



# Transport terms and conditions of ERS Railways

Version: 2/2022, dated 01/2022

Validity: 1st of January 2022 until further notice

ERS Railways GmbH | Burchardstrasse 17 | DE-20095 Hamburg | Tel. +49 40 756687-0  
info-de@ersrail.com | www.ersrail.com | VAT: DE309371566 |  
Deutsche Bank | IBAN: DE03692700380082582800 | BIC: DEUTDE 6F692

  
**ERS Railways**

Member of the Hupac Group

Chamber of Commerce Hamburg HRB 157271. All our activities are subject to the "General Terms and Conditions ERS Railways GmbH"

## Content

1.	General .....	3
2.	Service Portfolio .....	3
3.	Offers and quotations .....	3
4.	Seaports Terminals.....	4
5.	Loading Unit.....	4
6.	Liability .....	4
7.	Terms of delivery .....	4
8.	Payment conditions, compensation .....	5
9.	Claims .....	5
10.	Temporary storage at inland rail terminals and alternative locations .....	5
10.1.	Import.....	5
10.2.	Export.....	6
10.3.	Storage outside the rail terminals (including transfer for train departure) .....	9
10.4.	Delivery Stops at German Hinterland terminal .....	9
11.	Road Transportation and additional Conditions .....	9
11.1.	Overtime / Unhitching .....	9
11.2.	Special Equipment.....	10
11.3.	Multistop and Customs Stop.....	10
11.4.	Weighing at Inland Terminal / Determination of Container Gross Weight.....	10
11.5.	Shuntings in the Seaport (per truck).....	11
11.5.1.	Hamburg .....	12
11.5.2.	Bremerhaven .....	12
11.5.3.	Rotterdam .....	12
11.5.4.	Seaport <> Seaport Shunting .....	12
11.6.	Inland Depots and Terminal.....	13
11.7.	Depot for Empty Repositioning .....	13
11.8.	Weight Limitation for Cross Border Transportation .....	14
12.	Heavy Weight Surcharge.....	14
13.	Handling Seaport / Storage Cost Seaport .....	14
13.1.	Handling Seaport.....	14
14.	Container Siegel .....	15
15.	Transportation under Customs Union Transit (Non-Union Cargo).....	15
15.1.	Preparation of T1 Document.....	15
15.2.	Restrictions .....	16
15.3.	Incorrect Data / Non-conform Customs Transit Procedures .....	16
16.	Transportation and Handling of Special Goods (i.e. Dangerous Goods) .....	16
16.1.	Exclusion of Transportation .....	16
16.2.	Temperature controlled Cargo.....	17
16.3.	Dangerous Goods.....	17
16.3.1.	Surcharge for Dangerous Goods Transportation .....	17
16.3.2.	Dangerous Goods Exemption .....	17
16.3.3.	Restriction of Dangerous Goods at the Terminal .....	17
16.4.	Waste.....	18
17.	Booking deadline and booking requirements .....	18
18.	Cancellation Cost and Roll Over Charges .....	18
19.	Cost Adjustment and additional Charges .....	19
20.	Right of Revocation .....	19
21.	Severability Clause .....	19

## 1. General

For all services provided by ERS Railways GmbH the following Terms and Conditions are applicable with validity from 01.01.2022 until further notice.

The service portfolio of ERS Railways GmbH (place of jurisdiction: Hamburg, Germany), includes the container transport via Rail (terminal-terminal-traffic), combined container transport via Rail and Road (including possible door pick up or delivery service by truck) and ancillary services related to above services.

Any deviation to these Transport Terms and Conditions needs to be agreed in written form, especially changes made by the customer shall only be valid if these are expressly agreed by ERS Railways GmbH in writing. Current version is always available under following [link](#).

The Transport Terms and Conditions are an appendix to the [General Terms and Conditions of the ERS Railways GmbH](#). Unless otherwise agreed, all offers for truck transportation include the applicable national toll fee and CO2 tax (currently valid data).

ERS Railways GmbH reserves the right to make accordingly updates and adjustments during the year, that are associated with mandatory legal national regulations, such as amendment of the CO2 tax, sales tax, etc.

## 2. Service Portfolio

Combined Transport Rail / Road, including door pick up or delivery services by truck in the inland (CT)  
 Transportation via Rail (Terminal-Terminal-Traffic (CTR))  
 Terminal & Depot services

## 3. Offers and quotations

The freight rate offers are based on presently valid tariffs and all other applicable costs. The offers are subject to operational feasibility and are not binding until receipt of your written approval prior to transportation, latest until end of the given validity period.

All rates are offered in Euro and are subject to local VAT and/or other local applicable taxes.

The contracting parties commit themselves and all their employees to treat all documents as strictly confidential. Disclosure to third parties, also in extracts, is not permitted and entitles to cancel the offer with immediate effect.

<b>The freight rate offer includes the following services:</b>	<b>CT</b>	<b>CTR</b>
Rail transport (oneway) and empty equipment to inland terminals (round trip)	✓	✓
Container handling on/off the rail wagon at inland terminals	✓	✓
Truck transportation between loading point and empty depot or inland terminal (for invoicing, the postal code of the loading place is decisive)	✓	
Door delivery on standard chassis (FOT)	✓	
Issue of T1 document (see paragraph 15)		

#### 4. Seaports Terminals

Following seaport terminals are serviced directly per rail by ERS Railways GmbH (subject to changes in the direct service of the individual seaport terminals during the year):

##### Port of Hamburg

Eurogate Container Terminal (HEK, EKOM)  
 Container Terminal Burchardkai (CTB)  
 Container Terminal Altenwerder (CTA)

##### Port of Bremerhaven

CT 1 – 4

##### Port of Rotterdam

ECT Delta  
 Euromax  
 Hutchison Ports Delta II \*

\* Contractual agreement to release containers for direct rail pick up / delivery between carrier and Hutchison Ports Delta II is obligatory. Please check in advance. In case of missing contractual agreement, containers can be picked up / delivered by truck from / to Hutchison Ports Delta II terminal. Additional charges for truck shunting will apply.

Servicing of further terminals within the seaports can be offered by truck shunting. For further details and charges please refer to 11.5.

#### 5. Loading Unit

<b>Standard loading unit</b>	20'ft / 40'ft	According to quotation
<b>Special loading unit</b>	45'ft	Surcharge on 40'ft price of 90 EUR/unit
	Open Top Equipment	only when "in gauge"
	Other loading units	on request

A valid CSC plate and craneable condition of the loading unit at all terminals are mandatory. Additional charges (such as special handling at terminal) will be charged as per disbursement. Liability for damaged tarpaulin of Open Top Equipment will not be accepted.

#### 6. Liability

The liability is based on the General Terms and Conditions of the ERS Railways GmbH always in its latest version and can be found under following [link](#).

#### 7. Terms of delivery

Terms of delivery or fixed appointments cannot be guaranteed. This would imply unobstructed carriage conditions on rail and road. Occurring costs for demurrage, detention or port storage at seaport or inland terminals will not be taken on account of ERS Railways GmbH.

## 8. Payment conditions, compensation

Unless otherwise agreed, all ERS Railways GmbH invoices are to be paid within 15 days counting from invoice date without discount or deduction. Payment through setting off (compensation) is not permitted, counter invoices will not be accepted by ERS Railways GmbH. In case of late payment ERS Railways GmbH is entitled to charge interest for default of 9 %.

## 9. Claims

Any claim regarding invoiced costs can only be accepted within a range of six weeks as from invoice date. On request all relevant documents need to be provided to ERS Railways GmbH to verify the complaint. Please address your claim enquiry to [disputes@ersrail.com](mailto:disputes@ersrail.com)

## 10. Temporary storage at inland rail terminals and alternative locations

### 10.1. Import

The bottleneck regarding available terminal capacities do increases continuously. Due to this, capacities for short time storage at the inland rail terminals are limited. Please organize the prompt pick up of your container(s) after train arrival. The ERS Railways customer service teams will be glad to inform you about possibilities best suitable for your requirements.

After the storage free times of the terminals, following costs for temporary storage apply for empty and loaded container(s) (no dangerous goods):

- „Handling cost“ per unit and commenced storage
- „Storage cost“ per TEU und commenced calendar day

The terminals in Ulm, Kornwestheim, Nuremberg, Singen and Munich define a deadline for the temporary storage. When the deadline is exceeded, container will be transferred to a separated storage area. The resulting cost for „transfer extension facility“ will be invoiced to you by ERS Railways GmbH.

<b>Import temporary storage</b> (A = Departure day of train)	<b>Free time</b>	<b>Additional handling charges</b> (applicable after free time)	<b>Storage charges per calendar day</b>	<b>Additional charges for transfer to separate extension facility</b> (as from indicated A+Day)	<b>Increased storage charges per calendar day</b> (as from indicated A+Day)
Augsburg (DUSS)	A+1	26 € / LE	6 € / 20' 9 € / 40'		As of day A+4 10 € / 20'; 17 € / 40'
Dortmund (CTD)	A+2	35 € / LE	8 € / TEU		
Frankfurt/Main (DUSS)	A+1	26 € / LE	8 € / 20' 12 € / 40'		As of day A+4 16 € / 20'; 28 € / 40'
Kornwestheim (DUSS) München (DUSS+CDM)	A+1	26 € / LE	16 € / 20' 24 € / 40'	As of day A+4 55 € / LE	As of day A+4 24 € / 20'; 39 € / 40'
Mannheim (Contargo)	A+2	30 € / LE	4 € / LE		
Nürnberg (TRICON)	A+1	26 € / LE	6,20 € / TEU		As from day A+4 to A+8: 71,40 € / 20'; 91,80 € / 40' As of day A+9: 51 € / TEU
Regensburg (CTR)	A +2	26 € / LE	8 € / 20' 12 € / 40'		As of day A+4 16 € / 20'; 28 € / 40'
Singen (TSG)	A +1	28,50 € / LE	12 € / 20' 24 € / 40'		
Ulm (DUSS)	A +1	26 € / LE	16 € / 20' 24 € / 40'	As of day A+2 55 € / LE	As of day A+4 24 € / 20'; 39 € / 40'

#### Remarks:

Container loaded with dangerous goods is not allowed to be stored and have to be picked up immediately after train arrival. If container is not picked up immediately after train arrival, default charges according to 16.3.3. will be invoiced

Container delivered to the DUSS inland terminals (Augsburg, Frankfurt/Main, Kornwestheim, München, Ulm) after 18:00 and on Saturdays and national holidays will be invoiced as if container would arrive on the following working day. For all other terminals this regulation is explicitly not applicable.

At Tricon Nuremberg Sundays are free of charge.

Storage of container is always subject to space.

ERS Railways GmbH reserves the right to transfer units to a nearby storage area or depot (as per 10.3.), especially in case of capacity bottleneck at the inland rail terminals.

Above mentioned storage charges remain unaffected.

#### 10.2. Export

The bottleneck regarding available terminal capacities do increase continuously. Due to these capacities for short time storage at the inland rail terminals are limited. Please organize the delivery of your container(s) within the storage free time shortly before the delivery deadline of the according train. The ERS Railways customer service teams will be glad to inform you about possibilities best suitable for your requirements.

The possibilities and regulations for short time storage depend on the inland terminal.

Currently following varieties apply:

The delivery of container is only possible within the storage free time.

The delivery of container before the storage free time is possible, storage charges will apply.

The delivery of container before the storage free time is possible to separated storage areas only, additional charges apply.

Subject to capacity availability following costs for temporary storage apply for empty and loaded containers (no dangerous goods):

- „Handling cost“ per unit and commenced storage
- „Storage cost“ per TEU und commenced calendar day

The terminals in Ulm, Kornwestheim, Nuremberg and Munich defined a deadline for the temporary storage. When the deadline is exceeded, containers will be transferred to a separated storage area. The resulting costs for „transfer extension facility“ will be invoiced to you by ERS Railways GmbH.

Delivery and temporary storage of container is always subject to space. Stops of delivery on short notice cannot be excluded.

<b>Export temporary storage</b> (A = Departure day of train)	<b>Free time</b>	<b>Additional handling charges</b> (applicable after free time)	<b>Storage charges per calendar day</b>	<b>Additional charges for transfer to a separate extension facility</b> (as from indicated A+Day)	<b>Increased storage charges per calendar day</b> (as from indicated A+Day)
Augsburg (DUSS)	A+1	26 € / LE	6 € / 20' 9 € / 40'		As of day A+4 10 € / 20'; 17 € / 40'
Frankfurt/Main (DUSS)	A +1	26 € / LE	8 € / 20' 12 € / 40'		As of day A+4 16 € / 20'; 28 € / 40'
Kornwestheim (DUSS)	A +1	26 € / LE	16 € / 20' 24 € / 40'	55 € / LE As of day A+2	As of day A+4 24 € / 20'; 39 € / 40'
München (DUSS)	A +1	26 € / LE	16 € / 20' 24 € / 40'	55 € / LE As of day A +2	As of day A+4 24 € / 20'; 39 € / 40'
München (CDM)	A+1	26 € / LE	16 € / 20' 24 € / 40'	55 € / LE As of day A +2	As of day A+4 24 € / 20'; 39 € / 40'
Mannheim (Contargo)	A+2	30 € / LE	4 € / LE		
Nürnberg (TRICON)	A+1	26 € / LE	6,20 € / TEU		As from day A+4 to A+8: 71,40 € / 20'; 91,80 € / 40' As of day A+9: 51 € / TEU
Regensburg (CTR)	A+2	26 € / LE	8 € / 20' 12 € / 40'		As of day A+4 16 € / 20'; 28 € / 40'
Singen (TSG)	A+2	28,50 € / LE	12 € / 20' 24 € / 40'		
Ulm (DUSS)	A +1	26 € / LE	16 € / 20' 24 € / 40'	55 € / LE As of day A+2	As of day A+4 24 € / 20'; 39 € / 40'

#### Remarks:

Container loaded with dangerous goods is not allowed to be stored and are only allowed to be delivered on the day of train departure. More information regarding dangerous goods could be found under article 16.2 of these conditions.

Storage of containers is always subject to space.

ERS Railways GmbH reserves the right to transfer units to a nearby storage area or Depot (as per 10.3.), especially in case of capacity bottlenecks at the inland rail terminals.

Above mentioned storage charges remain unaffected.



### 10.3. Storage outside the rail terminals (including transfer for train departure)

ERS Railways offers the storage outside the rail terminals at following locations. Our offer is subject to space and only valid with a booking in combined transport (including trucking services).

Inlandsterminal Terminal	Handling and transfer per unit (one/off)	Days free of charge incl. day of arrival (per unit and calendar day)	Storage charges (per calendar day)	Dangerous Goods
Augsburg	120 EUR/unit	10 days	6 EUR/ TEU	No storage possible
Kornwestheim	229 EUR/unit	5 days	7 EUR/ TEU (from 10. Day 14 EUR)	
Ulm	115 EUR/unit	5 days	6 EUR/ TEU	
München	115 EUR/unit	10 days	6 EUR/ TEU	
Nürnberg	115 EUR/unit	10 days	6 EUR/ TEU	
Mannheim	115 EUR/unit	10 days	6 EUR/ TEU	On request

- The charges for handling and transfer per unit include container moves and transfer per truck to the rail terminal before train departure.
- Calculation of storage times per commenced calendar day.
- The storage of units is always subject to space.

### 10.4. Delivery Stops at German Hinterland terminal

In peak season the German Hinterland terminals could announce a delivery stop according to their side conditions. ERS Railways GmbH is not liable for any costs arising out of such a delivery stop. Those additional costs will be charged according to point 10.3. The ERS Railways Customer Service Teams are always at your disposal to support you in finding solutions.

## 11. Road Transportation and additional Conditions

### 11.1. Overtime / Unhitching

For combined transports rail / road the free time of two hours for trucking per standard chassis will apply. The calculation starts with the beginning of (un-) loading, at the latest with agreed (un-) loading time at premise.

- Waiting time per each commenced half an hour is 50 EUR
- Free waiting times at depot are 30 minutes
- Waiting time cost for special equipment on request

In case the truck chassis is required to stay at the premise of (un-) loading (unhitch chassis), ERS Railways GmbH will charge a second truck trip. Applicable charges will be available upon request.

- Free time will be 30 minutes.
- Chassis rental will be free for 24 hours, thereafter per commenced 24 hours additional 50 EUR

ERS Railways GmbH will not accept waiting times incurred by third parties when delivering the containers to the respective rail terminals.

### 11.2. Special Equipment

Tipping chassis will apply additional cost (20'ft up to 26 mt) 75 EUR

The free waiting time for Special Equipment is limited to 30 Minutes.

Further Special Equipment, i.e. Sideloader, 45'ft chassis, etc. and their free times available on request.

ERS Railways GmbH also offer Reefer-Container Transportation. However, ERS Railways GmbH is not taking any liability for possible claims or damages which are a result of not plugging the units.

More details and prices to plugging options at the terminals and/or during inland trucking we can provide on request.

### 11.3. Multistop and Customs Stop

The free time for multistop or customs stop is 30 minutes. Thereafter every commenced half an hour will be charged as per paragraph 11.1.

The additional charges for a multistop / customs stop will be calculated on base of the additional kilometres of the trucking part caused from the extra stop:

Distance terminal – multistop – Loading address – terminal minus distance terminal – unloading address in truck roundtrip.

Additional kilometers	Germany / Austria	Switzerland
< 10 km	50 EUR	60 EUR
< 25 km	80 EUR	100 EUR
< 50 km	110 EUR	140 EUR
< 100 km	180 EUR	210 EUR
< 150 km	255 EUR	295 EUR
< 200 km	330 EUR	385 EUR

Longer distances available upon request. Additional distance is calculated based on PTV Map & Guide 2021

### 11.4. Weighing at Inland Terminal / Determination of Container Gross Weight

ERS Railways offers weighing of container in the hinterland terminals. This could be only offer, when also the trucking part is done by ERS Railways. Furthermore, the dedicated order for the weighing is obligatory.

Terminal	Additional costs for weighing
Augsburg	95 EUR/unit
Frankfurt/Main	90 EUR/ unit
Kornwestheim	110 EUR/unit
Mannheim	105 EUR/unit
München	90 EUR/unit
Nürnberg	95 EUR/unit
Regensburg	90 EUR/unit
Singen	90 EUR/unit
Ulm	85 EUR/unit

**Included service as follows:**

- Drive to weighing station, multistop, weighing process to determine container gross weight and the documentation.
- 30 minutes free time per operation, thereafter waiting time according to point 11.1 will apply.

Following options for container weighing – depending on inland terminal and service partner – are offered:

- per Reachstacker with integrated scale (lift off the container from chassis)
- per truck scale (weighing of chassis / loaded container minus empty chassis weight respectively the difference of weighing trailer truck/loaded container minus trailer truck empty).

The choice about service providers for weighing will be determined by ERS Railways GmbH.

Container weighing is subject to operational feasibility. The change of the conditions is explicitly reserved in accordance for any process optimization.

All weight specifications are not guaranteed. Additional cost, i.e. due to delays, waiting times at weighing stations, rail dead freight, additional drive to weighing stations caused by limited opening times / highly frequented weighing stations, etc. will be charged and are to be borne by the ordering party.

ERS Railways is not liable for circumstances resulting in non-loading in seaports, problems / delays in transmission of weights, deviations / uncertainties regarding verified gross mass of the container, mistakes in documentation and any other problems in the process.

In case capacities of weighing stations are not sufficient and alternative weighing stations have to be used, all resulting additional costs will be charged.

**11.5. Shuntings in the Seaport (per truck)**

Please note that terminal handling costs at the rail terminals are generally included. However, the handling costs are exclusive of seaport handling and depot handling costs, which will be invoiced in accordance with point 13.

### 11.5.1. Hamburg

Shunting within Hamburg port area *	125 EUR/unit
Shunting CCIS	145 EUR/unit
Shunting within Hamburg “city limit” **	160 EUR/unit
Shunting of loaded (uncleaned) tank containers (IMO)	220 EUR/unit
Shunting of or emptied (uncleaned) tank containers (IMO)	165 EUR/unit
Shunting from/to CPA/Phyto Sanitary Control/VET (incl. 30 min. free time)	225 EUR/unit
Shunting for customs examination (only trucking, excl. extra costs)	285 EUR/unit

* Hamburg port area	
Braun	Krohn & Schröder
CMR	Medrepair
CST	SWT (C. Steinweg / Süd-West-Terminal)
CTT	UCS
DCP	Unikai
Ernst Depot	Unitainer
HCCR	United
HCS	WCS
HLS	Wallmann & Co. Terminal
** Hamburg “city limit”	
CDR	Rexin / RCS
DUSS Billwerder	Logoo Logistics
Hanse Repair	

Any other Depot/Terminal facility upon request.

### 11.5.2. Bremerhaven

Shunting within Bremerhaven (incl. Handling)	290 EUR/unit
Shunting from/to CPA/Phyto Sanitary Control/VET (incl. 30 min. free time)	450 EUR/unit

### 11.5.3. Rotterdam

Shunting within the port of Rotterdam	190 EUR/unit
Shunting dangerous goods (IMO) within the port of Rotterdam	195 EUR/unit
Shunting from/to Kramer City (via RSC incl. handling)	85 EUR/unit
Shunting from/to RST South (via RSC incl. handling)	85 EUR/unit
Shunting from/to Kramer North (via RSC incl. handling)	105 EUR/unit

### 11.5.4. Seaport <> Seaport Shunting

Shunting between Bremen and Bremerhaven	225 EUR/unit
Shunting between Wilhelmshaven and Bremerhaven	275 EUR/unit
Shunting between Hamburg and Bremerhaven	380 EUR/unit
Shunting between port of Rotterdam and port of Antwerp (incl. Handling)	335 EUR/unit

## 11.6. Inland Depots and Terminal

For container pick up or drop off, free time of 30 minutes at Depot will apply. Thereafter charges according to point 11.1 will be invoiced.

For orders of combined transport road / rail (inland trucking done by ERS Railways) via the according rail terminals, the pickup / drop off at the inland depots will be charged per container as follows:

Terminal	Pick up / drop off depot	
Augsburg	Kloiber, Augsburg	0 EUR
Frankfurt/Main	Contargo-F-Ost	0 EUR
	DBI F-Ost	
	Aschaffenburg	80 EUR
	Contargo F-West (Industriepark Höchst)	50 EUR
	Ginsheim-Gustavsburg	120 EUR
	Mainz	120 EUR
Kornwestheim	DBI Kornwestheim	0 EUR
	Deisser, Stuttgart	40 EUR
	DP World, Stuttgart	40 EUR
Mannheim	Contargo, Ludwigshafen + Mannheim	0 EUR
	DBI Mannheim	
	DP World Mannheim	
	KTL Ludwigshafen	
München	CLM, Parsdorf	0 EUR
	CDM München	
	Kloiber München	
Nürnberg	CDN Nürnberg	0 EUR
	DBI Nürnberg	
Regensburg	DBI Regensburg, CTR	0 EUR
Singen	TSG	0 EUR
Ulm	DBI Ulm	0 EUR

Any other terminal and depot facility upon request.

ERS Railways GmbH will not be liable for type and condition of the released equipment. The container pick up / drop off requires a correct release / registration of the equipment at the depot or rail terminal by the carrier. ERS Railways GmbH will not accept any additional costs occurring due to lack of necessary equipment condition, wrong equipment and / or refusal of the equipment by the loading premise.

Please be aware that given free waiting times could not be combined with each other.

## 11.7. Depot for Empty Repositioning

For the empty container repositioning (only in connection with the rail transport done by ERS Railways), the following shunting cost will apply:

Terminal	Übernahme- / Abgabedepot	
Kornwestheim	DBI Kornwestheim	80 EUR
	DP World, Stuttgart	100 EUR
	Deisser, Stuttgart	100 EUR
München	Kloiber München	80 EUR
	CDM Container Depot	90 EUR
Nürnberg	CDN Nürnberg	60 EUR

	DBI Nürnberg	
Ulm	DBI Ulm	60 €

Charges for empty positioning for other depots than above mention, available upon request.

### 11.8. Weight Limitation for Cross Border Transportation

Charges for Customs Stop at the German/Switzerland Border are not included in the freight offer. Please mention the relevant border crossing in your booking details. The calculated rates are always based on the shortest route and already have a defined border crossing. In case the instructed border crossing through your booking is deviating, then additional charges may occur as per Multistop calculation. Please refer to point 11.3.

In case of border crossing traffics from / to Germany via Austria or Switzerland the limited gross weight per container is  $\leq 25$  mt. Exceptions to this are transportation via the Singen Rail Terminal with the max. container weight limitation of  $\leq 30.5$  mt.

### 12. Heavy Weight Surcharge

For the transport of heavy weight container exceeding the categorized gross weights as per the quotation offer, ERS Railways GmbH will charge the heavy weight additional surcharge as follows:

- Rail as from 30,5 mt gross, the heavy weight surcharge 100 EUR/unit
- Truck as from 30,5 mt gross, the heavy weight surcharge on request

**Exceptions:** Export transports on the following lanes:

Kornwestheim to Hamburg	40' Container	60 EUR/unit
Kornwestheim to Rotterdam	40' Container	60 EUR/unit
München to Rotterdam	per unit	60 EUR/unit

### 13. Handling Seaport / Storage Cost Seaport

#### 13.1. Handling Seaport

Additional handlings at the seaport rail terminals will apply when container is picked up or delivered in customer's care, then additional handling cost conditions will apply.

If container is already picked up / dropped off and need to be picked up / dropped off again (handling of truck-terminal-truck), the handling charges and storage cost will differ from above mentioned conditions. These costs will be charged as per disbursement.

#### Hamburg

Terminal Handling KTH	45 EUR/unit
Terminal Handling Eurokombi	45 EUR/unit
Terminal Handling Burchardkai	80 EUR/unit

#### Bremerhaven

Terminal Handling Bremerhaven	230 EUR/unit
-------------------------------	--------------

#### Wilhelmshaven

on request

#### Rotterdam\*

Terminal Handling ECT Delta / Hutchison Ports Delta II / Euromax	80 EUR/unit
Terminal Handling RSC	50 EUR/unit

\*If container is delivered independently to the seaport terminals, the transport company must book a time slot in advance at the relevant terminal (via Portbase = pre-announcement). This is independent of the rail loading planned by ERS Railways GmbH. The resulting additional costs will not be covered by ERS Railways.

### 13.2. Storage Charges Seaport

Containers will be subject to storage charges if they will be delivered before or picked up not within the granted storage free period. Caused costs will be charged as per quay tariff.

To guarantee the planned train departure, import containers shall be delivered to the rail terminal one day prior to departure. The ERS Railways Customer Service Teams provide details on request.

#### Except for Rotterdam:

Terminal Storage charges per day

#### Rotterdam Maasvlakte exclusieve of RWG

- |                                |                    |
|--------------------------------|--------------------|
| ▪ Day 1 (incl. day of arrival) | free of charge     |
| ▪ Day 2 to 7                   | 7 EUR/TEU per day  |
| ▪ Day 8 to 14                  | 14 EUR/TEU per day |
| ▪ Thereafter per day           | 26 EUR/TEU per day |

#### Rotterdam RSC

- |                                     |  |
|-------------------------------------|--|
| ▪ Day 1 to 4 (incl. day of arrival) | free of charge   |
| ▪ Day 5 to 6                        | Handling Cost of 16 EUR plus 10 EUR/20'ft and 17 EUR/40'ft per day |
| ▪ Thereafter per day                | 20 EUR /20'ft and 35 EUR /40'ft per day                            |

#### For Dangerous Goods, extra charges at RSC Terminal are applicable:

- |                      |                     |
|----------------------|---------------------|
| ▪ Day 7 to 10        | 15 EUR/TEU per day  |
| ▪ Day 11             | 55 EUR/TEU per day  |
| ▪ Thereafter per day | 110 EUR/TEU per day |

Storage of dangerous goods is limited to max 13 days.

If container is already picked up / dropped off and need to be picked up / dropped off again (handling of truck-terminal-truck), the handling charges and storage cost will differ from above mentioned conditions. These costs will be charged as per disbursement.

### 14. Container Siegel

For the sealing of export containers, ERS Railways will charge 15 EUR/unit.

### 15. Transportation under Customs Union Transit (Non-Union Cargo)

#### 15.1. Preparation of T1 Document

##### Hamburg and Bremerhaven

Manual creation of T1 documents

- |  |                    |
|--|--------------------|
| ▪ T1 document per container (max. 10 positions)                  | free of charge     |
| ▪ Every additional T1 document per container (max. 10 positions) | 30 EUR/document    |
| ▪ Any additional position  | 2 EUR per position |

## Rotterdam \*

Manual creation of T1 documents

- |  |                    |
|--|--------------------|
| ▪ T1 document per container (max. 10 positions)                  | 30 EUR/document    |
| ▪ Every additional T1 document per container (max. 10 positions) | 30 EUR/document    |
| ▪ Any additional position  | 2 EUR per position |

\* The above standard rates for the preparation of T1 in Rotterdam do not apply to special excisable goods (i.e. alcohol and alcohol-containing goods, mineral oil and fuels, tobacco products, fruit juice and mineral water).

For the preparation of T1 Documents for shipments with origin or destination in Switzerland (T1 connection), please contact the ERS Railways Customer Service Teams.

For the issuing of a T1 Document ERS Railways GmbH requires all relevant data in time.

The T1 Document is valid for seven calendar days via Hamburg and Bremerhaven and 20 days via Rotterdam, valid from date of train loading. The customer is responsible for the timely closure of the T1 Document.

### 15.2. Restrictions

The transportation of the following goods is not allowed if customs union transit procedures take place:

- Live animals, meat and side products of slaughter, fish/shellfish, milk and milk products, bananas and sugar as well as tobacco and cigarettes.

If cargo will be not transported under customs control but as customs union goods, ERS Railways GmbH is able to forward named goods as well.

Goods to be controlled by authorities according to §55 passage 1 no. 3 LFGB (German Food and Feed Code, i.e. goods like palm oil, nuts, mushrooms, spice powder) can be transported as Non-Union Cargo, only if special regulations will be followed accordingly.

The ERS Railways Customer Service Teams will inform you regarding your individual request.

### 15.3. Incorrect Data / Non-conform Customs Transit Procedures

In case of missing EX1 Document at Terminal Hutchinson Ports Delta II or APMT II in Rotterdam or missing delivery reference additional cost of EUR 350/unit will be charged to you due to the fact that additional workload will be caused, i.e. discharging / loading via alternative terminal and shunt to APMT after clearance.

In case of incorrect data within the T1 Document or discrepancies in customs clearance, ERS Railways will support to clarify the incident.

For the administrative effort (i.e. communication with German customs authorities), ERS Railways will charge a lump sum of 60 EUR per case.

Possible additional customs costs as dunning charges, caution fines or tax assessments will be charged as per disbursement and are not included in the lump sum rate.

## 16. Transportation and Handling of Special Goods (i.e. Dangerous Goods)

### 16.1. Exclusion of Transportation

Any weapons and ammunition may not be carried by ERS Railways GmbH.



## 16.2. Temperature controlled Cargo

We would like to point out that the delivery depot or the terminal involved and / or the shipper is responsible for setting the intended transport temperature. ERS Railways will therefore not accept any liability for sensitive or perishable goods unless we caused the damage intentionally or through gross negligence. The freight payer is obliged to specify a tolerance range for the advised temperature.

For intermodal transportation, refrigerated containers can be transported with active cooling and temperature monitoring. Surcharges for the transport of actively cooled cargo could be provided after feasibility check and availability on request.

Please note that there may be additional costs for the handling of reefer containers, which will be charged accordingly by the sea or inland terminal for the provision of reefer plug-in at terminal as well as the operational handling to ensure the continuous cold chain of your cargo. Further information and surcharges are available on request.

## 16.3. Dangerous Goods

The dangerous goods data must be available to ERS Railways GmbH upon booking in timely manner. Otherwise, ERS Railways reserves the right to pass on costs incurred due to non-loading to you.

### 16.3.1. Surcharge for Dangerous Goods Transportation

In combined transport\* (incl. road transport), additional cost of EUR 60/ unit will apply.

\* Exception: Containers with start / destination Rotterdam RSC Terminal are subject to an additional dangerous goods surcharge of € 15 / container.

### 16.3.2. Dangerous Goods Exemption

Hazardous cargo of the following classes are not accepted for transport per rail:

Class 1 explosives of compatibility group A and fireworks

Class 4.1 self-reactive substances which require temperature control

Class 4.2 spontaneously flammable substances

Class 5.2 organic peroxides requiring temperature control and oxidizing substances

Class 6.2 infectious substances

Class 7 radioactive substances.

UN0020, 0021, 0074, 0113, 0114, 0129, 0130, 0135, 0224, 0473, 1798, 2455, 3097, 3100, 3111-3120, 3121, 3127, 3133, 3231-3240, 3255, 3533, 3534

### 16.3.3. Restriction of Dangerous Goods at the Terminal

The short time storage of IMO container is strictly limited to 24 hours. IMO containers have to be delivered to the terminal on day of train departure respectively picked up at the terminal on day of train arrival within the opening hours.

In case containers are located at the terminal after 24 hours following penalties will apply\*:

Day 1	25 EUR/unit
Day 2	55 EUR/unit
Thereafter per day	100 EUR/unit

\*Those charges will be invoiced additional to storage charges (see point 10), handling cost and possible shunting cost.

#### **16.4. Waste**

Waste corresponding to the so called „Green List“ can be transported. The relevant information and documentation have to be made available to ERS Railways GmbH within order transferring to ERS Railways, respectively prior the start of transport.

Surcharge for waste transportation will be 30 EUR/unit.

Waste classified as hazardous cargo according to the list of wastes (AVV) / § 48 of the recycling management and waste law (KrW-AbfG) cannot be transported by ERS Railways GmbH

The ERS Railways Customer Service Teams will check transportation option based on the waste code number.

#### **17. Booking deadline and booking requirements**

##### **Export**

- Hamburg and Bremerhaven: in general, previous day to loading day until 15:00 h \*
- Rotterdam: in general, one day bevor loading day until 11:00 h \*

##### **Import**

- Hamburg and Bremerhaven: in general, previous day to loading day until 13:00 h \*
- Rotterdam: in general, one day bevor loading day until 10:00 h \*

\* Booking deadline for dedicated trains may vary according to handling slots of the trains at the terminals. Details will be offered on request.

Exceptions need to be agreed with the ERS Railways Customer Service in advance.

All import units need to be cleared with all document present at terminal (respectively for Rotterdam traffic in Portbase) previous day to planned departure. All relevant data to transport the containers, i.e. PIN, customs data etc. must be available without further request one day bevor departure. All charges arising due to missing or incorrect data will be charged separately. Affected units will be postponed to the next available departure.

The transport document for dangerous goods must be received by ERS latest at data closing for import. For export of dangerous good cargo, the documents should be made available upon delivery to the inland terminal. Such document can take any form but must contains all the information required by the provisions of Chapter 5.4.1.1 RID in the currently valid version. For the modes of transport by road, rail and inland waterway the permission to proceed according to the regulations of the IMDG Code applies in the pre- and on carriage respectively to and from the seaport. If the applied regulations of the IMDG Code deviate from the regulations of ADR / RID / ADN, this is to be noted in the transport document as "Carriage according to paragraph 1.1.4.2.1".

#### **18. Cancellation Cost and Roll Over Charges**

ERS Railways reserve the right to apply an administration fee of 30 EUR for multiple updates / adjustments in existing bookings. Changes or cancellations one day prior to loading day (independent if by rail or by truck) until 08:00 h are free of charge. All kind of changes and / or cancellations after deadline are charged as follows:

In case of any changes to the seaport terminal after delivery at the inland terminal ERS Railways GmbH will charge EUR 25/unit.

In case of a non-loading on rail, ERS Railways GmbH will charge dead freight cost of EUR 105/TEU.

In case of a cancellation the truck delivery or pick up after 08:00 h for loading on the following working day, ERS Railways GmbH will charge dead freight cost as per individual notification.

Reasons to apply above mentioned charges as follows, but not limited to those:

- Non loading at day of departure due to missing or incorrect data o
- Non loading due to following reasons:
  - Missing physical delivery
  - Damaged unit
  - Missing release or commitment note
  - Customs clearance problems or incorrect accompanying documents
- Change of booking or relevant changes of the order details after booking deadline

### **19. Cost Adjustment and additional Charges**

ERS Railways GmbH reserves the right to introduce surcharges based on additional fees according to the energy price development, changes by legislation and the terminal / infrastructure bottlenecks etc. This does not exclude any other changes that might impact the cost development.

Possible extra costs resulting from safety arrangements (i.e., subsequent attachment of dangerous goods labels or security seals at the terminal to achieve possibility of train transportation) will be charged as per disbursement without any further notice.

### **20. Right of Revocation**

The offers and quotations of ERS Railways GmbH do not consider possible additional costs based on legal decisions and regulations. ERS Railways GmbH reserves the right to cancel the offer in case such changes make it necessary.

### **21. Severability Clause**

In case one of the clauses is invalid, this does not have any impact on the other clauses. The law which is as close as possible to the volition of the party will be considered as substitution to the invalid clause.