

# Transport Topics

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## 'There Is Going to Be a Claim'

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**W**e have all been there. Crushed cartons, wet product, hot product, frozen product, shortages, late arrival or no arrival — a list that is endless — creating an adjustment of a freight rate with a customer. Some of the adjustments amount to less than \$100; others take you right to the limit of your deductible on insurance coverage. One of the worst things you can hear from a customer is, "There is a claim." It's a punch in the stomach.

Ironically, in a lot of situations, it is relatively easy to retrace your steps to see how this claim could have been avoided. Prevention begins with the education and participation of the driver, your link to protecting yourself from an avoidable expense.

The driver should inspect the trailer before loading. The inspection should include checking for obstacles inside the trailer that could cause damage to the product while it is being loaded, such as torn sidewalls or poorly secured scuff plates. The walk-through of the empty trailer should identify areas not sealed properly that could let moisture in during transit.

If it is a refrigerated trailer, torn or improperly attached chutes will prevent consistent airflow. The ribbed floor should be clean to enable proper circulation. The trailer should be pre-cooled before arriving at shipping point. This will insure that the refrigeration unit is operating properly and it will prevent a temperature fluctuation of the product while being loaded.

With a refrigerated load, there are stipulated transit and loading temperatures. The shipper states, on the bill of lading, that the product has been pre-cooled to the desired loading temperature for transit. The driver signs these BOLs, verifying that he agrees with the shipper.

But in many instances, the loading temperature is incorrect. The carrier transports the load complying with required transit temperature, but when delivery is made the receiver informs the carrier "the load is hot." Therefore, it is extremely important that the driver "pulp" the temperature [check the internal temperature] of the product — before transit. If the loading temperature does not match the temperature indicated on the BOL, then the actual loading temperature should be notated on the BOL by the shipper. Additionally, your customer should be notified of this discrepancy immediately.

Shippers have different loading procedures. Some allow the driver to count the product as it goes on the truck, while others will not allow the driver on the dock at all. If the driver is responsible for the count, he needs to count the product as it placed inside the trailer. He should check the condition of the product, looking for

damaged cartons, shifted palletized product, etc.

He should be checking for anything that could change the condition of the load while in transit. Many times a driver will "attempt" to count the product but cannot because it is shrink-wrapped coming out of the warehouse. If there are odd-size items shrink-wrapped on a pallet, it is virtually impossible to count them. The driver should request a breakdown of the pallets so that shipper counts can be verified. We know that most shippers will not do this. The driver can request from the shipper liability for the pallet count only. If the shipper will not allow you to be on his dock and you are responsible for the product count, have them notate on the bill of lading, "shipper load and count."

It is always desirable to have a sealed trailer. If the shipper does not provide seals, have your own and ask the shipper to attach them and notate the seal number on the bill of lading.

When the carrier reaches destination, the driver needs to supervise the unloading of the freight he is responsible for. If the driver is not allowed to do so, the receiver should accept responsibility for the product count.

Last but not least, the driver must have someone to talk to when a potential problem occurs. The best-laid claim prevention plans are diminished if the driver does not have someone to communicate with. The driver should know, before he picks the load up, who will be contacted if there is a question regarding the load that is about to become the responsibility of your company.

These are common-sense actions to prevent common problems.

When a driver goes in to pick up or deliver a load, the mindset of the driver has to be that there will be a claim. Not a possibility, but a probability. The only way to protect yourself is to take the offensive. The driver has to be instrumental in eliminating a reduction in the payment due to you for services rendered because of a claim on a tendered load.

The defensive position of your company comes into play after the shipper, receiver or customer has told you, "There is going to be a claim."

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Opinion

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