

A brief summary of the requirements and Tariff Filing Regulations with the U.S. Federal Maritime Commission (FMC)



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1. What is the FMC?

- The **U.S. Government** agency responsible for the oversight and enforcement of regulations governing companies providing **Ocean Shipping** services in the U.S. trade.



The “U.S. trade” is any shipments TO or FROM any other country to the USA that loads or discharges goods from a vessel at a U.S. Port.



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2. What are the FMC requirements?

- All transportation companies, called "common carriers", **must be registered** and issue their Bill of Lading for all shipments.
- Tariff of all "**sell rates**" and related charges must be published or offered in a NRA (NVOCC Rate Arrangement).
- **Bond** (if company is OTI-NVOCC) must be maintained.





3. What is a Tariff filing?

- The **documentation** of the "sell rate" to the Customer and cargo as defined by the House Bill of Lading (OTI-NVOCC) or "Master" (VOCC only).
- Contains a **description of the Goods shipped**, Origin/Destination, Load/Discharge Ports, Rate Basis, Equipment (if applicable) Service and "Sell Rate".
- **Any additional surcharges** or fees related to the transportation.





4. When must filing be done?

- At time of receipt of cargo by you or your agent and must stay active for a minimum of **30 days** from date of filing.
- **New** Commodities and related Rates are **effective upon filing**. An **increase** in the Ocean Rate or related fees to a filing already in effect takes 30 days.
- **New** Origin, Destination, Equipment, Booking Carrier, Rate Basis or **Rate reduction** to existing Commodity are allowed and take effect upon filing.





5. How is the cargo described?

- A common, easy to understand **description of the goods** to be shipped.
- Should match the description on the **Bill of Lading**, Quote or Commercial Invoice.
- Should **NOT** include a “brand” name or the Shipper/Consignee.
- Common carrier can be **fined for misdeclaration of cargo**.





6. Other options to consider when filing.

- **Repeat shipments** for the same filing do not have to be filed again as long as the rate or conditions are unchanged.
- Once a Rate has **expired**, it can no longer be used but can be re-filed on immediate notice.
- **Reference numbers** can be used but are not required. Multiple numbers can be used for the same Rate.





7. Additional factors for Rate filings.

- Use things to like weight, volume, minimum quantity, Booking carrier, vessel name, transit time, even Zip Code to **restrict rate**.
- Make sure **Service Codes** match Bill of Lading like “door”, “rail ramp” and “port”.
- **NRAs** can be used for any shipment instead of a tariff filing. Tariff filings and NRAs can be used at the same time but not for the same shipment.





8. What is a NRA?

- A **"NVOCC Rate Arrangement"** is a written agreement or contract between you and your Customer for the goods shipped with specific wording.
- **Kept in-house**, it takes the place of a Tariff filing, but must be accepted by Customer prior to receipt of cargo and only amended by agreement.
- **Recordkeeping is 5 years** from date of sailing and any charges not included in NRA can not be invoiced or collected.



For questions, please email us at rates@dartmaritime.com or visit the **Digital Learning Library** at www.dartmaritime.com.



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