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FEDERAL MARITIME COMM



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Federal Maritime Commission
Washington, D.C.

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Docket No. 14-04

Edaf Antillas, Inc.
Complainant

v.

Crowley Caribbean Logistics, LLC,
IFS International Forwarding, s.l. and
IFS Neutral Maritime Services
Respondents



COMPLAINT

1. Complainant **Edaf Antillas, Inc.** is a Corporation organized under the Laws of the Commonwealth of Puerto Rico and has as its principal place of business Local 30, A-2, Zona Portuaria de Puerto Nuevo, San Juan, PR 00920. Complainant is engaged in the distribution and marketing of Spanish language books. Complainant is a shipper within the meaning of 46 U.S.C. §40102(22)(A).
2. Respondent **Crowley Caribbean Logistics, LLC.** is a Limited Liability Corporation and is believed to have as a postal address PO Box 70208, San Juan PR 00936-8208 and their given physical address is Centro Mercantil Internacional, Edificio 11, Guaynabo, PR 00965. Based upon information and belief, Respondent is controlled by a ocean common carrier within the meaning of 46 USC § 40102 (17).

3. Based upon information and belief, respondent **IFS INTERNATIONAL FOWARDING, S.L. (hereinafter IFS)** is a Limited Liability Corporation organized under the laws of the Kingdom of Spain, and whose principle place of business is not known at this time, but is believed to be Calle El Sol, 139, Sedaví, Valencia, Spain 46910. Respondent **IFS** advertises itself as a Non-Vessel Operator and Ocean Freight Forwarder.
4. Based upon information and belief, Respondent **IFS Neutral Maritime Service (hereinafter NEUTRAL)** is a Limited Liability Corporation organized under the laws of the Kingdom of Spain, and whose principle place of business is not known at this time, but is believed to be Calle El Sol, 139, Sedaví, Valencia, Spain 46910. Respondent **IFS** and **NEUTRAL** are believed to be related parties.
5. Respondents **CCL** and **NEUTRAL** are non-vessel operating common carriers and ocean freight intermediaries within the meaning of 46 U.S.C. §40102(16) and §40102(19).
6. Respondent's **CCL** and **IFS** are ocean freight forwarders within the meaning of 46 U.S.C. §40102(18).
7. This action arises under the Shipping Act of 1984, as amended.



CLAIM

- A. On or about July 14, 2013, a consignment of books was delivered by the Complainant's parent company to the care of forwarding agent, Space Cargo, S.L., at Madrid, Spain. (See Exhibit 1, Invoice 630113).
- B. Space Cargo, in turn, engaged the services of Respondents **IFS** and **NEUTRAL** to consolidate the Complainant's cargo for transportation the port of San Juan, Puerto Rico. Space Cargo delivered, along with cargo, export-related documentation, including a certificate of compliance with approved wood pallet regulations, a packing list and a commercial invoice. (See Exhibit 2, Verified Translation of a Wood Pallet Certificate).
- C. Space Cargo, based upon information and belief, did not deliver unto the Respondents any other cargos bound for Puerto Rico.
- D. On or about July 15, 2013, Complainant's customs broker filed an ISF+10 with the Department of Homeland Security United States Customs and Border Protection (**CBP**), as required by applicable law and regulation.
- E. On or about July 17, 2013, Respondents **ISF** and **NEUTRAL** loaded Complainant's cargo along with the cargo belonging to an unknown number of other shippers, into container number **DVRU0610860**, **Seal B563589**, and delivered it to an unknown Ocean Common Carrier for transportation from the Port of Valencia, Spain to the Port of San Juan, Puerto Rico. (See Exhibits 3 and 4, HBL 424555 and a corrected HBL 424555).
- F. On or about July 21, 2013, the aforementioned container, was loaded aboard the

m/v **Caroline Schulte** and departed Valencia, Spain for Puerto Rico.

- G. On or about August 5, 2013, container number **DVRU0610860** arrived at the port of San Juan. (See Exhibit 5, CBP Entry N35-0251881-3).
- H. On or after August 13, 2013, Respondent **CCL** notified Complainant and Complainant's Customs Broker that the container had been selected by CBP for intensive inspection. (See Exhibit 6, Verified Translation of an email from Martiza Torres to Daileen Davila, dated August 13, 2013).
- I. Complainant's Customs Broker notified him on or about August 19, 2013 that CBP had rejected all entries for container number **DVRU0610860** and ordered the container to be removed from the Customs Territory of the United States. Allegedly, a single pallet within the consolidated shipment did not comply with the wood pallet protocol. All other cargos consolidated in said container were also denied entry into the Customs Territory of the United States.
- J. On September 5, 2013, Respondent **CCL**, in reply to an email from the Complainant, explained that container number **DVRU0610860** still had not departed Puerto Rico because:
- "[t]he re-exportation of said container is being worked upon by the pertinent agencies, including the Shipping line, Customs, etc., and we have not yet received the proper authorization, therefore the same has not yet departed." (See Exhibit 7, Verified Translation of an email thread between Respondent **CCL**, Complainant and Complainant's Customs Broker).
- K. On or about August 29, 2013, Respondents **IFS** and **NEUTRAL** sent a letter to Complainant's shipper that detailed a procedure that would be followed to cure the non-compliant container. No dates for the completion of the different tasks

detailed were provided. Complainant was provided a copy of this letter by the shipper¹. (See Exhibit 8, Verified Translation of an undated Letter from Rosa Roldán)

- L. CBP authorized the movement of the non-compliant container to the carrier's facility on or about September 17, 2013. (See Exhibit 9, Form 7512, dated September 17, 2013).
- M. On September 23, 2013, Complainant's shipper advised Complainant that the rejected consolidated shipment was on the island of Sint Maarten, N.A.. (See Exhibit 10, Verified Translation of email thread between Complainant, shipper and Space Cargo).
- N. By information and belief, Complainant's customs broker transmitted in a timely fashion a second ISF+10 using the House Bill of Lading number provided by Respondent **CCL**.
- O. By information and belief, on or about September 30, 2013, container number **DVRU0610860** was unloaded at the Port of San Juan.
- P. Complainant's customs broker advised CBP that the Complainant's shipment had arrived, and the goods were cleared for entry into the commerce of the United States. (See Exhibit 5, CBP Entry N35-0251881-3).

1 This letter indicates that Respondents awaited authorization from Customs to move the container. "We are awaiting for authorization from Customs to move the container." While this is perhaps procedurally correct, in fact, as will be demonstrated during discovery, Respondents were waiting to resolve which of the Respondents would pay for the cost to be incurred in curing the defect. Complainant's theory is that once Respondents resolved the issue of payment between themselves, they requested authorization from CBP to move the offending container to the carrier's facilities.

- Q. After the container was loaded onto the vessel that transport it to Puerto Rico, and either prior to making entry or after the cargo had been cleared to enter the Customs Territory of the United States, Respondent **CCL** advised Complainant's customs broker that the House Bill of Lading had been amended. (See Exhibit 11, Verified Translation of an email thread dated between October 2, 2013 and October 4, 2013).
- R. Complainant's customs broker advised Respondent **CCL** that this violated CBP's ISF+10 regulations, which require that a compliant ISF+10 filing be made 24 hours before the vessel leaves port. Respondent **CCL's** notified Complainant's Customs Broker after the filing window had expired rendering their ISF+10 non-compliant and late. (See Exhibit 12, Authority to Make Entry, dated 12/30/1899).
- S. Respondent **CCL's** Invoice 91448, dated August 7, 2013 (prepared on October 2, 2013), erroneously identifies the Voyage Number, House Bill of Lading number and Container number. The correct references appear on Customs Entry N35-0251881-3 in handwritten form, dated August 5, 2013 and authorized for delivery on October 9, 2013. (See Exhibit 13, **CCL** Invoice 91448 and Exhibit 14, **CCL** HBL 424555A as prepared on October 2, 2013).
- T. CBP has up to five (5) years from the date of entry to file an enforcement action for incomplete or late ISF+10 filings, and can at any point of time during that five (5) year period assess liquidated damages of up to five thousand dollars (\$5,000.00) per violation against the importer of record.
- U. By information and belief, Respondent **CCL** acts as the agents for Respondents

IFS and **NEUTRAL**, and collects all fees from the Consignee, remitting those portions that correspond to services provided by **IFS** and **NEUTRAL**.

V. Complainant picked up the shipment from Respondent **CCL** on October 11, 2013.

(See Exhibit **15**, Dock Receipt).

W. While waiting to load his cargo, Complainant learned from Respondent **CCL's** employees that the reason the re-exportation was delayed was due to a dispute between Respondents as to who would pay for the costs of curing the entry and that the container did not leave Puerto Rico until the party paid the costs in advance.

CAUSES OF ACTION.



A. Respondents **IFS** and **NEUTRAL** violated section 10(d)(1) of the Shipping Act of 1984 (46 USC § 41102(c)) when they loaded cargo(s) containing (a) non-compliant(s) pallet(s) into the same shipping container that contained the Complainant's cargo. Section 10(d)(1) states that "[a] common carrier, marine terminal operator, or ocean transportation intermediary may not fail to establish, observe, and enforce just and reasonable regulations and practices relating to or connected with receiving, handling, storing, or delivering property." Respondents **IFS** and **NEUTRAL** violated the Shipping Act by failing to have reasonable regulations or practices in place that, if followed, would have prevented the loading of a non-compliant wood pallet or crate into a container bound for the United States. If Respondents **IFS** and **NEUTRAL** in fact did have reasonable regulations or practices in existence at the time the cargo for this shipment was loaded, they failed

to observe and enforce in a manner that would have prevented the loading of a non-compliant pallet or crate into a container bound for the United States.

- B. Respondent **CCL, IFS** and **NEUTRAL** further violated section 10(d)(1) of the Act when they failed to establish, observe, and enforce just and reasonable regulations and practices to ensure that the container rejected for entry into the United States, was cured for reentry in a timely and efficient manner.
- C. Respondents **CCL, IFS** and **NEUTRAL** violated section 10(d)(1) of the Act by not having reasonable regulations or practices regarding how expenses incurred in the reexportation and reimportation of non-compliant cargos would be resolved between these regulated parties. Failure to have reasonable regulations or practices in place violated the Act because an instance of non-compliance is foreseeable. Damages resulting from the absence of reasonable regulations or practices could have been avoided, minimized or mitigated. If Respondents did have regulations or practices in place to cure instances of cargos that do not comply with import laws and regulations enforced by CBP, they are unreasonable. Failure to execute the reexportation of the non-compliant container within a reasonable period of time lay solely within the control of the regulated parties and outside the control of the Complainant or his agents..
- D. Respondents violated section 10(b)(8) when they required and demanded payment for expenses that would be incurred in curing the defective cargo from one or more of the Respondents and/or the shipper or consignee of the offending cargo. In so doing, Respondents obliged the Complainant to wait until the Respondents resolved



payment matters before the container was rendered compliant for entry into the commerce of the United States. Respondents gave an “undue or unreasonable preference or advantage” to both the offending shipper as well as to each of the Respondents to the detriment of shippers whose cargo was compliant and imposed upon each of these shippers an “undue or unreasonable prejudice or disadvantage”.

- E. Respondent **CCL** resorted to unfair or unjustly discriminatory methods when, after the September 5, 2013 email exchange with Complainant, Respondent CCL failed to take reasonable, prudent and sufficient measures to cure the non-compliant container, in violation of section 10(b)(3) of the Act, 46 U.S.C. §41104(3).
- F. Respondent **CCL** violated section 10(d)(1) of the Act when they failed to notify in a timely, accurate and expeditious fashion Complainant's Customs Broker with the information solely within Respondent's possession required complete a compliant ISF+10 filing.
- G. Complainant suffered injury as a result of the Respondents violations of the Shipping Act of 1984, and, in accordance with 46 U.S.C. § 41305, respectfully requests that the Commission direct the Respondents to pay reparations in the amount of \$158,000.00 for actual injury suffered by the Complainant and any additional amounts the Commission determines should proceed for Respondents' violation of 46 U.S.C. §41104(3), including reasonable attorney's fees and costs.
- H. Complainant's actual injury includes the following:
1. Lost time.
 2. Lost sales caused by Respondents' failure to release goods to Complainant.

3. Loss of good will resulting from Complainant's inability to comply with delivery obligations with their customers.
4. Lost opportunity to sell goods destined for seasonal marketing.
5. Shortening of outstanding balance of time available to Complainant to satisfy payment obligations with the seller of the goods in Spain.
6. Legal expenses associated with the prosecution of this claim.
7. Interest accruing against any actual injury suffered by the Complainant.
8. The CIF value of the shipment is \$21,000.00. The merchandise, sold within twelve (12) days after receipt of the shipment, produced \$44,000.00 in sales.
9. Complainant sold these goods under thirty (30) day payment terms to a Fortune 500 retailer. Complainant collected the proceeds from the sale of these goods within 40 days of picking up the goods from Respondent **CCL's** warehouse, or on or about November 23, 2013.
10. Had the Complainant taken delivery of their goods on or about August 10, 2013, they would have collected the proceeds from the sale of the goods by September 20, 2013, or approximately 60 days earlier.
11. Complainant thus would have turned converted his investment in the subject cargo two additional times and achieved sales of \$88,000.00 in this period, sales that are lost forever and solely a consequence of the Respondents actions.
12. Complainant estimates his damages in the amount of \$20,000.00 for his failure to fulfill supply commitments made with a Fortune 500 customer to



which he intended to sell his cargo.

13. Complainant requests damages to good will in the amount of \$50,000.00.
14. Complainant requests that the Commission award him general damages in the amount of \$88,000.00 and specific damages in the amount of \$70,000.00.
15. Complainant's requests that the Commission order the award of additional amounts beyond his actual injury, as the Commission determines resulting from Respondents violation of section 10(b)(3) of the Act, 46 U.S.C. §41104(3).

APRIL 9th, 2014

DATED:



Carlos E. Matos Malec, Esq.
President
Edaf Antillas, Inc.
PO Box 11249
San Juan PR 00922-1249
(787) 707-1792
carlos@forsapr.com

VERIFICATION

Commonwealth of Puerto Rico, City of San Juan, ss: Carlos E. Matos Malec, being first duly sworn on oath deposes and says that he is president of EDAF ANTILLAS, Inc., the Complainant Corporation, and is the person who signed the foregoing claim, that he has read the foregoing and that the acts set forth without qualification are true and that the facts stated therein upon information received from others, affiant believes to be true.

Affidavit Number: 123-

Subscribed and sworn before me by Carlos E. Matos Malec, an attorney, married, of legal age and a resident of Guaynabo, Puerto Rico, on this the 9 day of April of 2014, at San Juan, Puerto Rico.




NOTARY PUBLIC



Editorial Edaf S.L.U.
 Calle de la Industria, 20
 46100 Sagunto
 Valencia, España
 T. 96 341 20 00
 F. 96 341 20 01
 www.edaf.es

Exhibit 1

Destinatario	S.A. 458 1 428 774			FACTURANº	630113	Página	2
Dirección	C/...			Venta en	En firme		
Población y País	...			ADUANA	BARCELONA		
Total Importe	14 578,30 €	Partida Arancelaria	4901 4903	Forma de envío	CARGA MARITIMA		
Total IVA	14 578,30 €	Código	1000000	Marcas			
Valor Excluido Euro	14 578,30 €	Nota Dufos	53	Peso Neto	1 142 000 Kg	Peso Bruto	1 202 000 Kg
Valor Total Divisa	14 578,30 €	Forma y plazo de pago	120 DIAS	Condición Comercio del exportador	VÁLIDOR		

Este documento es un modelo no vinculante de carácter informativo.
 No tiene validez legal ni jurídica.
 Madrid, 17 de junio del 2013

DESCRIPCIÓN	CANTIDAD	PRECIO	IMPORTE FUENTE	DESCUENTO		TOTAL NETO
				%	IMPORTE	
...
...
...



TOTAL NETO	TOTAL DESCUENTO	TOTAL NETO	GASTOS DE ENVÍO	IBTES	TOTAL FACTURA
14 578,30		14 578,30			14 578,30

Embasur
Palet S.L.
Tel. 925520984
Fax: 925520985
45221 – Esquivias (Toledo)
e-mail; infor@embasur.com
web: www.embasur.com

For the attention of:
Customs Puerto Rico and
The Secretary for the Environment

Esquivias/Spain .../.../....

We guarantee that the pallets made from pressed wood fiber EMBASUR used by our customer:

NAME COMPANY	Editorial Edaf SA
ADDRESS	Jorge Juan, 30
COUNTRY	28001 Madrid

And destined for the export to Puerto Rico, have been manufactured using the WERZALIT system, in the same manner as chipboard and veneered plywood. After a drying process where temperatures reach 300 degrees Centigrade, and until the humidity levels reach 4%, they are molded with a combination of synthetic resins at a pressure of 1000 metric tons and 300 degrees centigrade. No pests can survive this molding process.

We guarantee that these wooden pallets made from chipboard have been treated at high temperatures and that they contain no vermin whatsoever!

EMBASUR Paletten GmbH, Spanish
(Signed)
Daniel Serrano
-product manager-

VERIFICATION

I, Carlos E. Matos, of legal age, married and an attorney residing in the Municipality of Guaynabo, Puerto Rico, swear under penalty of perjury that the foregoing text is a true and correct translation made by me from Spanish into English of the contents of a document presented before the Commission as Complainant's Exhibit 2.

Executed on:

4.9.2014

Signed:



Tel.: 925520984
Fax: 925520985
45221- Esquivias (Toledo)
e-mail: info@embasur.com
web: www.embasur.com

A la atención de:

**ADUANA DE PUERTO RICO Y
SECRETARIA DE MEDIO AMBIENTE**

CERTIFICADO

Esquivias/España/...../.....

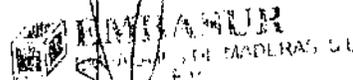
Garantizamos que las paletas de fibra de madera prensada_ EMBASUR,
usadas por nuestro cliente

NAME COMPANY EDITORIAL EDAF, S.A
ADDRESS Jorge Juan, 30
COUNTRY 28001 MADRID

y destinadas para la exportación a Puerto Rico, han sido fabricadas mediante el sistema WERZALIT, de la misma forma que el tablero aglomerado y la madera contrachapada. Después de un proceso de secado a 300º centígrados, hasta alcanzar un nivel de humedad de solo el 4 % , son moldeados en combinación con resinas sintéticas a una presión de 1000 t y a 300º centígrados. Ninguna plaga puede sobrevivir a este proceso de moldeado.

¡Garantizamos que estas paletas de madera aglomerada han sido tratadas a alta temperatura y no hay en estas plaga viva alguna!

EMBSUR Paletten GmbH, Spanish



Daniel Ferrero
- product manager -



Shipper:
 CENTRAL MAR, S.A.
 BOQUE SUAN, 88
 ADESA, LAS AREAS
 TEL: 91 425 82 68 FAX: 91 425 82 82

BILL OF LADING

IFSM

Bill of lading no.:
 424555

Consignee:
 RSCF ACTIVAS, S.C.
 1001 PILEPO AVL. CAJUPRA TERRACE
 SAN JUAN PR. 00921-1113, PUERTO RICO
 TEL: (787) 791 17 42 FAX: (787) 791 17 40
 ATEL: 301 571 6418 8598



Exhibit 3

Notify party:
 RSCF ACTIVAS

For particulars of delivery apply with this B/L to:
 CROWLEY CARIBBEAN LOGISTICS LLC
 CENTRO MERCANTIL, S.L.P. - LG#7, 11 - PO BOX 361925
 PUERTO RICO 00936-7314 - 00936
 PUERTO RICO
 Phone: 787-791.8578 al 8579 - Fax: 787-791.8715

Ocean vessel: ILLINOIS
Voyage: AH31R

Place of receipt: VALENCIA
Port of loading: VALENCIA

Port of discharge: SAN JUAN DE LOS RIOS, PUERTO RICO
Place of delivery: SAN JUAN

E X P R E S S B L

Marks & Nos.:	Description of goods	Gross weight Kg	M3
53 BULTOS	s.l.w.a.c. 53 BULTOS 1630 2 PALLETS BOOKS, PARTIDA BRANDELAERIA: 4991.9900 EXPRESS B.L. FREIGHT COLLECT ON BOARD	1,252,00	2,640
A.M.S. IFSM424555			
H.S. Code; 490199			

PLEASE READ BL CLAUSULATE ATTACHED

Container No.: CMBR261766	Total number of packages or other units received by "IFS" (in words) FIFTY THREE
-------------------------------------	--

Freight & Charges	Rate	Per	Curr.	Prepaid	Collect
EXCESS CHARGE US\$			USD		452,00
TRANSITION ALL US\$			USD		56,40
PORTAL FREIGHT ALL US\$			USD		103,40

Prepaid /Payable at Destination	Number of original B/Ls 3/ 2010	Place and date of B/L issue VALENCIA, JULY 21TH, 2012
Forwarding agents SINER LOGO EXPORT, S.A. (RPP) Phone: 91 425891 (30) 4917 482995 Fax: 91 425 82 82	4502376	IFS AS AGENTS OF NEUTRAL MARITIME SERVICE AS CARRIER

Shipper:
 INDUSTRIAL BOARD, S.L.
 BOQUE NAVE, 64
 BARRIO, PUEBLO
 TEL: 91 47 72 60 FAX: 91 47 02 81

BILL OF LADING

IFSM Bill of lading n°:
 424555



Exhibit 4

Consignee:
 P&G AMERICA, INC.
 1506 TIGERWOOD CAY TERRACE
 SAN JUAN, P.R. 00921-1113, PUERTO RICO
 TEL: (787) 482 17 99 FAX: (787) 482 17 99
 ATTN: SR. CARLOS VENTOS

Notify party:
 P&G AMERICA

Ocean vessel: VIDAS
Voyage: AHE1R

Place of receipt: VALENCIA
Port of loading: VALENCIA

Port of discharge: S. JUAN (P. RICO)
Place of delivery: SAN JUAN

For Particulars of delivery apply with this B/L to:
 THE SHIPPER'S DECLARATION AND THE CARRIER'S DECLARATION
 THE SHIPPER'S DECLARATION: THE SHIPPER'S DECLARATION IS THE BASIS FOR THE CARRIER'S LIABILITY AND THE CARRIER'S LIABILITY IS LIMITED TO THE AMOUNT OF THE SHIPPER'S DECLARATION.
 THE CARRIER'S DECLARATION: THE CARRIER'S LIABILITY IS LIMITED TO THE AMOUNT OF THE CARRIER'S DECLARATION.
 THE SHIPPER'S DECLARATION IS THE BASIS FOR THE CARRIER'S LIABILITY AND THE CARRIER'S LIABILITY IS LIMITED TO THE AMOUNT OF THE SHIPPER'S DECLARATION.
 THE CARRIER'S DECLARATION IS THE BASIS FOR THE SHIPPER'S LIABILITY AND THE SHIPPER'S LIABILITY IS LIMITED TO THE AMOUNT OF THE CARRIER'S DECLARATION.

COPIA A EFECTOS DE CORRECCIÓN

Marks & Nos.:	Quantity	Description of goods	Gross weight Kg	M3
53 Bultos	53 Bultos	S.I.W.A.C. 53 BULTOS (MTO 2 PALLETES) BOQUE, PANTILLA BARCELONA: 4901.9900 EXPRESS B/L FREIGHT COLLECT ON BOARD	1.202,00	2,640
A.M.S.				
IFSM:424555				
H.S. Code:				
490199				

Container N°: BPH61200
Seal N°: B763039
Total number of packages or other units received by "IFS" (in words): FIFTY THREE

Freight & Charges	Rate	Per	Curr.	Prepaid	Collect
EX BOQUE CHARGES USD			USD		452,00
TRANSMISSION AMS USD			USD		56,40
ORIGIN FREIGHT ALL IN			USD		272,99
TOTAL FREIGHTS USD			USD		781,39
BOQUE BY TRANSPORTER PL			USD		25,50

Prepaid / Payable at: BOQUE
Number of original B/Ls: Zero
Place and date of B/L issue: VALENCIA, JULY 21TH, 2013
Forwarding agents: SPANISH EXPORT, S.A. (EXPO)
 Phone: 91 442981 / 91 462995
 Fax: 91 4629525
IFS AS AGENTS OF NEUTRAL MARITIME SERVICE AS CARRIER

DEPARTMENT OF HOMELAND SECURITY
 U.S. Customs and Border Protection
 ENTRY/IMMEDIATE DELIVERY

Form Approved
 OMB No. 1661-0024

BOX: N35

~~INTER~~-WORLD CUSTOMS BROKER, INC.
 PO BOX 9023568 SAN JUAN, PR 00902-3568
 (787) 793-4280
 19 CFR 142.3, 142.18, 142.27, 142.24

Exhibit 5
 TEAM # 453

1. APPLICABLE DATE 06/07/13		2. ELECTED ENTRY DATE 080513	3. ENTRY TYPE CODE/NAME 01 CONSUMPTION	4. ENTRY NUMBER N35-0251681-3	
5. VESSEL 4909		6. SUPPLEMENTAL BOARD	7. BROKER/IMPORTER FILE NUMBER 542001		
8. CONSIGNEE NUMBER 58-262314800		9. IMPORTER NUMBER 66-044428000			
10. PRIVATE CONSIGNEE NAME EDAF ANTEILLAS, INC. P.O. BOX 11249 SAN JUAN P.R. 00922-1249			11. IMPORTER OF RECORD NAME INTER-WORLD CUSTOMS BROKER INC PO BOX 9023568 SAN JUAN PR 00906		
12. SHIP CODE CMDN		13. VOYAGE/FLIGHT TRIP -H031	14. LOCATION OF GOODS CODE(S)/NAME(S) N670 CROWLEY CARIBBEAN LOGISTE		
15. VESSEL CODE/NAME MIDAS		16. U.S. PORT OF ORIGIN 4909		17. MANIFEST NUMBER	18. TOTAL VALUE 19159
19. U.S. PORT OF ORIGIN OF MERCHANDISE SAN JUAN					
20. TARIFF SUBJECT	22. IT/BLAWB NO. CMDN11110156746	23. MANIFEST QUANTITY	24. H.S. NUMBER 4901.99.0093	25. COUNTRY OF ORIGIN ES	26. MANUFACTURER NO. ESEDIEDA30MAD
		53 CTNS			

27. CERTIFICATION

I, the undersigned, in making application for entry immediate delivery, certify that the above information is accurate, the bond is sufficient, valid and current, and that all requirements of 19 CFR Part 142 have been met.

Signature

[Signature]
 DATE

2 MAY

06/07/13

29. BROKER OR OTHER GOVT. AGENCY USE

EVSU0610560 #1: 04-30-2013
 #12: AH039

IF SUBJECT TO INTENSIVE EXAMINATION

#21: CHDULAN1257234

TRANSFER TO N744 H/O/c; CWGN427555A
 FROM ITS PPHF LOCATION IS REQUESTED.
 WE GUARANTEE PAYMENT FOR ALL CHARGES
 AND EXPENSES AND ACCEPT
 RESPONSIBILITY UNDER OUR BOND

28. CBP USE ONLY

- OTHER AGENCY ACTION REQUIRED, NAMELY:
- CBP EXAMINATION REQUIRED
- ENTRY REJECTED, BECAUSE:

DELIVERY AUTHORIZED:	SIGNATURE	DATE
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THIS IS AN AUTOMATICALLY GENERATED document. It is not a receipt or evidence of information collection and a person is not required to respond to it. If you wish to request a copy, please contact the OMB control number and an expiration date. The control number for this collection is 1661-0024. A detailed complaint form to request this information is 15 minutes. If you have any comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, write to the Office of Management and Budget, Paperwork Reduction Project (1661-0024), Washington, DC 20503.

VERIFIED TRANSLATION

From: Torres Rosado, Maritza
[mailto:Maritza.Torres@crowley.com]
Sent: Tuesday, August 13, 2013 9:18 AM
To: 'Daileen Davila'; 'Ivonne Rivera'; MedinaIsis
Cc: ccl.imports@crowley.com; info@interworld-customs.com;
carlos@forsapr.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Good Morning,

Trailer still being held for Agriculture Inspection

Thanks,

Maritza Torres Rosado
Supervisor, Freight Services | Crowley Caribbean Logistics, LLC
maritza.torres@crowley.com
Office: 787-782-2852 / 787.793.8575 | Fax 787.793.8717

Crowley Maritime Corporation / www.crowley.com
Int'l. Mercantile Center Building #11 | Guaynabo, P.R. 00970

***Please note that we are offering LCL service to Central
America for the following destinations:

- *Costa Rica
- *El Salvador
- *Guatemala
- *Honduras
- *Nicaragua
- *Panamá

From: Daileen Davila [mailto:traffic@interworld-customs.com]
Sent: Tuesday, August 13, 2013 8:07 AM
To: 'Ivonne Rivera'; Torres Rosado, Maritza; MedinaIsis
Cc: ccl.imports@crowley.com; info@interworld-customs.com;
carlos@forsapr.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Good morning Isis/ Maritza:

We would appreciate if you could provide us with the status of the referenced Inspection Pending Trailer

Best regards,
Daileen Dávila
Inter-World Customs Broker Inc.
Tel. 787-793-4280
Fax. 787-793-4282
Mobile. 787-568-5032
Email: traffic@interworld-customs.com.

Verification

I, Carlos E. Matos, of legal age, married and an attorney residing in the Municipality of Guaynabo, Puerto Rico, swear under penalty of perjury that the foregoing text is a true and correct translation made by me from Spanish into English of the contents of a document presented before the Commission as Complainant's Exhibit 6.

Executed on: 4.9.2014

Signed: 

Carlos

Exhibit 6.

From: Torres Rosado, Maritza (Maritza.Torres@crowley.com)
 Sent: Tuesday, August 13, 2013 9:18 AM
 To: Dailben Davila; Ivonne Rivera; Medinaluis
 Cc: cdimport@crowley.com; info@interworld-customs.com; carlos@forsapr.com
 Subject: RE: DVRU0610860/ EDAF Antillas/ IFSM424555. Our ref 542001
 Buenos Dias

valor auto retenido para inspeccion de Agricultura

Gracias,

Maritza Torres Rosado
 Supervisor, Freight Services | Crowley Caribbean Logistics, LLC
 maritza.torres@crowley.com
 Office: 787-782-2852 / 787.793.8575 | Fax 787.793.8717

Crowley Maritime Corporation / www.crowley.com
 Int'l. Mercantile Center Building #11 | Guaynabo, P.R. 00970

El contenido de este mensaje incluye información confidencial. Si usted no es el destinatario indicado, queda advertido que cualquier divulgación, distribución o uso de esta información es estrictamente prohibido.

Confidencial
 Privileged
 Confidential
 Secret
 Restricted

From: Dailben Davila (mailto:traffic@interworld-customs.com)
 Sent: Tuesday, August 13, 2013 8:07 AM
 To: Ivonne Rivera, Torres Rosado, Maritza; Medinaluis
 Cc: cdimport@crowley.com; info@interworld-customs.com; carlos@forsapr.com
 Subject: RE: DVRU0610860/ EDAF Antillas/ IFSM424555/ Our ref 542001

Buenos dias,

El contenido de este mensaje incluye información confidencial. Si usted no es el destinatario indicado, queda advertido que cualquier divulgación, distribución o uso de esta información es estrictamente prohibido.

Log Book Files Maintenance

Reference No.	542001	Alt. Ref.	630713	Adm. Ref. Y/N	
Entry Date	07/19/2013	Entry Type	01	Entry Date	08/05/2013
Beneficial Entry	Y	Entry Type	N35G2518813		
Customer Code	EDA001 EDAF ANTILLAS, INC.			Entry To	EDA001
Company/Vessel	CMDU - MTDAS				
Trans. Mode	11	Via	V		
BL/AVBL/IT No.	M CMDU1VLU156746	R	IFSM424555		
Arrival Date	08/05/2013	Dep. Date		Wt. Date	
Transit Point		Rate of Entry	4909	Duty Rate	
Pieces	53	Weight	1202	Cubic M	100
Invoice Value		Entry Value	19159	Freight	452
Consolid. No.	DVRU0610860				
Company ID	JN	Agent ID	KM	Wtd. Balance	
Cargo Description	52 - MANIFEST HOLD AGRICULT	Invoice No.			
A/R	100	Duty Amount	50.32	Shipping Date	
A/P	100	Entry Entry Date		Freight Entry Date	
Incoterms	100	A/R Paid Amount	100	Last Entry Date	

Company ID: [] Lockup: [] Cont. Amt: []

VERIFIED TRANSLATION

Exhibit 7.

From: Torres Rosado, Maritza
[mailto:Maritza.Torres@crowley.com]
Sent: Thursday, September 05, 2013 8:22 PM
To: Carlos
Cc: Torres Rosado, Maritza; m.colon@interworld-customs.com;
info@interworld-customs.com; traffic@interworld-customs.com
Subject: Re: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

The re-exportation of said container is being worked upon by the pertinent agencies, including the Shipping line, Customs, etc., and we have not yet received the proper authorization, therefore the same has not yet departed.

Thanks,
Sent from my iPhone
Maritza Torres
Supervisor - Export
Crowley Caribbean Services

On 09/05/2013, at 7:32 p.m., "Carlos" <carlos@forsapr.com> wrote:

Dear Mrs. Torres,

Do you have some explanation available for those of us who require receipt of our goods? Lack of Sailings? Lack of sufficient cargo to fill a container? Lack of urgency?

This cargo arrived in Puerto Rico over a month ago. We have failed to perform before our customers for reasons that are outside of our control. The fact that you, a supervisor for CCL, representing your company, at this stage of the game answers Mrs. Colon as you did is highly inappropriate.

We deserve an explanation that goes beyond a simple "It still hasn't left yet."

Cordially,

C E Matos

via SSGS3

"Torres Rosado, Maritza" <Maritza.Torres@crowley.com> wrote:

It still hasn't left yet.

Maritza Torres Rosado
Supervisor, Freight Services | Crowley Caribbean Logistics, LLC
maritza.torres@crowley.com
Office: 787-782-2852 / 787.793.8575 | Fax 787.793.8717

Crowley Maritime Corporation / www.crowley.com
Int'l. Mercantile Center Building #11 | Guaynabo, P.R. 00970

***Please note that we are offering LCL service to Central America for the following destinations:

- *Costa Rica
- *El Salvador
- *Guatemala
- *Honduras
- *Nicaragua
- *Panamá

From: Michelle [mailto:m.colon@interworld-customs.com]
Sent: Thursday, September 05, 2013 2:58 PM
To: Torres Rosado, Maritza; 'Karla'; 'Carlos'
Cc: traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref 542001

Good Afternoon

Could you please indicate the status of the re-exportation?

Michelle Colon Nieves
Inter-World Customs Broker
(T) 787-793-4280
(F) 787-793-4282
(M) 787-318-1471
(E) m.colon@interworld-customs.com

From: Torres Rosado, Maritza
[mailto:Maritza.Torres@crowley.com]
Sent: Friday, August 30, 2013 11:01 AM
To: 'Michelle'; 'Karla'; 'Carlos'

Cc: traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

The container still has not been re-exported.

Maritza Torres Rosado
Supervisor, Freight Services | Crowley Caribbean Logistics, LLC
maritza.torres@crowley.com
Office: 787-782-2852 / 787.793.8575 | Fax 787.793.8717

Crowley Maritime Corporation / www.crowley.com
Int'l. Mercantile Center Building #11 | Guaynabo, P.R. 00970

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America for the following destinations:

- *Costa Rica
- *El Salvador
- *Guatemala
- *Honduras
- *Nicaragua
- *Panamá

From: Michelle [mailto:m.colon@interworld-customs.com]
Sent: Friday, August 30, 2013 10:59 AM
To: Torres Rosado, Maritza; 'Karla'; 'Carlos'
Cc: traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Good morning

They have the letter.

**I have Customs asking me about my entry's status and I need to
cancel it.**

Thanks

Michelle Colon Nieves
Inter-World Customs Broker
(T) 787-793-4280
(F) 787-793-4282
(M) 787-318-1471
(E) m.colon@interworld-customs.com

From: Torres Rosado, Maritza
[mailto:Maritza.Torres@crowley.com]
Sent: Tuesday, August 27, 2013 2:10 PM
To: 'Michelle'; 'Karla'; 'Carlos'
Cc: traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Good Afternoon Michelle,

We are still working with the exportation. As soon as I have the details such as the Vessel, the MBL and Voyage we shall send to all of our customers a letter of explanation so that they can cancel their respective entries.

Thanks,

Maritza Torres Rosado
Supervisor, Freight Services | Crowley Caribbean Logistics, LLC
maritza.torres@crowley.com
Office: 787-782-2852 / 787.793.8575 | Fax 787.793.8717

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- *El Salvador
- *Guatemala
- *Honduras
- *Nicaragua
- *Panamá

From: Michelle [mailto:m.colon@interworld-customs.com]
Sent: Tuesday, August 27, 2013 1:48 PM
To: Torres Rosado, Maritza; 'Karla'; 'Carlos'
Cc: traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Good afternoon Maritza

I would appreciate your cooperation in this matter.

I have my documentation open.

We need to know what has happened to the cargo, has it been exported? Was a 7512 submitted?

Michelle Colon Nieves
Inter-World Customs Broker
(T) 787-793-4280
(F) 787-793-4282
(M) 787-318-1471
(E) m.colon@interworld-customs.com

From: Michelle [mailto:m.colon@interworld-customs.com]
Sent: Thursday, August 22, 2013 4:27 PM
To: 'Torres Rosado, Maritza'; 'Karla'; 'Carlos'
Cc: traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref 542001

Good afternoon Maritza,

Customs is asking for the 7512 to cancel the Customs Entry.
(See Attachment)

I would appreciate it if you would send it to us and let us know what the status of the re-exportation is.

Thanks

Michelle Colon Nieves
Inter-World Customs Broker
(T) 787-793-4280
(F) 787-793-4282
(M) 787-318-1471
(E) m.colon@interworld-customs.com

From: Torres Rosado, Maritza
[mailto:Maritza.Torres@crowley.com]
Sent: Tuesday, August 20, 2013 8:06 AM
To: 'Karla'; 'Carlos'
Cc: Michelle Colon; traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref 542001

Good Morning Karla,

Unfortunately this is a situation that is outside of our control.

When a pallet or "crate" inside a container does not have the correct fumigation marks and Customs retains it for inspection, they determine that the entire container needs to be returned. Furthermore I spoke with one of the Customs Inspectors to see if I could keep the other cargo and only return the crate and they told me no.

Thanks,

Maritza Torres Rosado
Supervisor, Freight Services | Crowley Caribbean Logistics, LLC
maritza.torres@crowley.com
Office: 787-782-2852 / 787.793.8575 | Fax 787.793.8717

Crowley Maritime Corporation / www.crowley.com
Int'l. Mercantile Center Building #11 | Guaynabo, P.R. 00970

***Please note that we are offering LCL service to Central America for the following destinations:

VERIFICATION

I, Carlos E. Matos, of legal age, married and an attorney residing in the Municipality of Guaynabo, Puerto Rico, swear under penalty of perjury that the foregoing text is a true and correct translation made by me from Spanish into English of the contents of a document presented before the Commission as Complainant's Exhibit 7.

Executed on: 4.9.2014.

Signed: 

Exhibit 7.

From: Torres Rosado, Maritza
[mailto:Maritza.Torres@crowley.com]
Sent: Thursday, September 05, 2013 8:22 PM
To: Carlos
Cc: Torres Rosado, Maritza; m.colon@interworld-customs.com;
info@interworld-customs.com; traffic@interworld-customs.com
Subject: Re: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

La re-exportación de dicho vagón se esta trabajando con las
agencias pertinentes , como la linea maritima, aduana ,etc, y
aun no hemos recibido la debida autorizacion, por tanto el
mismo no ha salido

Gracias
Sent from my iPhone
Maritza Torres
Supervisor - Export
Crowley Caribbean Services

On 09/05/2013, at 7:32 p.m., "Carlos" <carlos@forsapr.com>
wrote:
Estimada Sra. Torres,

¿Alguna explicación para aquellos que precisamos recibir
nuestra mercancía? ¿Falta de salidas marítimas? ¿Falta de
carga suficiente para llenar un contenedor? ¿Falta de
urgencia?

Esta carga llegó a Puerto Rico hace un mes. Hemos incumplido
para con nuestros clientes por factores que no están bajo
nuestro control. El hecho que usted, supervisora de CCL, en
representación de su empresa, a estas alturas conteste como
contestó a la Sra. Colón es el colmo de la insensibilidad.

Merecemos una explicación que va mas allá de un simple "Aun no
ha salido".

Cordialmente,

C E Matos

via SSGS3

"Torres Rosado, Maritza" <Maritza.Torres@crowley.com> wrote:

Aun no ha salido

Maritza Torres Rosado
Supervisor, Freight Services | Crowley Caribbean Logistics, LLC
maritza.torres@crowley.com
Office: 787-782-2852 / 787.793.8575 | Fax 787.793.8717

Crowley Maritime Corporation / www.crowley.com
Int'l. Mercantile Center Building #11 | Guaynabo, P.R. 00970

***Please note that we are offering LCL service to Central America for the following destinations:

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- *El Salvador
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- *Honduras
- *Nicaragua
- *Panamá

From: Michelle [mailto:m.colon@interworld-customs.com]
Sent: Thursday, September 05, 2013 2:58 PM
To: Torres Rosado, Maritza; 'Karla'; 'Carlos'
Cc: traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref 542001

Buenas tardes
Me pueden indicar status de re-exportación?

Michelle Colon Nieves
Inter-World Customs Broker
(T) 787-793-4280
(F) 787-793-4282
(M) 787-318-1471
(E) m.colon@interworld-customs.com

From: Torres Rosado, Maritza
[mailto:Maritza.Torres@crowley.com]
Sent: Friday, August 30, 2013 11:01 AM
To: 'Michelle'; 'Karla'; 'Carlos'
Cc: traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref 542001

Todavía el vagón no se ha re-exportado.

Maritza Torres Rosado
Supervisor, Freight Services | Crowley Caribbean Logistics, LLC
maritza.torres@crowley.com
Office: 787-782-2852 / 787.793.8575 | Fax 787.793.8717

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- *El Salvador
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From: Michelle [mailto:m.colon@interworld-customs.com]
Sent: Friday, August 30, 2013 10:59 AM
To: Torres Rosado, Maritza; 'Karla'; 'Carlos'
Cc: traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref 542001

Buenos días

Tienen ya la carta.
Tengo a la aduana solicitando status de mi entrada y necesito cancelarla.

Gracias

Michelle Colon Nieves
Inter-World Customs Broker
(T) 787-793-4280
(F) 787-793-4282
(M) 787-318-1471
(E) m.colon@interworld-customs.com

From: Torres Rosado, Maritza
[mailto:Maritza.Torres@crowley.com]
Sent: Tuesday, August 27, 2013 2:10 PM
To: 'Michelle'; 'Karla'; 'Carlos'

Cc: traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Buenas Tardes Michelle,

Aun estamos trabajando con la exportación. Tan pronto tenga los detalles como el barco, MBL y viaje se le enviara una carta explicativa a todos los clientes para que cancelen sus entradas.

Gracias,

Maritza Torres Rosado
Supervisor, Freight Services | Crowley Caribbean Logistics, LLC
maritza.torres@crowley.com
Office: 787-782-2852 / 787.793.8575 | Fax 787.793.8717

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From: Michelle [mailto:m.colon@interworld-customs.com]
Sent: Tuesday, August 27, 2013 1:48 PM
To: Torres Rosado, Maritza; 'Karla'; 'Carlos'
Cc: traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Buenas tardes Maritza
Agradeceré tu colaboración en esto.

Tengo mi documentación abierta .
Necesitamos saber que sucedió con la carga, ya se exporto? Se sometió 7512?

Michelle Colon Nieves
Inter-World Customs Broker
(T) 787-793-4280
(F) 787-793-4282
(M) 787-318-1471
(E) m.colon@interworld-customs.com

From: Michelle [mailto:m.colon@interworld-customs.com]
Sent: Thursday, August 22, 2013 4:27 PM
To: 'Torres Rosado, Maritza'; 'Karla'; 'Carlos'
Cc: traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Buenas tardes Maritza,

La aduana está solicitando la 7512 para cancelar la entrada de aduana. (ver adjunto)

Agradeceré si nos la pueden enviar y dejarnos saber status de la re-exportación

Gracias

Michelle Colon Nieves
Inter-World Customs Broker
(T) 787-793-4280
(F) 787-793-4282
(M) 787-318-1471
(E) m.colon@interworld-customs.com

From: Torres Rosado, Maritza
[mailto:Maritza.Torres@crowley.com]
Sent: Tuesday, August 20, 2013 8:06 AM
To: 'Karla'; 'Carlos'
Cc: Michelle Colon; traffic@interworld-customs.com
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Buenos Dias Karla,

Lamentablemente esto es una situación fuera de nuestro control.

Cuando en un vagon viene alguna paleta o "crate" sin las debidas marcas de fumigación y Aduana lo retiene para

inspección, ellos determinan que todo el vagon debe retornarse. Inclusive hable con los inspectores de aduana para ver si se podía quedar el restante de la carga y solamente devolver el crate y me indicaron que no.

Gracias,

Maritza Torres Rosado
Supervisor, Freight Services | Crowley Caribbean Logistics, LLC
maritza.torres@crowley.com
Office: 787-782-2852 / 787.793.8575 | Fax 787.793.8717

Crowley Maritime Corporation / www.crowley.com
Int'l. Mercantile Center Building #11 | Guaynabo, P.R. 00970

***Please note that we are offering LCL service to Central America for the following destinations:

VERIFIED TRANSLATION

Exhibit 8

IFS International Forwarding, s.l. · NVOCC
IFS Neutral Maritime Service
IFS Maritime Service Lines

tel. 96 324 16 70 / fax. 96 367 35 08 (Valencia)

Dear Sirs,

We inform you that container DVRU0610860, was retained by San Juan Customs for inspection. During a physical inspection they discovered that one pallet was not correctly marked, and therefore customs will not permit the container to be unloaded.

We are waiting for authorization from Customs to move the container.

Once authorized this is the procedure that will be followed:

- The trailer will be picked up from Customs' facilities
- The trailer will be moved to Crowley to be moved to St. Maarten
- Our agent in St. Maarten will receive the container to unload it, verify the cargo and mark those pallets that Customs indicated were not marked.
- Our Agent in St. Maarten will again re-export the trailer to Puerto Rico to follow normal Customs procederes.

We regret that these efforts have taken more time than we would have liked. As soon as we have an answer, we will keep you informed.

Receive our cordial greetings.

Rosa Roldán
Dept. Maritime Traffic Export
IFS INTERNATIONAL FORWARDING, S.L.

VERIFICATION

I, Carlos E. Matos, of legal age, married and an attorney residing in the Municipality of Guaynabo, Puerto Rico, swear under penalty of perjury that the foregoing text is a true and correct translation made by me from Spanish into English of the contents of a document presented before the Commission as Complainant's Exhibit 8.

Executed on:

4.9.2014





IFS International Forwarding, s.l. · NVOCC
IFS Neutral Maritime Service
IFS Maritime Service Lines

Exhibit 8

tel. 96 324 16 70 / fax. 96 367 35 08 (Valencia)

Estimados Señores,

Les informamos que el contenedor DVRU0610860, fue retenido por la Aduana de San Juan para inspección. En la revisión física se dieron cuenta que un pallet no estaba sellado, por lo que la aduana no permite la descarga del contenedor.

Estamos esperando autorización por parte de la aduana para mover el contenedor .

Una vez autorizado se procederá de la siguiente manera:

- Se recogerá el vagón de las facilidades de Aduana
- Se transportará a Crowley para ser movido a St. Maarten
- Nuestro agente en St. Maarten recibirá el vagón para descargarlo, verificar la mercancía y marcar las paletas que Aduana indicó no estaban marcadas.
- Nuestro agente en St. Maarten re-exportará el vagón nuevamente a Puerto Rico para el debido proceso aduanal.

Lamentablemente estas gestiones toman más tiempo del que nosotros quisiéramos. Tan pronto recibamos respuesta, les mantendremos informados.

Reciban un cordial saludos.

Rosa Roldán
Dpto. Tráfico Marítimo Exportación
IFS INTERNATIONAL FORWARDING, S.L.

SKM130884

OMB No. 1651-0003 Exp. 02/28/2014

TRANSPORTATION ENTRY AND MANIFEST OF GOODS SUBJECT TO CBP INSPECTION AND PERMIT U.S. Customs and Border Protection

Entry No: 388354072 Class of Entry IE (I.T.) (T.E.) (WD.1E) (Drawback, etc.)

19 CFR 10.60, 10.61, 123.41, 123.42

Entry No. Port Date

PORT CODE NO. 4909 FIRST U.S. PORT OF UNLADING SAN JUAN, PR

PORT OF 4909 SAN JUAN DATE 09/16/2013

Entered or imported by CROWLEY CARIBBEAN LOGISTICS LLC Importer/RS # 66-075031900 to be shipped

in bond via CMACGM NORTON LI FOUA V.UA790N IRS 63-122261800 M356 consigned to (C.H.L number) (Vessel or carrier) (Car number and initial) (Pier or station)

CBP Port Director SAN JUAN, PR 4909 Final foreign destination ST. MAARTEN 27727 (For exportations only)

Consignee INTERMAR SHIPPING 2 GROUNDDOVE RD ST. MAARTEN, N.A. (At CBP port of exit or destination)

Foreign port of lading VALENCIA, SPAIN 47094 B/L No. CMDUIVL0156746 Date of sailing 07/20/2013 (Above information to be furnished only when merchandise is imported by vessel)

Imported on the MIDAS V.AH31R Flag on 08/05/2013 via VALENCIA, SPAIN (Name of vessel or carrier and motive power) (Date imported) (Last foreign port)

Exported from SPAIN on 07/20/2013 Goods now at CASTILLO WHSE. N744 (Country) (Date) (Name of warehouse, station, pier, etc.)

Table with 5 columns: Marks and Numbers of Packages, Description and Quantity of Merchandise, Gross Weight in Pounds, Value (Dollars only), Rate. Includes handwritten notes and stamps.

IMPORTANT NOTICE THIS MERCHANDISE MUST BE EXPORTED UNDER CBP SUPERVISION CALL 749-4366/4367 DURING WORKING HOURS

G.O No Check if withdrawn for Vessel supplies (19 U.S.C. 1309)

CERTIFICATE OF LADING FOR TRANSPORTATION IN BOND AND/OR LADING FOR EXPORTATION FOR

I truly declare that the statements contained herein are true and correct to the best of my knowledge and belief.

Entered or withdrawn by CROWLEY CARIBBEAN LOGISTICS L LC. / G. PADILLA & CO

WITH THE EXCEPTIONS NOTED ABOVE, THE WITHIN-DESCRIBED GOODS WERE:

Delivered to the Carrier named above, for delivery to the CBP Port Director at destination sealed with CBP seals Nos. or the packages (were) (were not) labeled, or corded and sealed.

Laden on the (Vessel, vehicle, or aircraft) which cleared for on as verified by export records.

RICHARD HASELTON

To the Inspector: The above-described goods shall be disposed of Received from the Port Director of the above CBP location the merchandise described in this manifest for transportation and delivery into the custody of the CBP officers at the port named above, all packages in apparent good order except as noted hereon.

NORTON LILLY

Attorney or Agent of Carrier

VERIFIED TRANSLATION

From: Jose Antonio Fossati [mailto:ja@edaf.net]
Sent: Monday, September 23, 2013 11:46 AM
To: Carlos Matos
Subject: FW: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

José Antonio Fossati
Director general
ja@edaf.net
Grupo Edaf
Jorge Juan 68 - 1ª planta
Telf.: 91 435 82 60
Fax: 91 431 52 81
www.edaf.net

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From: Blanca Insausti <blanca.insausti@spacecargoesport.com>
Organization: Space Cargo Export
Date: Monday, September 23, 2013 5:16 PM
To: Horacio Mallo <almacen@edaf.net>
Cc: Jose Antonio Fossati <ja@edaf.net>, Diego Fossati <dfossati@edaf.net>
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Good morning Horacio,

I pass on comments from the shipping company received today:

According to information provided by the maritime line the container is already in ST Maarten cargo to be inspected and will be departing the next weekend with one day transit. Thus, we hope to have the container in Puerto Rico by Monday, September 30. With regard to when the cargo will be available depends on the corresponding Customs procedures.

I am on top of the shipping line in order that everything follows its due course without problems, as soon as I receive any information I will let you know immediately.

We remain at your disposition for whatever you may require.

Thank you very much,

Regards,

Blanca Julia Insausti
Ocean Dpt.

2013
Stand A.12, Pavillion 1
Salon LIBER, Casa de Campo, Madrid Arena.

De: Blanca Insausti
[mailto:blanca.insausti@spacecargoexport.com]
Enviado el: 16 septiembre, 2013 11:49 AM
Para: 'Horacio Mallo'
CC: 'ja@edaf.net'; 'Diego Fossati'
Asunto: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Good morning,

We have been informed by the shipping line that the container will leave for St. Maarten on September 19, 2013 with one day of transit.

We remain attentive to this movement and will promptly inform you.

We remain at your disposition for whatever you may require.

Thank you very much,

Regards,

Blanca Julia Insausti
Ocean Dpt.

2013
Stand A.12, Pavillion 1
Salon LIBER, Casa de Campo, Madrid Arena.

From: Blanca Insausti
[mailto:blanca.insausti@spacecargoexport.com]
Sent on: 29 agosto, 2013 4:01 PM
For: 'Horacio Mallo'
CC: 'ja@edaf.net'; 'Diego Fossati'
RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref 542001

Good morning,

Attached is a letter from the shipping line with comments regarding the procedure that will be undertaken with the container inside of which your cargo travelled.

We will again write you when they are able to remove the container from San Juan.

We remain at your disposition for whatever you may require.

Thank you very much,

Regards,

Blanca Insausti

VERIFICATION

I, Carlos E. Matos, of legal age, married and an attorney residing in the Municipality of Guaynabo, Puerto Rico, swear under penalty of perjury that the foregoing text is a true and correct translation made by me from Spanish into English of the contents of a document presented before the Commission as Complainant's Exhibit 10.

Executed on: 4.9.2014

Signed: 

VERIFIED TRANSLATION

From: Jose Antonio Fossati [mailto:ja@edaf.net]
Sent: Monday, September 23, 2013 11:46 AM
To: Carlos Matos
Subject: FW: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

José Antonio Fossati
Director general
ja@edaf.net Grupo Edaf
Jorge Juan 68 - 1ª planta
Telf.: 91 435 82 60
Fax: 91 431 52 81
www.edaf.net

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to: Editorial Edaf, S.L., C/ Jorge Juan 68. 28009 Madrid,
Spain.

From: Blanca Insausti <blanca.insausti@spacecargoesport.com>
Organization: Space Cargo Export
Date: Monday, September 23, 2013 5:16 PM
To: Horacio Mallo <almacen@edaf.net>
Cc: Jose Antonio Fossati <ja@edaf.net>, Diego Fossati
<dfossati@edaf.net>
Subject: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Buenos días Horacio,

Le paso comentarios de la naviera a día de hoy:

Según la información que brinda la línea marítima el contenedor ya está en ST. Maarten para ser inspeccionadas las partidas y estará haciendo salida el próximo fin de semana con un día de tránsito. Por lo tanto, esperamos tener el contenedor en Puerto Rico para el lunes 30 de septiembre. En cuanto a cuándo estará la mercancía disponible dependerá del proceso aduanal correspondiente.

Estoy encima de la naviera para que todo siga su curso sin problemas, en cuanto me den algún dato más le informaré de inmediato.

Quedo a su disposición para lo que precise

Muchas gracias

Saludos

Blanca Julia Insausti
Dpto. Marítimo / Ocean Dpt.

2013
Stand A.12, Pabellon 1
Salon LIBER, recinto de la Casa de Campo, Madrid Arena.

De: Blanca Insausti
[mailto:blanca.insausti@spacecargoesport.com]
Enviado el: 16 septiembre, 2013 11:49 AM

Para: 'Horacio Mallo'
CC: 'ja@edaf.net'; 'Diego Fossati'
Asunto: RE: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref
542001

Buenos días,

Nos informa la naviera que el contenedor saldrá hacia St.
Maarten el día 19/09/13 con un día de tránsito.

Estaremos pendientes del traslado y le informaremos
puntualmente.

Quedamos a su disposición para lo que precise.

Muchas gracias

Saludos

Blanca Julia Insausti

Dpto. Marítimo / Ocean Dpt.

2013

Stand A.12, Pabellon 1
Salon LIBER, recinto de la Casa de Campo, Madrid Arena.

De: Blanca Insausti
[mailto:blanca.insausti@spacecargoexport.com]
Enviado el: 29 agosto, 2013 4:01 PM
Para: 'Horacio Mallo'
CC: 'ja@edaf.net'; 'Diego Fossati'
Asunto: DVRU0610860/ Edaf Antillas/ IFSM424555/ Our ref 542001

Buenos días,

Adjunto carta de la naviera con los comentarios sobre el
procedimiento que se va a llevar a cabo con el contenedor en el
que viajaba su carga.

Les volveremos a escribir cuando consigan sacar el contendor de San Juan.

Quedamos a su disposición para lo que precisen

Muchas gracias

Saludos

Blanca Insausti

VERIFIED TRANSLATION

From: Michelle [mailto:m.colon@interworld-customs.com]
Sent: Friday, October 04, 2013 4:19 PM
To: Maritza.Torres@crowley.com
Cc: 'Carlos'; IWCB - Traffic; info@interworld-customs.com
Subject: FW: Aviso de Llegada #424555A

Good afternoon Maritza

Customs has indicated to me that the House that you transmitted has an A added, which has the effect of changing the house # completely for this shipment. Please refer to your documentation and your Authority to Make Entry.

In addition, if you added an A, you did not notify us with sufficient time before the sailing of this shipment to allow us to correct the ISF or transmit. (24 hours before the cargo is loaded destined for an american port)

I currently have an ISF and a live entry under House 424555

Let me know how you are proceeding as it appears to me that if the house changes and the corrections have not been made 24 hours before it arrives the importer's cargo could be subject to a fine for the late filing of the ISF.
Or am I mistaken?

I remain awaiting your comments.

Michelle Colon Nieves
Inter-World Customs Broker
(T) 787-793-4280
(F) 787-793-4282
(M) 787-318-1471
(E) m.colon@interworld-customs.com

From: Torres Rosado, Maritza [mailto:Maritza.Torres@crowley.com]
Sent: Wednesday, October 02, 2013 4:58 PM
To: 'Daileen Davila'
Subject: RE: Aviso de Llegada #424555A

Good Afternoon

We attached the Notice of Arrival for the cargo that came from Valencia and was exported to St. Marteen.
The merchandise has already returned from St. Marteen and is available in our warehouse.

Thanks,

Maritza Torres Rosado
Supervisor, Freight Services | Crowley Caribbean Logistics, LLC
maritza.torres@crowley.com
Office: 787-782-2852 / 787.793.8575 | Fax 787.793.8717

Crowley Maritime Corporation / www.crowley.com

VERIFICATION

I, Carlos E. Matos, of legal age, married and an attorney residing in the Municipality of Guaynabo, Puerto Rico, swear under penalty of perjury that the foregoing text is a true and correct translation made by me from Spanish into English of the contents of a document presented before the Commission as Complainant's Exhibit 11.

Executed on: 4.9.2014

Signed: 

From: Michelle [mailto:m.colon@interworld-customs.com]
Sent: Friday, October 04, 2013 4:19 PM
To: Maritza.Torres@crowley.com
Cc: 'Carlos'; IWCB - Traffic; info@interworld-customs.com
Subject: FW: Aviso de Llegada #424555A

Buenas tardes Maritza

La aduana me indica que el House que transmitieron se le añadió una A, lo que hace que cambie el house # por completo de este embarque. Favor referirse a su documentación y a su Authority to Make Entry.

En adicción, si colocaron una A, no notificaron con tiempo la salida de ese embarque para poder corregir los ISF o transmitir. (24 horas antes de que se monte la carga con destino a puerto americano)

Actualmente tengo un ISF y una entrada viva bajo el House 424555

Déjeme saber cómo están procediendo ya que me parece que si el house cambia y no se hacen las correcciones 24 horas antes de que llegue la mercancía el importador puede estar sujeto a la multa por late filling del ISF.

O estoy equivocada?

En espera de sus comentarios,

Michelle Colon Nieves
Inter-World Customs Broker
(T) 787-793-4280
(F) 787-793-4282
(M) 787-318-1471
(E) m.colon@interworld-customs.com

From: Torres Rosado, Maritza [mailto:Maritza.Torres@crowley.com]
Sent: Wednesday, October 02, 2013 4:58 PM
To: 'Daileen Davila'
Subject: RE: Aviso de Llegada #424555A

Buenas Tardes,
Adjuntamos el Aviso de Llegada de la carga que vino de Valencia y se exporto hacia St. Marteen.
Ya la mercancía regreso de St. Marteen y esta disponible en nuestro almacen.

Gracias,

Maritza Torres Rosado
Supervisor, Freight Services | Crowley Caribbean Logistics, LLC
maritza.torres@crowley.com
Office: 787-782-2852 / 787.793.8575 | Fax 787.793.8717

Crowley Maritime Corporation / www.crowley.com
Int'l. Mercantile Center Building #11 | Guaynabo, P.R. 00970

***Please note that we are offering LCL service to Central America for the following destinations:

CROWLEY CARIBBEAN LOGISTICS, LLC Exhibit 12

PORT OF SAN JUAN
DATE: 12/30/1899
IT #:

AUTHORITY TO MAKE ENTRY

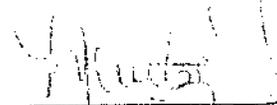
OF MERCHANDISE IMPORTED AT SAN JUAN ON 09/30/2013
VIA MIDAS / AH039R FROM ST MARTEEN
SHIPPED BY INTERMAR SHIPPING CONSIGNEE CROWLEY CARIBBEAN LOGISTICS
ENDORSED TO EDAF ANTILLAS INC
COVERED BY MASTER B/L # CMDUAN1257234 DATED 09/28/2013
AT ST MARTEEN ON FILE WITH DISTRICT OF CUSTOMS AT SAN JUAN
PUERTO RICO

U.S. Customs HBL	Number of Cartons	Weight	Cube
IFSM424555	53	1,202.00 KG	2.64 CBM

Description
BOOKS

Location N670
MBL CMDUAN1257234
Customs HBL IFSM424555

WE, CROWLEY CARIBBEAN LOGISTICS THE CONSIGNEE IN THE ABOVE MENTIONED
DOCUMENT COVERING MERCHANDISE FOR VARIOUS ULTIMATE CONSIGNEES, HEREBY AUTHORIZE
EDAF ANTILLAS INC TO MAKE CUSTOMS ENTRY FOR THE ABOVE
DESCRIBED MERCHANDISE.

BY 
CROWLEY CARIBBEAN LOGISTICS

CROWLEY CARIBBEAN LOGISTICS, LLC

Exhibit 13

INVOICE

Shipper Information: EDITORIAL EDAF SL
JROGE JUAN 30
MADRID
SPAIN

INVOICE #
91448
INVOICE DATE
08/07/2013

Bill To Information: EDAF ANTILLAS INC
1594 AVE PINEIRO
CAPARRA TERRACE
SAN JUAN PR 00921-1413
UNITED STATE OF AMERICA

Origin	Voyage #	HBL #	Container #
VAL	13031	424555	DVRU061086-0

Description:	Amount
BL RELEASE FEE	50.00
SCANNING CHARGE	16.00
CBPA INSPECTION	50.00
FREIGHT COLLECT	885.59
Total Invoice:	\$1,001.59

PAYABLE UPON RECEIPT

P.O. Box 70208, SAN JUAN, PR 00936-8208 | TEL: 787-793-8575 | FAX: 787-793-8717
DIRECTOR NAME: CARLOS RIVERA E-MAIL: CARLOS.RIVERA-MELENDEZ@CROWLEY.COM

CROWLEY CARIBBEAN LOGISTICS, LLC

Exhibit 14

Shipper EDITORIAL EDAF 68 JORGE JUAN VALENCIA,		Sailing Date 09/28/2013	File No. MIS 13126	Bill of Lading No. 424555A
Consignee (complete Name and Address) EDAF ANTILLAS INC 1594 AVE PINEIRO CAPARRA TERRACE SAN JUAN, PR 00921-1413 Tel: 787-707-1792		Export References MBL CMDUAN1257234 Custom HBL IFSM424555		
Notify Party (complete Name and Phone Number) Tel:		<div style="border: 2px solid black; padding: 10px; text-align: center;"> <p>TAX RELEASED</p> <p>CROWLEY CARIBBEAN LOGISTICS, LLC FIANZA# 6685224 S.S. 66-0750319 AVISO DE LLEGADA</p> <p>09/30/2013</p> <p>PAGARA ALMACENAJE DESPUES DE</p> </div>		
Pier/Terminal SAN JUAN				
Vessel MIDAS		Voyage # H039R	Point and Country of Origin FRANCE	
Port of Loading ST MARTIN		Containers #: DVRU061086-0		
Point of Discharge From Vessel SAN JUAN		For Transhipment		

		Particulars Furnished by Shipper		
Marks and Numbers	No. of Packages	Description of Packages and Goods	Weight	Measurement
	53	BOOKS	1,202.00 KG	2.640 CBM

THESE COMMODITIES ARE LICENSED BY THE U.S.A FOR ULTIMATE DESTINATION (DIVERSION CONTRARY TO U.S. LAW PROHIBITED)

FREIGHT AMOUNT	RECEIVED the goods or the containers, vans, trailers, pallet units or other packages said to contain goods herein mentioned, in apparent good order and condition, except as otherwise indicated, to be transported, delivered or transhipped as provided herein. All of the provision written, printed or stamped on either side hereof are part of the bill of lading contract. IN WITNESS WHEREOF, The Master or agent of said vessel has signed bills of lading, all of the same tenor and date, one of which be accomplished, the others to stand void
<p>NON -NEGOTIABLE</p> <p>FOR THE MASTER</p>	

P.O. Box 70208, SAN JUAN, PR 00936-8208 | TEL: 787-793-8575 | FAX: 787-793-8717 | E-Mail: import@prfs.com

CROWLEY CARIBBEAN LOGISTICS, LLC

WAREHOUSE DELIVERY
SJU 132131

EXHIBIT 15

Date: 10/03/2013 Time: 10:40 AM

Clerk: MARITZA TORRES

SHIPPER: EDITORIAL EDAF SL
CROCE JUAN 30
MADRID
SPAIN

CONSIGNEE: EDAF ANTILLAS INC
1594 AVE PINEIRO
CAPARRA TERRACE
SAN JUAN PR 00921-1413
UNITED STATE OF AMERICA

DESCRIPTION: FREIGHT OF ALL KIND

EXPORT REF: HBL NUMBER 424555

PIECES: 53 CUBE: 2.640 CFT

WEIGHT: 2,649.93 LB

REMARKS:

DELIVERED SKIDS:

Skid #
386836
386837

EMPLOYEE: *Orlando Torres*
ORLANDO TORRES

RECEIVED: *Carlos*
MATOS CARLOS
ID: LIC-2056685
10/11/2013 11:42 AM

LIABILITY AND LIMITATION OF DAMAGES

CROWLEY CARIBBEAN LOGISTICS, LLC (CCL, LLC) shall not be liable for any loss or damage to goods handled under this agreement, however caused, unless such loss or damage is a direct result of negligence of CCL, LLC employees. In the event that CCL, LLC is responsible for loss of damage as result of its negligence, CCL, LLC liability for such loss or damage shall be limited to twenty-five cents (\$0.25) per pound.