

## CLAIMS PROCEDURE

VAN DOORN SOUTH AFRICA (PTY) LIMITED is a registered South African Company with company registration number 2000/009036/07.

Incorporated into VAN DOORN SOUTH AFRICA (PTY) LIMITED is:

- VAN DOORN TOP FRUIT AND LIVESTOCK COMPANY (PTY) LIMITED with registration number 2011/109092/07
- VAN DOORN CITRUS (PTY) LIMITED with registration number 2005/025553/07
- VAN DOORN GLOBAL (PTY) LIMITED with registration number 2011/109097/07
- VAN DOORN SERVICES (PTY) LIMITED with registration number 1999/028310/07

Hereafter the above companies will be referred to as VAN DOORN SOUTH AFRICA (PTY) LIMITED.

In order to accommodate claims on quality issues the following procedure should be followed:

### **1. Step 1 - Initial notification:**

Notify VAN DOORN SOUTH AFRICA (PTY) LIMITED in writing within 72 hours after customs clearance of cargo.

Mobile electronic communication is acceptable, as long as it is followed up by an email.

A basic description of the problem, as well as photographic evidence is required.

Please make ensure that the temperature recorder is located and take possession of it. Please take note that NO claims will be entertained if step 1 was not followed.

### **2. Step 2 - Official Notification**

Attach the following information/documents to the notification:

- Container number / VAN DOORN SOUTH AFRICA (PTY) LIMITED invoice number / vessel name
- Description of the problem
- Photographs – showing the problem / brand / carton / PUC code / pallet ID
- Quantification of the problem – % cartons affected / possible monetary value
- Confirm possession of the temperature recorder

### **3. Step 3 - Survey**

- After the official notification a decision can be taken to conduct a survey
- The survey can be done by the receiver, the supplier, or an independent surveyor; depending on our agreement.
- VAN DOORN SOUTH AFRICA (PTY) LIMITED reserves the right to request you to arrange in independent survey on their behalf.
- All cost for inspections and surveys will be for the account of the defaulting party.
- In a case where the suspicion is that the claim can be attributed to a shipping defect i.e temperature deviation, damaged container etc. a joint survey with the shipping line will be required. The following actions need to take place:
  - Consignee to arrange for his survey company to do survey
  - Consignee to inform local shipping office at port of destination of required joint survey
  - Contracting party with Shipping line at port of origin to inform shipping line of required joint survey
  - In cases where the shipment was covered by marine insurance, VAN DOORN SOUTH AFRICA (PTY) LIMITED will inform their insurance company to attend the survey with the aim of a possible marine claim

**Reg no: 2000/009036/07 VAT no: 4410192290 Managing Director: JH Vorster**

#### **LEGAL NOTICE:**

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Contents survey:

- Vessel name
- Date of survey
- Date of arrival at destination port
- Date of customs clearance of container
- Shipment / container number
- Temperature recorder readings
- Photographic evidence
- Carton / brand
- Fruit specifications - varieties / counts
- PUC codes
- Pallet ID/s
- % defects
- All information necessary to clearly identify the problem and deviation

4. All claims to be finalised within 14 working days after receipt of the initial notification.

**Important:**

- No claims will be accepted if the above procedure was not followed.
- No claims will be accepted if the temperature recorder readings are not available
- VAN DOORN SOUTH AFRICA (PTY) LIMITED cannot accept claims if the claim was due to delays in the port of destination
- VAN DOORN SOUTH AFRICA (PTY) LIMITED cannot accept claims if additional storage was applied for and granted.
- The 72 hour window starts from the time that free detention and demurrage expires, or from the time of customs clearance which ever event happens first.

**Conclusion:**

- VAN DOORN SOUTH AFRICA (PTY) LIMITED and their suppliers are not in the business of claims. It would be more acceptable to settle quality issues swiftly and with a market related adjustment.
- We do however accept that in some cases it will be necessary for surveys.
- The mere fact that a quality issue exists, does not automatically change the trading terms to open price or open consignment. Any adjustment to the status of the shipment can only be made on mutual agreement between the supplier, the importer and the exporting agent (VAN DOORN SOUTH AFRICA (PTY) LIMITED). In a case of a dispute, VAN DOORN SOUTH AFRICA (PTY) LIMITED will together with the supplier have the final decision.

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