

A Guide for Filing Ocean Cargo Claims

THIS DOCUMENT IS DESIGNED TO ASSIST YOU IN THE EVENT OF LOSS OR DAMAGE TO YOUR CARGO WHILE IN THE CARE/CUSTODY/CONTROL OF ECU WORLDWIDE.

The first step to take when goods are lost/damaged

IMPORTANT NOTICE; Written notice of claims for loss or damage to goods, occurring or presumed to have occurred while in the Custody of the Carrier, must be given to Carrier, at the port of discharge, before, or at the time of removal of the goods by one entitled to delivery. If such notice is not provided, removal shall be prima facie evidence of delivery by the Carrier. If such loss or damage is not apparent, Carrier must be given written notice within three (3) days of the delivery.

Immediately contact the ECU Worldwide Representative in your area to report the claim and provide us with an opportunity to inspect the goods and review the circumstances surrounding the loss or damage. In the event of damage, we will usually order a survey if you estimate that the value of the damaged goods exceeds \$2,000.00 and it appears to be caused by ECU Worldwide. If we do not assign a surveyor, please document the extent and type of damage to the goods and take an ample amount of photos.

In the event of missing cargo, please determine that the missing items were not back ordered or short shipped before going ahead with your claim.

Who should the claim be filed with?

Your claim should be filed with the party or parties that insured your cargo. If ECU Worldwide provided cargo insurance, your claim should be directed to the ECU Worldwide Representative in your area, who will review your claim before sending it to our claims division in Miami, FL. for processing and settlement.

What documents must accompany the claim?

ECU Worldwide makes available a Claims form on our Internet web site. You need only go to... www.ecuworldwide.us. Helpful Tools, to secure the form. The completed form should include:

- Information detailing the nature and extent of your loss or damage as well as the amount being claimed. Please reference the ECU Worldwide bill of lading number and the vessel/voyage that the shipment arrived on. When the Claims form is completed, you should attach.....

- A copy of the following documents:
 - Shipper's (commercial) invoice and packing list
 - Custom's entry form if duty is applicable
 - Delivery Receipt/Discrepancy Cert. from destination
 - Photo(s) of the damaged freight
 - Repair expense invoice (if applicable)
 - Survey Report (if applicable)
 - Salvage Invoice (if applicable)

- If your claim is for damaged cargo for which there is no salvage value, please provide either a) a certificate of destruction, or b) a statement describing disposition of the cargo, that the goods, which are the subject of your claim, had no economic value, and that neither cargo owner, its employees or agents received any economic benefit from these goods.

- Your claim can be resolved in a timely manner if your initial claim is fully documented.

Our Responsibilities

We will acknowledge the receipt of your formal claim. Should additional information/documentation be needed, we will so advise you. Notices of Intent to claim or preliminary notice of claim are usually not acknowledged, however, are retained pending the receipt of the actual claim. Upon receipt of the fully documented claim due diligence will be executed in both its investigation and settlement.

Your Responsibilities

Mitigation of loss- It is your responsibility to take all reasonable steps to mitigate the loss (e.g. separating wet goods, cleaning, repairing, repackaging, and salvaging, if feasible)

Time for claim/suit- Under COGSA rules, which we subscribe to, a lawsuit for the loss/damage of your shipment must be filed within 1 year of the date that your shipment was received or available for receipt.

Other matters for your consideration

Insure your cargo. In addition to the loss/damage to your freight, insurance also provides for General Average, War risk, Strikes and Riots, and other circumstances that you are probably unfamiliar with. The cost of insurance is very insignificant when compared to the possible loss of the entire cost of your shipment. You should know that, for those shipments not insured through ECU Worldwide, the NVOCC liability for loss or damage is limited to the lesser of the actual value of the package or US\$500 per package.

Questions?

If any of the information provided herein requires further explanation or you need any assistance with regard to preparing your claim, please do not hesitate to contact your local ECU Worldwide Representative or our general claims headquarters in Miami, FL.