Handling transport damage:

Dear Customer

Depending on which Incoterm is selected, you can identify whose responsibility it is to cover transport insurance.

Delivery according to Incoterms 2010® and 2020®

FCA – named place
The **buyer** becomes responsible as soon as the goods are delivered to the first carrier at the named place.
FOB – Vessel name (only for sea freight)
The **buyer** becomes responsible as soon as the goods are on board the Vessel.
CFR – named port of destination
The **buyer** becomes responsible as soon as the goods are loaded on the first carrier.
CPT – named place of destination
The **buyer** becomes responsible as soon as the goods are loaded on the first carrier.
CIF – named port of destination (only for sea freight)
The **buyer** becomes responsible as soon as the goods are loaded on the first carrier. ***Contract of insurance (procured by the seller)*** entitles the buyer to claim directly from the insurer.
CIP – named place of destination
The **buyer** becomes responsible as soon as the goods are loaded on the first carrier. ***Contract of insurance (procured by the seller)*** entitles the buyer to claim directly from the insurer.
DAP – named place of destination
The **seller** is responsible until the goods are ready for unloading at agreed place. Unloading goods from i.e. truck is to be arranged by buyer. From point of unloading the buyer takes responsibility.

In case you have a claim to make please follow the instructions below.

Obvious transport damage

1. Record the type of damage (e.g. packaging defective, housing dented...) on the consignment note.

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Your contact I Suzanne Göttmann I T +41 32 617 45 36 I F +41 32 617 47 36 I suzanne.goettmann@agathon.ch

2. Have the delivery driver confirm this by signing it. If the driver refuses to sign it, make your notes anyway and add the text: "Driver's signature missing, as refused to sign". Note the vehicle's license plate number.

3. Should the signature be on an electronic display unit, sign slightly smaller and make sure the word "DEFECTIVE" is recorded and clearly legible. If possible, also get the driver to record the delivery as defective/damaged in his system. You could also take a photo of the display.

4. If a driver refuses to grant you delivery because you wish to record the damage (i.e. insisting on a signature without any damage notes or no delivery), simply refuse to accept the delivery and let us know quickly.

5. Fill in the claim form and add your photos.

Hidden transport damage

Unlike obvious transport damage, the goods were accepted "against clean receipt". No damage was made clear to or recorded by the carrier.

1. The burden of proof against the carrier therefore lies between sender and recipient.

2. In such cases a complete and comprehensive documentation is therefore essential (photos of the internal and external packaging, photos of the damaged sections, descriptions of the damage, etc.). Keep all packaging materials.

3. In addition to this, any such damage must be reported to **within 48 hours of receipt if we are to be held responsible for the insurance coverage.** To make a claim is time restricted and all document must be sent to the insurance company and forwarder **within 7 days**.

A hidden transport damage is seldomly covered by the insurance company. Therefore, it is very important that the package is examined for any kind of holes, dents or anything similar before opening. If the period of 7 days has expired, we can no longer be held liable for any transport damage.

Claims:
In the case that we are responsible for insuring the goods sent to you, please send your claim **within 48 hours after receipt** of the goods, both spare parts and machines, to:
spareparts@agathon.ch
Use the form attached or download it under “Transport Claim” which you can find on our homepage **www.agathon.ch/downloads**.
The following documents must be attached to your claim:

1. Complete transport damage form
2. Copy of the freight document (of the forwarder)
3. Copy of our delivery note / invoice
4. Photos of the damage (including a photo of the whole machine, which shows the damage)

As soon as we have all the documents, we can start processing your claim.
Please note that in the event of missing documents, damage processing may be delayed or not recognized.

Transport Damage Claim

Company

_____

Contact name

_____

Telephone nr. & e-mail

_____

Goods received, date

_____

Transport Company / Forwarder

_____

Damage detected, date

_____

Exact description of damage

_____
_____
_____

The following documents must be attached to this claim:

1. A copy of the transport document
2. A copy of the invoice and or delivery note/packing list
3 Photos of damage incl. photos of the whole machine and where the damage can be seen
4. Description of damage

Please send your claim along with the requested attachments to the following e-mail address:
spareparts@agathon.ch
Was the transport insurance covered by you then send the claim with documents to your appointed Transport Company / Forwarder.