

3. Claims Procedures.

- *Time limits for filing claims.*

- General notice:

This section is designated to facilitate and uniform the way our company received and process claims. It is very important you read this document before you send us your claims for damage or missing goods. In addition to make our freight safer while in transit, our security procedures and claims are intended to considerable reduce the amount of claims and facilitate the recovery of losses.

Claims section is divided by type of shipment (LCL/FCL), *air freight is considered part of LCL shipments segment.* Use this document as guide to produce the suitable documentation to expedite the process of your request when you received shortage or damaged merchandise.

In order to claim reimbursements for cargo losses, our insurance underwriters will need to have the complete documentation to expedite this process, otherwise claim will not proceed.

Claim applications sent to Weitnauer containing incomplete or inappropriate documentation will not be process or granted.

We suggest you designate receiving personnel at your facilities, they should be informed of these details in order to inspect the 5 seals properly before sign any documents accepting the equipment free of exceptions affirming that shipment was not tampered. This process is extremely important to clear your party responsibilities in case of missing goods.

You may choose one of the following methods to send or file your claim:

- On Line – Visit <http://www.weitnauer America.com>
- Via e-mail: claims@weitnauerdutyfree.com
- Via fax: 305-463-9949
- Via courier: 2315 NW 107 Ave, Miami Free Zone, Box 45, Suite A21, Miami, FL 33172, US

Claims procedures - FCL shipments:

1. **TAKE PROPER EXCEPTIONS:** on the delivery receipt when any loss or damage is apparent to the equipment at the time of taking delivery. *Consignees have to be sure that all the container seals [5 seals] are properly examined.* If the container is delivered damaged, seals are broken, missing, or with seals other than as stated on the shipping document, **the consignee must notice the condition in detail on the delivery receipt and retain all defective or irregular seals for later identification.**

2. **SEALS:** In all cases retain the broken seals; seals can be an important piece of the investigation.
3. **IF EXCEPTIONS:** are made before opening the container, immediately contact a Local Lloyd Surveyor to certify seals, unloading and quantities of product received.
4. **IF NO EXCEPTIONS DETECTED:** at time of receiving the container and product is missing after unloading, immediately contact a local Lloyd Surveyor to certify the missing goods and inspect the container **before the equipment leaves your facilities**. A Lloyd surveyor can be found at http://www.lloyds.com/Lloyds_Worldwide/Country_guides/
5. **PROMPTLY REPORT LOSS OR DAMAGE:** to Shipper, Carrier, trucker, Local Agent and request them to conduct the survey. If none are nearby, you may contact the nearest Lloyd's Settling Agents and request them to conduct the survey. Invite agent or Carrier's representative to attend survey. If loss is discovered on dock, have survey held there without delay. Weitnauer's personnel must be aware within 24 business hours of the irregularity using the "*Letter putting all parties on notice of loss*", for more references go to item number 6.
6. **FILE CLAIM IN WRITING** against the delivering carrier(s) holding them responsible as soon as loss or damage is discovered even though the full extent of loss may not yet be known. See [example of Letter putting all Parties on Notice of loss](#) at the end of this document for complete instructions.
7. **MINIMIZE THE LOSS:** by taking all reasonable steps to protect the cargo from further damage and to keep the amount of loss or damage to a minimum. You are expected to do exactly what you would do if the shipment were uninsured. Retain all original packing materials.
8. **COLLECT COMPLETE DOCUMENTS:** in support of your claim, send us consisting of **(time limit to file the claim 7 business days):** **Claim is not process or granted if this list is not complete*
 - 8.1 Itemized Statement of Claim dated and signed. "*Weitnauer form WDF-C-107*"
 - 8.2 Original or copy of bill(s) of lading covering the entire shipment, including transshipment bill(s) of lading, freight note(s) and/or way-bill(s) when applicable.
 - 8.3 Original or copy of the invoice(s) covering the entire shipment.
 - 8.4 Delivery receipts and any other available documents showing condition when received.
 - 8.5 Surveyor/adjuster Report.
 - 8.6 Copy of the written claim against the carrier or other parties with their reply if available.

After review the documents and facts Weitnauer's personnel will return the claim form **WDF-C-107** assigning a claim number if settled or denying the application if claim does not accomplish the requirements. Update communications about

Claims procedures - LCL shipments:

1. **TAKE PROPER EXCEPTIONS** at the time of receiving the cargo at agents' facilities if any loss or damage is apparent at the time of taking the delivery (*evidence of pallet breakdown, not sealed as established in our procedures, pallets' seals differ from the information sent by Weitnauer personnel*), declare on the delivery receipt when any loss or damage is apparent at the time of taking delivery missing/damaged quantities. Seals other than as stated on the shipping document, the consignee must note the condition in detail on the delivery receipt and retain all defective or irregular seals for later identification.
2. **IF EXCEPTIONS** are made at the time of receiving the shipment from the agent; inspect the seals, breakdown the pallets and make an itemized inspection of the goods before signing the delivery receipt. Agent must provide you an exception confirmation number and stamp the notice of exception.
3. **IF NO EXCEPTIONS IS DETECTED** at time of receiving the goods from the agent, claims for missing/damaged goods will not proceed or settle, since the goods were received in good condition the pilferage occur with the goods in your possession; consignee is considered responsible for the losses. To void this annoying situation, you must instruct the company providing the service of pickup from the agent to properly inspect the shipment otherwise they will be considered responsible for the losses.
4. **MINIMIZE THE LOSS** by taking all reasonable steps at the agent location to protect the cargo from further damage and to keep the amount of loss or damage to a minimum. You are expected to do exactly what you would do if the shipment were uninsured. Retain all original packing materials.
5. **COLLECT COMPLETE DOCUMENTS** in support of your claim, send us consisting of **(time limit to file the claim 5 business days):** **Claim is not process or granted if this list is not complete*
 - 5.1 Itemized Statement of Claim dated and signed. "*Weitnauer form WDF-C-107*"
 - 5.2 Original or copy of bill(s) of lading covering the entire shipment.
 - 5.3 Original or copy of the invoice(s) covering the entire shipment.
 - 5.4 Agent's delivery receipt showing the exception notice and conditions the product was received.

After review the documents and facts Weitnauer's personnel will return the claim form **WDF-C-107** assigning a claim number if settled or denying the application if claim does not accomplish the requirements. Update communications about

Sample Letter Putting the Shipping Carrier on Notice of Claim

The shipping carrier must be notified in writing as soon as a loss is discovered. This is important so that we may recover damages from the responsible party and it is a duty required by insurance contract.

Today's Date

To: *Steamship Line, Air Carrier, Trucker*
Party Address including country

RE: *Name of ship or air carrier*
Bill of Lading or Air Waybill number
Voyage or flight number, Container Number
Arrival Date
Description of Cargo (i.e.: 35 cartons of frozen shrimp)

Dear *Shipping Carrier*:

Please accept this letter as a formal notice of loss. We are filing a claim against you in the amount of \$_____ U.S. (*insert the total insured value of damaged merchandise*) for loss and/or damage sustained to the above referenced shipment. We are attempting to mitigate this loss. We will advise you as to our success.

If this is a refrigerated shipment add: You are required to retain all temperature records (Partlow, etc.) for our review.

Sincerely,

Consignee name

CC: Other party name and address

CUSTOMER CLAIM REQUEST FORM --- WDF-C-107

Parties Information

Filed by:	Company/Empresa: _____	To:	Company/Empresa: _____
Solicitado por:	Address/Direccion: _____	A:	Address/Direccion: _____
	_____		_____
	City/Ciudad: _____		City/Ciudad: _____
	State-Zip/Estado: _____		State-Zip/Estado: _____
	Contact Name/Contacto: _____		Contact Name/Contacto: _____
	Telephone/Teléfono: _____		Telephone/Teléfono: _____
	Fax: _____		Fax: _____
	E-mail: _____		E-mail: _____

Shipment Information

Shipper/Embarcador: _____	Via:
Port Origin/Puerto Origen: _____	Ocean / Oceánico _____
Consignee/Consignatario: _____	Air / Aéreos _____
Port Destination/Puerto Destino: _____	Ground / Terrestre _____
Customer PO/Orden compra Cliente: _____	Shipment Control#/No. de Envío: _____
BL No/No. BL: _____	

Commodities Detail:

Invoice	WDF Product Code	Description (optional)	Unit qty/Size	No. of Cases	Total Value	Short	Damage	Over
<i>Factura</i>	<i>WDF Código de Producto</i>	<i>Descripción (opcional)</i>	<i>Cantidad Unidades/Tamaño</i>	<i>Número de Cajas</i>	<i>Valor Total</i>			
TOTALS								

To be completed by Shipper:

Assigned claim Number:	_____
<i>Numero de Reclamo asignado:</i>	_____
Accepted by:	_____
<i>Aceptado por:</i>	_____
Date/Fecha:	_____

To be completed by Consignee:

Prepared by:	_____
<i>Preparado por:</i>	_____
Date/Fecha:	_____