

# OCEAN

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## [War Risk Surcharges](#)

Cosco is the latest shipping line to implement a war-risk surcharge on shipments to Libya. The surcharge of US\$200 per TEU will take effect once the line's Far East and Indian Subcontinent service to the strife-torn North African republic resumes.

War-risk surcharges have already been implemented by UASC and Hapag-Lloyd.

In March, Hapag-Lloyd applied a war-risk surcharge on all shipments to and from Libya of US\$85 per TEU, while UASC charges US\$150 per TEU on cargo destined for the country. According to Moore Stephens, an accountant and shipping industry advisor, the political and economic developments in countries like Egypt, Tunisia, Yemen, Jordan and Libya over the next few months mean the prospects for shipping and world trade in this part of the world are likely to be very uncertain for some time.

*Source: International freight weekly, 05/17/2011*

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## [Port Tracker Report](#)

The most recent Port Tracker report seems to indicate that import cargo volume at major United States based container ports will closely resemble last year, with a leveling off in May volumes. On the heels of nearly 18 months of annual gains, the report said volumes are expected to remain steady through mid-summer with a pick-up expected in the subsequent months ahead. The ports surveyed in the report included Los Angeles/Long Beach, Oakland, Tacoma, Seattle, New York/New Jersey, Hampton Roads, Charleston and Savannah.

*Source: Logistics Management, 05/18/2011*



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## [Lives and Livelihoods threaten](#)

In a follow-up to our article regarding piracy in last month's edition of the AIT eNewsletter, another angle which now needs to be considered has been brought to light. Fishermen in the Arabian Sea are claiming that their livelihoods are threatened by large cargo vessels sailing closer to shore to avoid the growing menace of piracy. Before the pirates escalated their activities, the vessels would sail 300-450 nautical miles offshore but now they are passing within a few kilometers of the coast, in order to be able to call on the coastguard or navy for help in case of an attack.

The fishermen claim the shifting of the ship corridor into their fishing zone has seriously endangered their lives and livelihoods. They say that in their small boats and trawlers, they are "in mortal fear" of the fast moving cargo vessels running them down. In many cases, the turbulence caused by the giant propellers of the big ships has upended their boats, also putting them in danger and ruining their nets.

One fisherman cited a recent incident where a vessel bound for Mumbai had been heading straight for trawlers in its path about 30-40 nautical miles from the shore, when its captain managed to alter course at the last minute, narrowly avoiding a tragedy.

According to the International Chamber of Commerce and International Maritime Bureau figures, 142 pirate attacks on cargo ships occurred in the first three months of the year. Around 70% of these attacks took place in the Gulf and the Arabian Sea. 588 crew and 30 ships were being held hostage by the end of March. Seven hostages, including four Americans, have been killed. The pirates are targeting areas close to the north-east Indian Ocean and the Arabian Sea – a major international maritime cargo corridor.

Source: *International freight weekly*, 05/10/2011

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## THE PARTING WAVE

*Admire a small ship, but put your freight in a large one;  
for the larger the load, the greater will be the profit upon profit.*

- Hesiod

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# AIR

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## [Lessons learned from Lufthansa](#)

Lufthansa Cargo is a leader in the air cargo industry as well as a price setter in the international air freight environment. Over the years, we have been able to reliably predict and forecast airline prices and fuel and security surcharges. By following Lufthansa trends and historical data, we have learned that almost all airlines will eventually follow the rise of prices and surcharges. Conversely, we have also learned that Lufthansa will generally be the last to reduce charges because of its dominant position in the global air transportation marketplace.



When the US and European markets were in crisis a couple of years ago, Lufthansa made a strategic decision to park most of their planes in a bone yard in Victorville, CA. The destiny of those planes was unknown at the time and all market indicators were pointing to a not-so-bright future for the old MD-11F. Many other carriers followed Lufthansa's example; consequently, global air cargo capacity shrank.

In 2010, demand slowly began to creep up and the air cargo market started a long and steady recovery. Lufthansa's management quickly reacted by integrating Austrian Airlines into their system with the idea of reaching European markets, especially in Eastern Europe where Austrian Airlines had a competitive advantage and brand recognition. Integration increased capacity by 7.6% but that was not enough.

Soon, the first couple of MD-11F aircraft were reactivated for new growing markets such as Hyderabad, India and Manaus, Brazil. Realizing a need for more space to fill a developing pharmaceuticals market segment, two additional MD-11F's were redeployed from their California desert graveyard to Frankfurt airport. Additional capacity was attained when AeroLogistics, a jointly owned venture between Lufthansa and DHL, put four new 777F aircraft into service.

Following Lufthansa's example, other carriers are slowly but surely beginning to expand their cargo capacity. Air Bridge Cargo has opened Chicago – Amsterdam – Moscow – Shanghai; Qatar Airways in conjunction with Aero Logistics is serving Chicago – Amsterdam – Doha and Cargo Italia now offers a New York – Milan route. While airlines in China maintained the same number of cargo aircraft during the crisis, they reduced their flight schedules to and from the United States and are now re-shaping their schedules to bring back some of those flights. New cargo airlines have also emerged – Air Cargo Germany (ARC) now has 4 cargo aircraft and plans to open routes to North America in late 2011.

Given these surefire trends, the air cargo community can expect increases in the number of aircraft flying to and from the US market. However, the most significant increase will be observed from European markets to India, followed by destinations in South America and Africa.

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## [Aramex to grow through Asia](#)

After reporting a 12% increase in revenues for the first quarter of this year compared to the same period last year, Aramex, AIT's global partner, notes that it is expanding the footprint of its varied logistics operations throughout the developing world. No longer describing itself as just an airfreight and courier operator, Aramex aims to provide sophisticated third-party logistics services in what it regards as a number of major untapped markets, notes chief operating officer Iyad Kamal.



Company founder and CEO Fadi Ghandour commented that although they are continuing to expand their presence around the world, Aramex's position in the Middle East remains consistently strong. Ghandour further remarked that Aramex has witnessed challenging conditions in the first quarter of this year in its Middle East and North Africa markets, such as Egypt and Bahrain. The company has also voluntarily suspended its operations in Libya.

Ghandour said that amidst regional political instability, higher fuel prices and global inflationary pressure, their outlook for the rest of 2011 remains cautious. He went on to say that their healthy

performance in the first quarter is a clear indicator that Aramex continues to successfully adapt to rapidly evolving market conditions and concluded that the company remains committed to its long-term expansion strategy, including further acquisitions in East Africa and Central Asia.

Source: *Air Cargo World*, 05/16/2011

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## [PREPARING FOR TAKEOFF: A THOUGHT TO PONDER](#)

*I could have gone on flying through space forever.*

- Yuri Gagarin

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# COMPLIANCE

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## [Food and Drug Administration \(FDA\) updates](#)

The Food and Drug Administration (FDA) has updated its Frequently Asked Question (FAQ) for the recently enacted [Food Safety Management Act](#).

The FAQ contains answers to questions regarding imports, prevention, inspection and compliance, and other topics. It now also includes a section titled "More on Dockets, Guidance, Laws, and Regulations."

In the same vein, the FDA has published an interim final rule that amends the criteria for detention of food.

Per the Federal register notice, "Under the new criteria, FDA can order administrative detention if there is reason to believe that an article of food is adulterated or misbranded. Decisions regarding whether FDA has a 'reason to believe' a food is adulterated or misbranded would be made on a case-by-case basis because such decisions are fact specific."

The full Federal Register article can be found online: <http://www.gpo.gov/fdsys/pkg/FR-2011-05-05/pdf/2011-10953.pdf>

The FDA has also published an interim final rule that will require prior notice filers to include the name of any country which has refused entry to the merchandise in a shipment. The full Federal Register article can be found online: <http://www.gpo.gov/fdsys/pkg/FR-2011-05-05/pdf/2011-10955.pdf>

Enforcing these measures will better ensure food safety, and recently legislation has been introduced in the House to enhance the safety of pharmaceuticals. The Drug Safety Enhancement Act of 2011 was introduced on April 12 and immediately referred to committee. The provisions of this new legislation would in part, create a current registry of all drug facilities serving US consumers whether foreign or domestic; require uniform inspection of both foreign and domestic facilities; prohibit entry of drugs either lacking documentation of safety or coming from facilities that limit, delay or deny FDA inspections; provide new enforcement tools and provide protection for whistleblowers ; and require unique identification numbers for drug establishments and importers.

To view the text of the legislation and its status, go to the Library of Congress Thomas page; <http://thomas.loc.gov/> and query bill H.R.1483.

Considering all of the updates above, FDA has also asked for comments on existing regulation as to how they can be made more effective and less burdensome in achieving FDA's regulatory goals. Until June 27, 2011, FDA is accepting comments as to "which, if any, of its existing rules are outmoded, ineffective, insufficient, or excessively burdensome and thus may be good candidates to be modified, streamlined, expanded, or repealed."

The full Federal Register article can be found online: <http://www.gpo.gov/fdsys/pkg/FR-2011-04-27/pdf/2011-10131.pdf>

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## [New/Updated CBP Informed Compliance Publications](#)

Customs has published an updated version of Valuation Encyclopedia, which is a resource aiding in calculating the dutiable value of imported merchandise. Topics covered include methods of valuation, assists, commissions, discounts and rebates.

Other recently published titles relate to classification of "hand tool sets under 8205.90.00 and 8206.00.00" and "Personal Digital Assistants (PDAs) and Electronic Organizers."

Each of the CBP Informed Compliance Publications in the "What Every Member of the Trade Community Should Know About: ..." series can be found online: [http://cbp.gov/xp/cgov/trade/legal/informed\\_compliance\\_pubs/](http://cbp.gov/xp/cgov/trade/legal/informed_compliance_pubs/)

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## Generalized System of Preferences

On March 2, legislation was introduced to both houses of Congress that would renew the GSP trade program effective June 30, 2012 with benefits retroactive to December 31, 2010. The Andean Trade Preference Act would also be renewed effective June 30.

As of the publish date of this article, both versions of the bill have been in committee since March 3.

[H.R.913](#) -- Free and Fair Trade Act of 2011

[S. 433](#) -- Free and Fair Trade Act of 2011

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## Export.gov introduces tariff tool, announces upcoming webinars

As one of AIT's favorite websites for information and training, Export.gov brings together resources from across the U.S. government to assist American businesses in planning their international sales strategies.

*For gathering information regarding the duty free status of US exports to Free Trade Act partner countries, the site now features a [Free Trade Act Tariff Tool](#). Per Export.gov, U.S. importers and exporters can see the current tariff and future tariffs applied to their products, as well as the date on which those products become duty-free.*

*The website is currently offering a series of June webinars covering exports to Brazil.*

The U.S. Commercial Service's Global Design and Construction team is presenting a series of webinars for architectural design, engineering and construction firms interested in pursuing the Brazilian market. This webinar series will highlight the opportunities that are available along with practical information on how to successfully do business from a cultural, legal and liability perspective. It will give you the tools and knowledge you need to successfully pursue business in Brazil.

Learn more:

- [June 7 – Insight into the Brazilian Market for Architectural, Engineering & Construction Firms](#)
- [June 14 – Legal & Liability Issues for Architects, Engineers & Construction Firms Doing Business in Brazil](#)
- [June 21 – Establishing Your Business in Brazil – Finding Partners & Support](#)

To register for all three at once [click here](#).

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## Mexico now accepts ATA Carnets

On May 16, 2011, Mexico became the 71st country to accept ATA carnets.

Use of a carnet facilitates the temporary import or export of goods from one country to another. A carnet can cover all merchandise except perishable items.

According to the International Chamber of Commerce, Mexico's large economy and geographic position make it both an important international trading partner and transit point for goods. Mexico is the United States' second-largest export market and its third-largest trading partner. Mexican exports to the US in 2009 were worth US \$185 billion, representing approximately 80% of the country's total exports, according to US State Department figures.

"Adding Mexico to the ATA Carnet System is a big achievement and will have a significant impact on users due to the sheer volumes of trade that go to Mexico," said Peter Bishop, Chair of the ICC World Chambers Federation World ATA Carnet Council (WATAC). "Traveling with goods will now be easier for businesses wanting to go to this important hub."

Source: <http://www.iccwbo.org/wcf/index.html?id=42986>



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## Foreign Trade Zones

On December 30, 2010 the Foreign Trade Zone Board (FTZB) published proposed legislation with comprehensive changes that would constitute a major revision of the rules governing FTZs and strengthen compliance and enforcement. With the period for commenting on the proposed rule

having ended, it is expected that the FTZB will attempt to implement revisions as soon as possible.  
The FTZ process is intended to assist trade by allowing delayed and/or reduced duty payments on merchandise that has been moved to a specially designated FTZ.

FTZ FAQ: <http://ia.ita.doc.gov/ftzpage/info/ftzstart.html>

FTZ proposed rule: <http://www.gpo.gov/fdsys/pkg/FR-2010-12-30/html/2010-32940.htm>

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## [Airline Updates](#)

**Finnair** carried 38% more cargo and mail in the first quarter of this year than in the same period of 2010 on the back of a significant capacity increase. The carrier explained the first quarter was weaker than expected due to the situation in Japan and the Middle East and as a result it was not possible to utilize significant increase of capacity. Nevertheless, the Finnish flag-carrier welcomed a 57% year-over-year increase in freight related turnover.



Source: *Air Cargo World*, 05/09/2011

According to the Sydney Morning Herald, **Qantas Airlines** is trying to form a closer alliance with **American Airlines** on flights between Australasia and the United States. Qantas' application to the Australian Competition and Consumer Commission for approval of a joint business agreement with American came a day after **Virgin Australia Airlines** won tentative approval from the U.S. regulator for a joint venture with **Delta Airlines** on the transpacific route. Qantas has ceased flights to San Francisco in favor of flights to Dallas, now favoring American Airlines' main hub in the United States.

Source: *CargoNews Asia*, 05/13/2011

**TAM** – Brazil's largest airline posted a first-quarter net profit of US\$78.7 million compared with a loss of US\$43.38 million a year earlier, as revenue increased and debt service costs dropped, reported Dow Jones Newswires. New revenue totaled US\$1.86 billion in the first quarter, up from \$1.59 billion in the same period the prior year. Exchange rate fluctuations reduced TAM's US dollar-denominated debt related to financial leases, the company said in a statement.

Source: *Cargonews Asia*, 05/18/2011

**Thai Airways** – The carrier's first quarter net profit plunged 94% from a year earlier, due mainly to a foreign-exchange loss, reported Dow Jones Newswires. For the first three months of 2011, Thailand's national carrier reported a net profit of US\$20.4 million, down from US\$349.67 million a year earlier. The major contributing cause of this plunge was the foreign exchange loss, coupled with the dramatic increase in jet fuel, which was 33.5% higher than the previous year. Two additional contributing elements to this major loss were the carriers expenses rose 7.5% year-over-year and the recent massive earthquake in Japan.

Source: *Cargonews Asia*, 05/13/2011

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## [Airport Updates](#)

**CHICAGO** - O'Hare (ORD) is the airport of choice for the newly launched freighter services of AirBridgeCargo Airlines (ABC), Russia's largest scheduled cargo airline. The new route will operate three times a week from ABC's hub in Moscow to Chicago's O'Hare Airport via Amsterdam Schiphol Airport. ABC says it has chosen "the windy city" as its first destination in North America since Chicago is the biggest transport hub in the United States and conveniently situated at the intersection of major international air cargo routes.

Source: *Air Cargo Week*, 05/09/2011

**ATHENS** - Having been through what he describes as "the toughest two years since the new Athens airport was opened in 2001," Alexios Sioris, Manager Cargo Development at Athens International Airport, believes that now is the perfect time for the air cargo community in the Greek capital to demonstrate its capability and potential for even greater success. Recently bringing a concerted presence to the Air Cargo Europe event in Munich, Sioris said Athens was proud to include in their task force some 15 top executives from across the cargo sector.

Source: *Air Cargo Week*, 05/16/2011

**MOSCOW** – As Russia's highest volume cargo airport, Sheremetyevo (SVO) handled 251,000 tons of airfreight in 2010. To maintain its market position, the decision has been made to build a multimodal cargo terminal in compliance with best freight-handling processes. Project investor Kratos Group is partnering with the Russian investment firm Interros in the construction of the new terminal. Lufthansa Consulting has been tasked with conceiving an effective material handling system and defining procedures for transporting both general freight and perishable items. This company will also map out the terminal's IT architecture and devise security measures. The new terminal is expected to be operational by the end of 2012.

Source: *Air Cargo World*, 05/18/2011

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## Ocean Carrier Updates

**Hanjin Line**, the giant Korean shipping carrier, has reported a first quarter operating loss despite higher revenues, as a result of declining freight rates on the Asia-Europe trade lane and increasing fuel costs. The carrier saw a 16.9% revenue increase for the first three months of 2011 over the same period in 2010 but still reported an operating loss of \$11 million. Its container division reported a loss of \$28 million, despite a 15.6% year-on-year volume growth fueling a 16.9% jump in revenue to \$1.6 billion. In the fourth quarter of last year, Hanjin's container division reported an operating profit of \$95 million.

Source: *International freight weekly*, 05/12/2011

**Seago Line**, AP Moller-Maersk's new European shortsea container line, will operate as a separate sister carrier to Maersk Line and Safmarine. Acting as a feeder operator for deep-sea carriers, Seago has now revealed it will operate five services. Its Scanmed service will connect Turkey and Greece with North Europe and Scandinavia; Alex will connect the Adriatic to Israel and Egypt, as well as linking Greece and Cyprus; KNSM will connect North Europe to Morocco; Eurolev heads from North Europe to Spain and Morocco and then the Eastern Mediterranean; and Euromed sails from North Europe to Egypt and Israel.

Source: *International freight weekly*, 05/12/2011



**Matson Navigation**, a major shipping company that carries goods to Hawaii from the US mainland, plans to raise fuel surcharge to a record 47.5% next month. There will be a 49% fuel surcharge applied for service to Guam, the Commonwealth of the Northern Mariana Island and Micronesia. Matson touts itself as a lifeline to the islands, with virtually everything required to support the state economy from the mainland. Under the latest increase to take effect June 12, the additional surcharge would range from US\$89.00 for 40' container of rice to US\$184.00 for 40' container of lettuce.

Source: *Cargonews Asia*, 05/13/2011

**Maersk Line** - The parent of Maersk Line reported higher container freight rates, cargo volume and oil prices to an 82% jump in first quarter profit to US\$1.2 billion. The world's largest shipping operator, however, says the rest of this year won't be as good. Maersk said it expects freight rates to remain under pressure in the short term, but seems a stronger market in the second half of the year. It also forecasts container shipping profit would retreat from the US\$2.6 billion the business earned last year, although earnings will remain "satisfactory."

Source: *Journal of Commerce*, 05/16/2011

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## Ocean Port Updates

**GDANSK** - The arrival of the Maersk Elba at Gdansk recently marked a new era for the region. Owned by Rickmers, this containership vessel has a 13,092 TEU capacity and was launched as Scorpio Rickmers in February but renamed Maersk Elba for the duration of her long-term charter to the Danish shipping line.

Hyundai is building eight 13,092 TEU ships for Rickmers, all for long-term charter to Maersk Line, six of which are now in service with the remaining two due for delivery in June and July. The first will be named Tauro Rickmers and renamed Maersk Evora while the second will be Libra Rickmers and renamed Maersk Essex. Maersk became the first ocean carrier to operate large deep-sea vessels in the Baltic when it started calling at Gdansk in January 2010, then using 8,000 TEU ships. Beginning

this month, the Maersk service rotation will be Gdansk – Aarhus – Gothenburg – Bremerhaven – Rotterdam – Algeciras – Yantian – Hong Kong – Kwangyang – Ningbo – Shanghai – Yantian – Tanjung Pelepas – Rotterdam – Bremerhaven – Gdansk.

Source: *International freight weekly*, 05/19/2011

**CHARLESTON** - According to the South Carolina State Ports Authority, the Port of Charleston experienced a 10% increase in container throughput from July 2010 through April 2011 (666,831 containers) over the same time period the previous year (605,632 containers). Break bulk volume through the state's ports – driven primarily by BMW vehicle shipments and energy-related projects – rose 40% from 551,000 tons last year to 773,000 tons this year.

Source: *Journal of Commerce*, 05/19/2011

**TAURANGA** – New Zealand's biggest export hub expects to service an extra 130 vessels per year after three international shipping lines announced they were expanding their services to include this port. Beginning in June, Mediterranean Shipping Company adds Tanranga as a port of call, followed by Singapore-based Pacific International Lines in July and Maersk Line in August.

Source: *Cargonews Asia*, 05/18/2011

**CALLAO** – The port of Callao in Peru is expecting to double its container handling capacity in the next four years, exceeding four million teu's, reports Business News Americas. The growth is backed by ambitious modernization works at the port which include a recently completed USD\$61.6 million expansion of the port's access channel, according to Transport and Communications Minister Enrique Cornejo.

Source: *Cargonews Asia*, 05/18/2011

**HAMBURG** – Increased container volumes driven by new services and a rise in Baltic and Asia traffic has given the port of Hamburg an above average growth of 18.2% in container throughput to 2.1 million TEU in the first quarter of 2011. The traffic increase helped the port regain market share from its western rivals of Rotterdam and Antwerp. The port has attracted five new liner services to the USA and Asia and has also undergone extensive expansion and upgrades to its infrastructure in order to be equipped to handle growing volumes and mega-sized vessels. Claudia Roller, CEO of Port of Hamburg Marketing, said for the future development of the port and employment, the planned deepening of the Elba River is of decisive importance and will soon be realized.

Source: *International freight weekly*, 05/19/2011

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### [Country of Origin](#)

US Customs and Border Protection (CBP) requires the actual country of origin information for all merchandise imported into the US.

It is important to remember that the country from which an article is exported is not always the country of origin of that article.

For CBP purposes, country of origin is the country where an article was grown, produced, or manufactured; and "an article that consists in whole or in part of materials from more than one country is a product of the country in which it has been substantially transformed into a new and different article of commerce with a name, character, and use distinct from that of the article or articles from which it was so transformed."

When preferential treatment is requested (for example, eligibility for Free Trade Agreements and Special Trade Programs and treatment as Products of the United States), the rules governing origin can be very specific.

"Rules of Origin" CBP Informed Compliance Publication:

[http://www.cbp.gov/linkhandler/cgov/trade/legal/informed\\_compliance\\_pubs/icp026.ctt/icp026.pdf](http://www.cbp.gov/linkhandler/cgov/trade/legal/informed_compliance_pubs/icp026.ctt/icp026.pdf)

Code of Federal Regulations – 19CFR Part 102 Rules of Origin:

<http://www.gpo.gov/fdsys/pkg/CFR-2010-title19-vol1/xml/CFR-2010-title19-vol1-part102.xml>

General Headnotes to HTSUS with various Trade Act/Agreement requirements:

<http://www.usitc.gov/publications/docs/tata/hts/bychapter/1100gntoc.htm>

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The International Air Transport Association recently announced international traffic results for March 2011. What year-over-year results were revealed for freight marks?

- A. Freight markets rebounded to 3.7% in March from the 1.8% recorded in February
- B. Freight markets rebounded to 1.8% in March from the 1.2% recorded in February
- C. Freight markets declined from 3.7% in February to 2.5% in March
- D. Freight markets declined from 4.8% in February to 3.4% in March

[Click here to see the answer!](#)

Correct Answers: A. Freight markets rebounded to 3.7% in March from the 1.8% recorded in February 2011.

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