

**Erica Krauss**

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**From:** ClearFreight <marketing@clearfreight.com>  
**Sent:** Thursday, May 14, 2020 5:56 PM  
**To:** Erica Krauss  
**Subject:** ClearFreight - Global Updates May 14, 2020



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May 14th, 2020

Dear Valuable Customers and Partners,

Here at ClearFreight, we are committed in your success. While we continue to closely monitor current global situations due to the COVID-19 pandemic, we would like to share below updates with you:

**United States**

- The Federal Maritime Commission (FMC) has issued the long-awaited [interpretive rules](#) on the reasonableness of carrier and marine terminal operator (MTO) policies and practices when assessing demurrage and detention. In essence, the rules list a number of factors the FMC would consider when determining the reasonableness of charges in most complaint cases that the Commission has received in the past. They are:
  1. Cargo availability
  2. Empty container return
  3. Notice of cargo availability
  4. Government inspections
  5. Demurrage and detention policies
  6. Transparent terminology
  7. Non-preclusion

The rules were issued in the decision in FMC Docket No. 19-05, [Interpretative Rule on Demurrage and Detention under the Shipping Act](#). They will be effective when published in the Federal Register, which should take place shortly.

- U.S. Customs and Border Protection (CBP) recently published [CSMS #42590577](#), which provided an update from the U.S. Food and Drug Administration (FDA) to clarify expectations regarding filing entries of hand sanitizers. According to the notice, the FDA has received

reports that some entries of hand sanitizers are being transmitted as cosmetics instead of drugs. "Hand sanitizers are drugs regulated by the FDA and are considered as over-the-counter (OTC) drug products so they must comply with all the applicable requirements under the Federal Food, Drug, and Cosmetic Act."

- The U.S. Food and Drug Administration (FDA) recently provided an update on the actions they are taking to combat the rise of fraudulent and unproven medical products in the wake of the COVID-19 pandemic. In the release FDA states they have "issued 42 [warning letters](#) to companies making bogus COVID-19 claims, including one seller of fraudulent industrial bleach as a treatment for COVID-19. Read more about FDA's efforts [here](#).
- The U.S. Food and Drug Administration (FDA) is concerned that certain filtering facepiece respirators from China may not provide consistent and adequate respiratory protection to health care personnel based on additional filtration performance testing conducted by the National Institute for Occupational Safety and Health (NIOSH) - National Personal Protective Technology Laboratory (NPPTL) of the Centers for Disease Control and Prevention (CDC). As such, the FDA reissued the Emergency Use Authorization (EUA) for [Non-NIOSH-Approved Disposable Filtering Facepiece Respirators](#)

[Manufactured in China](#) to revise one of the eligibility criteria - the criterion for authorization of respirators based on test reports from recognized independent test laboratories. Read the letter [here](#).

## **Canada**

Customs Notice 19-14, originally published on July 8th, 2019, indicated that, as of June 30, 2020, the CBSA will no longer accept paper export declaration forms (B13As), and exporters will be required to report exports electronically through either the Canadian Export Reporting System (CERS) or the G7 Export Reporting Electronic Data Interchange (G7-EDI). Due to the COVID-19 pandemic, the CBSA and Statistics Canada have agreed to extend the decommissioning of the Canadian Automated Export Declaration (CAED) system to September 30, 2020 for exceptional cases where the client cannot meet the original June 30, 2020 timeline. For more details, please visit [here](#).

## **Chile**

The Chilean government ordered a mandatory total quarantine on Wednesday for the nation's capital Santiago after authorities reported a 60 percent spike in coronavirus infections within 24 hours. The lockdown, which would come into force on Friday May 15th at 10:00 PM, means people will only be allowed to

leave their homes for essential errands such as buying food or medicine. There has not been any mention as to when the quarantine would end. For more details, please visit [here](#).

## **Kuwait**

The country of Kuwait has announced a total downlock of 20 days to combat the coronavirus pandemic. It has begun at 4 PM on Sunday, May 10th, and will last until May 30th tentatively. Citizens will be required to wear protective masks, practice social distancing, and be allowed to go out for walks between 4:30 PM and 6:30 PM daily, without using any vehicles. For more details, please visit [here](#).

For questions and further assistance, please contact [customerforward@clearfreight.com](mailto:customerforward@clearfreight.com).

Thank you for your continuous business and support.

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U.S. Customs and  
Border Protection

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