

## FEDERAL MARITIME COMMISSION

ANDERSON INTERNATIONAL  
TRANSPORT AND OWEN ANDERSON  
– POSSIBLE VIOLATIONS OF  
SECTIONS 8(A) AND 19 OF THE  
SHIPPING ACT OF 1984

Docket No. 07-02

Served: April 26, 2012

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**BY THE COMMISSION:** Richard A. Lidinsky, Jr., *Chairman*; Joseph E. Brennan, Michael A. Khouri and Mario Cordero, *Commissioners*. Rebecca F. Dye, *Commissioner*, dissenting.

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### **ORDER VACATING INITIAL DECISION AND REMANDING FOR FURTHER PROCEEDINGS**

On August 28, 2009, the Administrative Law Judge (ALJ) issued an Initial Decision in this matter, finding Respondents violated section 19, but not section 8, of the Shipping Act of 1984 with respect to 22 shipments, and ordering them to cease and desist from operating as an ocean transportation intermediary. 31 S.R.R. 864 (ALJ 2009). On February 23, 2010, the ALJ issued a supplemental initial decision imposing civil penalties against respondents in the amount of \$33,950. 31 S.R.R. 1232 (ALJ 2010).

On March 15, 2010, BOE filed exceptions to the ALJ's initial and supplemental initial decisions. BOE contends that

respondents violated section 8 of the Shipping Act of 1984 and that a larger penalty is warranted.

In light of the Commission's recent decision in Docket No. 06-01, *Worldwide Relocations, LLC, et al.*, we now vacate the initial and supplemental decisions, and remand this matter to the ALJ for further proceedings consistent with the Commission's holding in *Worldwide Relocations*.

THEREFORE, IT IS ORDERED, That the Initial Decision is VACATED; and

It is FURTHER ORDERED, That this proceeding is REMANDED for further disposition consistent with this Order.

By the Commission.

Karen V. Gregory  
Secretary

*Commissioner Dye, Dissenting:*

I would uphold the Initial Decision of the ALJ in this matter, for the reasons stated in my Concurrence and Dissent in Docket 06-01, *Worldwide Relocations, LLC, et al.* and my Dissent in Docket 06-06, *EuroUSA Shipping, Inc., Tober Group, Inc. – Possible Violations of the Shipping Act*.