

UK P&I CLUB



LP Bulletin

Friday 9th November 2012

Bulletin 854 - 11/12 - Hurricane Sandy aftermath continues to disrupt container terminals - New York / New Jersey, USA

The consequences of hurricane Sandy continue to cause complications to the container terminals in the ports New York & New Jersey.

The ports of New York and New Jersey were significantly disrupted by hurricane Sandy, and while both ports are now open the consequences of the storm continue to be felt through ongoing difficulties. The Club is led to believe that some refrigerated containers in New York and New Jersey terminals may have been without power for several days, and that containers at the bottom of stacks may have been flooded up to a level of three feet due to the storm surge produced by hurricane Sandy. In light of this the Club recommends the following:

Import containers

Provided the container is road and rail worthy these should be delivered as soon as possible. Cargo receivers can inspect the contents and if cargo damage is found, alert their cargo insurers and begin mitigation efforts. Where containers have been flooded, cargo in the upper half of the container should be sound provided that the container is devanned as soon as possible. However the chances of cargo damage increase the longer the cargo sits in the container. The Club also recommends that in the event of a claim being raised by the consignee, a survey of the cargo is carried out, preferably on a joint basis with the consignee.

Export containers

If it is suspected that a container has been flooded, or in the case of a refrigerated container, without power, the Club recommends that shippers are notified and advised of the situation involving their container. The shippers should be given the opportunity either to take the container back to the point of receipt, at their own expense, for an inspection, or to send the container overseas in the unknown condition. If the shipper wishes to ship the container overseas without inspection, this should be confirmed in writing, Members should obtain confirmation of this request.

In either case shippers should be informed in writing that this is a Force Majeure event and a defence should be available to any claims filed for cargo damage or consequential loss.

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