

DAMAGED SHIPMENTS TO HAGERSTOWN

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UNDER THE DANA CONCEPT, ALL INTER-PLANT SHIPMENTS ARE TRANSFERRED ON AN F.O.B. SHIPPING POINT BASIS. THIS MEANS, THE MATERIALS BECOME THE PROPERTY OF THE RECEIVING PLANT WHEN GIVEN TO THE CARRIER. IT WOULD BE THEIR RESPONSIBILITY TO FILE ANY LOSS OR DAMAGE CLAIMS.

IN REGARD TO THIS PARTICULAR PROBLEM, IT IS IMPOSSIBLE AT THIS TIME TO DETERMINE EXACTLY WHY THESE GASKETS WERE DAMAGED AND WHO IS RESPONSIBLE. SINCE THERE ARE NO PACKAGING SPECIFICATIONS FOR INTER-PLANT SHIPMENTS, I FEEL THAT HEGERS-TOWN SHOULD NOT RETURN DAMAGED GOODS TO US WITHOUT AUTHORIZATION. IF THIS PROCEDURE IS FOLLOWED, IT WILL ENABLE US TO DETERMINE WHO IS RESPONSIBLE AND TO PINPOINT ANY PACKAGING PROBLEMS.

I HAVE REVIEWED SOME OF OUR PACKAGING AND FOUND THAT IN MOST INSTANCES, THE PACKAGING APPEARED TO BE MORE THAN ADEQUATE. IF IN REALITY THE PACKAGING WAS INADEQUATE, THE CARRIER COULD NOT BE HELD LIABLE FOR DAMAGES. THE NATIONAL MOTOR FREIGHT CLASSIFICATION CLEARLY DEFINES THE MANNER IN WHICH OUR PRODUCTS ARE TO BE PACKAGED AND ALSO PROVIDES FOR PENALTIES AND ALTERNATIVES WHEN THEY ARE NOT.

IF A CARRIER ACCEPTS GOODS WHICH ARE OBVIOUSLY NOT PACKAGED PROPERLY, OR AS SPECIFIED IN ^{THE} NMFC, THE CARRIER CAN BE HELD LIABLE FOR DAMAGES SINCE THEY HAD THE OPTION TO REFUSE THE SHIPMENT, OR ASSESS A PENALTY.

WE MUST KEEP IN MIND THAT SHIPMENTS TO HAGERSTOWN AND ROBINSON ARE SHIPPED VIA COMMON CARRIER AND NOT A VICTOR TRUCK.

RHK
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MP

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