 on the nation's largest port development, a project designed to allow Indonesia to accommodate the world's largest containerships by 2018. The Kalibaru Project, or New Priok, includes an initial investment of US\$2.5Bn by the country's largest port operator, IPC, at the port of Tanjung Priok. In the first phase, three container terminals with a total capacity of 4.5 million 20-foot equivalent units (TEUs) and two fuel berths that are expected to be completed by the end of 2017.

Read More About Port Tanjung Priok

http://en.wikipedia.org/wiki/Tanjung_Priok

*****Hanjin Shipping Backs Out** as it has decided not to go ahead with plans to build a new container terminal at the Port of Jacksonville, near Dames Point on the St. Johns River. However, the number of ocean carriers offering services to and from Jacksonville and Asia will jump from nine to 15 as the G6 and CKYH Alliances adjust their services. In Dec. 2008, Jaxport executives and representatives of Hanjin Shipping in Seoul, Korea signed a 30-year lease agreement calling for construction of a 90-acre container facility at Dames Point, near MOL's TraPac terminal. The US\$300M terminal was expected to be a key hub for Hanjin's U.S. East Coast port activity

*****Season Opens With Higher Fees** as here has been a 3% increase in St. Lawrence Seaway tolls in Canada for the 2013 shipping season, according to Inchcape Shipping Services (ISS). The increase by The St. Lawrence Seaway Management Corporation will be the first rise in five years and took effect when the seaway opened on March 22nd, 2013. The seaway saw a 4% increase in cargo volume in 2012 to over 39 million tons, which is believed to be a result of new trade patterns and an increase in market share by carriers.

*****Round-The-World Westbound** as Rickmers-Linie is launching a Westbound Round-The-World Service, connecting areas of economic growth in Asia and South America and then on to North America. The America-Asia westbound service established in 2006 now forms a part of this new service. On her first voyage in the new service for Rickmers-Linie, M/V Huanghai Glory is scheduled to call at Bayuquan, Xingang, Dalian, Shanghai, Kaohsiung, Punta Quilla, Buenos Aires, Montevideo, Santos, Rio de Janeiro, Vitoria and Suape.
www.rickmers-linie.com/index.php?id=358&L=2

*****"K" Line Can Keep Track** as it has announced a mobile version of "K" Line's GCT, 'Global Container Tracking which will allow BL/Booking and Container tracking via any mobile web browser on your smart phone or tablet device. A QR barcode is provided on the website front page to make it easy to add the URL to your mobile favourites.

Read How GCT Works

<http://ecom.kline.com/tracking>

*****Cargill Launches eB/L** as goods shipped by sea currently **require** a bill of lading document, which sets forth the terms of a contract between a shipper and a transportation company. Earlier this month, Cargill completed its first trade using an electronic bill of lading called CargoDocs, which was developed by Malta-headquartered company Electronic Shipping Solutions (ESS), officials said. "After nearly 150 years of paper bills of lading, this first electronic B/L represents a historical milestone for us," said Ernst Herger with Cargill in a statement. Analysts have estimated that the importation of a single cargo by sea requires an average of 36 original paper documents and 240 copies from 27 separate parties. Amendments to bills of lading at ports and customs locations, which are common, make the process even more cumbersome. The transfer of bills of lading took 19 minutes for Cargill's grain shipment from the U.S. Port of Houston to Veracruz, Mexico on the dry bulk vessel UBC Bremen, the company said.

Read How CargoDocs Works

www.essdocs.com/edocs/cargodocs

*****DHL Global Forwarding Double Deals** as it has a new sea freight solution called DHL Double Decker. The new product allows racking supported double stacking in standard 40 foot containers, which is claimed to reduce cargo damage. The racking system of DHL Double Decker containers is soldered to the container's side wall to ensure stability and safety of goods. The double deck can be mounted at different heights, depending on the cargo dimensions. Each of the maximum of nine platforms within a 40 foot carries up to 1 ton of cargo. The product is especially attractive for companies that need to bundle and ship goods from multiple vendors in one specific country or region on a regular basis. The Double Decker solution is available for DHL's Shipper's Owned Containers through Danmar Lines, DHL Global Forwarding's own non-vessel operating common carrier for ocean freight products. Soon DHL Double Decker will be deployed on many other trade lanes which allow customer specific round trips.

Read How Double Decker Works

www.dhl.com/content/g0/en/press/releases/releases_2013/logistics/dhl_with_new_racking_solution_for_ocean_freight_shipments.html

*****Hong Kong's OOCL Extends LBG Stay** ,..... as the world's 11th largest carrier, recently signed a 40-year lease with the Port of Long Beach (LBG), including an investment of US\$1.2Bn in a terminal upgrade on the 309-acre Middle Harbor site. The upgrade project is to be completed in 2019 which will give the facility an annual capacity of 3.3 million TEU.

*****Throughput** >>> Port of Charleston volume for the first 8 months of the fiscal year are up more than 11% to 1,024,121 TEUs handled from July to Feb., up from 920,547 TEUs during same period last year. >>> **Port of Long Beach** recorded a 36.6% year-on-year February increase in boxes to 530,967 TEU, and **Port of Los Angeles** a 16.9% jump to 614,948 TEU.

*****This Month In U.S. Navy History**

1781 - Continental sloop ship [Saratoga](#) goes down with all hands in a sudden gale, 3 days after sailing from Cap Francais, Haiti.

1862 - [USS Monitor](#) and [CSS Virginia](#) engaged in battle in Hampton Roads, Virginia, and ushered in a new era of war.

1865 - In the largest amphibious operation of the war, Union forces capture Fort Fisher, N.C.

1917 - All American merchant ships to be armed in war zones.

1943 - The Numbered fleet system is established.

1945 - Carriers begin a three-month Okinawa campaign by destroying aircraft on Kyushu, Japan.

1959 - [USS Skate](#) (SSN-578) became the first US Navy submarine to surface at the North Pole.

1957 - Airship [ZPG-2](#) lands at U.S. Naval Air Station Key West, Fla., after an 11-day non-stop flight across the Atlantic. The flight began March 4 at South Weymouth, Mass., and circled over the Atlantic Ocean toward Portugal, the African coast and back, for a new world record in distance & endurance, covering 9,448 statute miles and remaining airborne 264 hours 12 minutes without refueling.

1974 - The Navy is sent to sweep mines from the Suez Canal.

1994 - 1st orders for women on board a combatant USN ship, [USS Dwight D. Eisenhower](#) (CVN-69).

*****The Price of Egyptian Coral** as vessel groundings are a large threat which coral reefs face, with the possible subsequent threats of pollution causing further damage to the ecosystem and biodiversity. Damage to coral reefs can range from minor injuries to the severe degradation of its structural complexity. The natural recovery of coral reefs from severe groundings can take years. The Egyptian Environmental Affairs Authority (EEAA) may issue compensation claims against a vessel. Egyptian Law 102 of the year 1983 for natural protectorates regulates and adopts penalties against the party responsible for damaging coral reefs. Where a damage incident does occur, compensation claims can be extremely large. The following formula is used to calculate what compensation may be due based on a complicated formula: **(A) X (LC) x (D) x (RP) x (V)** -- where **(A)** is a measure of damaged area in square meters, **(LC)** is the percentage of living coral, **(D)** is the percent damage in the area, **(RP)** is the number of years required for recovery and **(V)** is the value of one square meter (set at US\$120, and US\$300 for national parks). Due to this formula, even small incidents causing damage can very easily result in a large claim against the vessel. There were **170 damage incidents** last year.

*****End of The Big U? No!** as the conservancy working to secure a home and purpose for the 990-foot-long [SS United States](#) tells the Associated Press that it could be sold for scrap within two months unless they can raise US\$500,000 immediately so they can continue negotiations with several parties. Money and time are running out for the historic ocean liner, which carried princes, presidents and celebrities across the Atlantic Ocean in the 1950s and 1960s. The historic trans-Atlantic liner has been berthed on the Philadelphia waterfront since 1996. **Save the Big U !!!** [Countryman & McDaniel](#) is contributing! Join with us to save a vital piece of American history.

http://en.wikipedia.org/wiki/SS_United_States

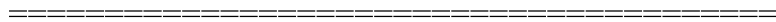
SS United States Conservancy

www.ssusc.org/

*****Sailing Solo.....** as the Norwegian soft drink brand Solo has launched a rather unusual marketing stunt—literally. To promote the beverage to consumers in countries other than Norway, the company has constructed a 26-foot-long replica of the soda's bright bottle. Holding a case of Solo and a 12-square-meter letter to whoever finds it, the bottle is 26 feet long and weighs 2.5 tons and officially registered as a vessel. It was released into the ocean currents outside of the Canary Islands on March 15. It's impossible to tell how long the voyage will last, though company reps are hoping for a relatively swift trip. "Hopefully we will not end up breaking the Captain Brown record for the oldest message in a bottle—it roamed the sea for 97 years and 309 days," said Solo C.E.O. Joakim Sande in a statement.

Follow The Voyage - Live

www.facebook.com/solo



5. The Cargo Letter Cargo Damage Dispatches

****Back By Popular Demand****

We're sorry, but there were so many sinkings, explosions, pirate attacks, fires, cargo mishaps, battles on the water & other disasters at sea that we do not have room to print even the highlights this month. **Many people lost their lives at sea this month!!**

But you can read all this month's disaster news at our special Internet web feature which provides full details of each event -- our **Vessel Casualties & Pirate Activity Database**. Bookmark the site and visit every day! Updated twice daily.

www.cargolaw.com/presentations_casualties.html

SPECIAL NOTE: Please view the dramatic new pictures at our special "**Gallery of Cargo Loss**" website feature.

www.cargolaw.com/gallery.html

A look back to March 2011: "**Japan Tsunami: The Amazing Shore Ships of Sendai**"

www.cargolaw.com/2011nightmare_sendai_ships.html

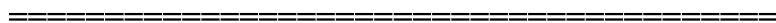
See our newest photo feature "**Singles Only**" - Transportation Disasters Told In A Single Photo!

www.cargolaw.com/2000nightmare_singles.only.html

Daily Vessel Casualties as we don't want you to miss the excitement of our 24 hour reports of the dramatic events at sea each day -- stories of casualties & pirates --- almost none of which are carried on your local news. Edited daily by **Christoph Wahner, Esq.** of **Countryman & McDaniel**.

www.cargolaw.com/presentations_casualties.php

NOTE: The historic dangers of carriage by sea continue to be quite real. **Shippers must be encouraged** to purchase high quality marine cargo insurance from their **freight forwarder or customs broker**. It's dangerous out there.



OUR "D" Section: FF in Cyberspace*****6. The Cargo Letter "Cyber Ports Of Call"**

Here are our suggested world wide web sites of the week for your business, your information and your amusement.....

Cargo & Trade>>>>>>

American Airlines, US Airways Merge To Form World's Largest Inconvenience from the Onion (so for fun)

www.theonion.com/articles/american-airlines-us-airways-merge-to-form-worlds.31302/

American Trucking Assns' Trucking Activity Report

www.truckline.com/StateIndustry/Pages/truckingactivityreport.aspx

Community Battle To Move LAX Runway 24 Right

www.sacbee.com/2013/03/10/5250416/neighbors-battle-los-angeles-airports.html

Controls For Transit and Transhipment of Dual-Use Items In The USA

www.worlddec.com/wp-content/uploads/2012/07/USA.pdf

End of the U.S. Merchant Marine - TV Interview

www.maritimetv.com/FeaturedContent/FeaturedVideos.aspx?VID=maritime/130313_MaritimeTV_Interview_Munoz_Krepp_1.flv#anchor

European Aviation Security Program - Known Consignor Transition Period Expired March 25

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008R0300:EN:NOT>

Great Lakes St. Lawrence Seaway System

www.greatlakes-seaway.com/en/

iPad Flight Bag Now Replaces Over 40 Pounds of Required Pilot Manuals In The Cockpit

www.gadling.com/2013/03/20/cockpit-chronicles-the-ipad-flight-bag-is-finally-here-video/

New GAO Report: "Puerto Rico: Characteristics of the Island's Maritime Trade & Potential Effects of Modifying the Jones Act"

www.gao.gov/assets/660/653047.pdf

www.gao.gov/assets/660/653182.txt

No U.S. Quota Limits For Ethyl Alcohol Importation

<http://apps.cbp.gov/csms/viewmssg.asp?Recid=19276&>

U.S. Export Reference Tables

www.cbp.gov/xp/cgov/trade/automated/aes/tech_docs/export_ref_linklist.xml

U.S. Export 101 Training Videos

www.bis.doc.gov/seminarsandtraining/export101_training.htm

PRODUCTS>>>>>>>>>>

Connect Your Vehicles To Your Mobile Device

www.automatic.com/

Free ebook: Essential Guide To Rail

www.terrapinn.com/template/live/engage.aspx?e=5615&d=8304

Zero G experience true weightlessness on a specially modified Boeing 727. Dates from April through June, across America

www.gozerog.com/index.cfm?fuseaction=Reservations.welcome

EVENTS>>>>>>>>>>

Transport Events

www.transportevents.com/

Trade Shows, Exhibitions, Conferences & Business Events Worldwide

www.eventseye.com/

World Trade Organization Events

www.wto.org/english/news_e/meets.pdf

Transport Events

www.transportevents.com/

Trade Shows, Exhibitions, Conferences & Business Events Worldwide

www.eventseye.com/

World Trade Organization Events

www.wto.org/english/news_e/meets.pdf

11th 3PL Summit 18-20 June, Chicago

<http://events.eyefortransport.com/3pl/>

26th IGHC Ground Handling Conference 5-8 May 2013, Vancouver, Canada

www.iata.org/events/Pages/ighc.aspx

Air Cargo & Logistics Asia Conference and Exhibition 16-18 Oct. 2013, Singapore

<http://atwonline.com/events/air-cargo-logistics-asia-conference-exhibition-1212>

Cargo Facts Asia Conference April 16-17, Langham Hotel, Hong Kong

<http://cargofactsasia.com/>

Cargo Logistics Canada Expo + Conference 29-30 Jan. 2014, Vanouver, Canada
www.bettermail.ca/ct/1177/763349/283687549/2c0a496742cce33fd448475cee6a9f38

Express Carriers Association 2013 ECA Marketplace 9-11 April 2013, Intercontinental Hotel, Dallas, TX
<http://expresscarriers.org/marketplace/?id=32453534>

FIATA World Congress 2013 in Singapore 16-19 October 2013
www.fiata2013.org/site/

IATA Ops Conference 2013 -- "The Checkpoint of the Future" 15-17 April, Vienna, Austria
 MAJOR TOPIC: On-Board carriage of Lithium Batteries
www.iata.org/events/Pages/ops-conference.aspx

Supply Chain World North America 8-10 April, 2013, St. Louis, MO
www.supplychainworld.org/na/pricing-registration.php

Sustainable Ocean Summit 22-24 April 2013, Washomgtpn, D.C.
www.oceancouncil.org/site/summit_2013/index.php?page=program

Free Webinars>>>>>>>>>>

12 Supply Chain Forecasting Lessons from "The Signal and The Noise"Thu, April 4, 2:00pm EDT
www.industryweek.com/12-supply-chain-forecasting-lessons?partnerref=e1

Apps For That - iPhones>>>>>>>>>>

National Insurance Crime Bureau Cargo Crime App
<https://itunes.apple.com/us/app/nicb-fraud-tips/id492578733?mt=8>

General Interest>>>>>>>>>>

360 degree image - B-1B Pilot Station
<http://nmusafvirtualtour.com/media/072/B-1B%20Pilot%20Station.html>

Being Aircrew On A KC-130J, Where The Cargo Is Fuel
www.wimp.com/thisaircrew/

Guinness World Records Largest Card Stacking Structure
www.youtube.com/watch?feature=player_embedded&v=Ykp2x3tv0jk#!

Maritime Minute of Madness runaway rescue boat
www.maritimetv.com/FeaturedContent/FeaturedVideos.aspx?VID=maritime/130227_Maritime_MOM_2_V2.flv#anchor

M/V Queen of the North avoidable & tragic grounding led to safety improvements
<http://maritimeprofessional.com/Blogs/Maritime-Musings/March-2013/MV-Queen-of-the-North.aspx>

Raising The Debt Limit priceless, sort of
www.youtube.com/embed/Li0no7O9zmE

ReplaceFace
<http://link.insidehook.com/50673d11dc87ac0b4ff73c71wp6n.rp9/TnnY5gO4HfEMFuqLCf232>

S/S Arctic luxurious but ill-fated packet steamer
www.maritimeprofessional.com/Blogs/Maritime-Musings/March-2013/SS-Arctic.aspx

Urban Wingsuit Flying In Rio de Janeiro
www.liveleak.com/view?i=7f3_1363434949

USS Freedom (LCS-1)
[http://en.wikipedia.org/wiki/USS_Freedom_\(LCS-1\)](http://en.wikipedia.org/wiki/USS_Freedom_(LCS-1))

USS Monitor: From 1861 to Now
<http://navylive.dodlive.mil/2013/03/06/uss-monitor-from-1861-to-now/>

World's First Personal Sports Amphibian45mph on land & water -- four seconds in between. I want one.
www.gibbssports.com/

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OUR "E" Section: The Forwarder/Broker World***

7. New U.S. Transport Related Legal Cases _____

Durunna vs Air Canada

Alberta Provincial Court, 2013 ABPC 31

Can The Montreal Convention Limits Be Broken? Canada's state court has ruled that carrier liability under the Montreal Convention can be inapplicable if airline staff fail to bring the rules to the attention of non-commercial shippers. In the opinion of this court, a simple verbal declaration of a shipment value that exceeds the Montreal Convention coverage may now be enough to circumvent previously unbreakable limits. The announcement comes after the court ruled that the Montreal Convention does not dispense with the notice requirements applicable in common law. The decision involved a plaintiff who shipped 10 laptops worth US\$4,600 to Nigeria. The plaintiff had visited Air Canada's air freight offices, and a waybill was issued. He declared verbally the value of the goods at US\$3,9001, and then completed an Export Declaration Form. A waybill was then prepared, but it made no reference to the value of the goods. It also contained a square box with a warning in capital letters stating that the shipper's attention was being drawn to the notice concerning the carrier's limitation of liability under the Montreal Convention. The plaintiff paid the shipping fee and was given a copy of the waybill, which he had neither signed nor read. The plaintiff was never offered additional insurance in excess of the standard Montreal Convention coverage. The goods disappeared en route to Nigeria. Air Canada

sought to rely on the Montreal Convention to limit the compensation payable to the plaintiff. However, Judge Skitsko rejected the airline's argument that the Montreal Convention intended to dispense with any requirement on carriers to provide notice of the limitations of liability. The court concluded that enforcing the Montreal Convention liability limits would be unconscionable in the circumstances. As a result, it awarded damages of US\$4,000, equal to the value of the lost goods as verbally declared by the plaintiff. Additionally, the plaintiff was entitled to recover the shipping fee. **This misguided opinion** fails to consider several material issues, such as the mandatory effect of an international treaty. **Given the international consensus on the unbreakable nature of the Montreal Convention limits** as they apply to cargo, the decision in *Durunna* may well be appealed within the coming months. Until then, however, caution will be the airlines' best companion.

And this month, a lighter look back

Ricks v. Associated Indem. Corp.,

Louisiana Court of Appeals, 242 So. 2d 346 (La. Ct. App. 1970)

Was The Cargo Negligent? -- Trustee prison guard who was forced to ride on top of doghouse containing prison dogs due to space limitations in back of prison vehicle which was aiding in chase of escaping prisoner and who, when found on ground, was holding onto piece of wood from doghouse onto which he had been holding prior to his fall from truck when driver made unannounced right-angle turn at relatively high rate of speed was not guilty of contributory negligence.

Thompson v. White

Supreme Court of Alabama, 149 So. 2d 797 (1963)

Can Clowns Disrupt Trucking? -- In action for injuries to passenger in truck which, while stopped at intersection, was struck from the rear by automobile of defendant whose attention was diverted by clowns who were performing at filling station of co-defendants, co-defendants' demurrer was properly sustained since the act of causing clowns to perform near a highway did not constitute breach of duty to persons traveling on highway.

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Written from wire stories, the Associated Press, Reuters, Hong Kong Shipping News Lloyds & other world sources.

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The Cargo Letter
(since 1978)

A world news service for Air/Ocean Freight Forwarders, NVOCC's, Consolidators, Indirect Air Carriers, Surveyors, Intermodal Shipper's Agents, Inland Carriers, Customs Brokers and Liability& Marine Underwriters world-widea free service to more than 8,000 industry subscribers & readers on 6 continents.

Michael S. **McDaniel**, Editor.

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