



\$316m case filed against MSC in the US

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MSC

In the largest suit filed in the history of the Federal Maritime Commission (FMC), Mediterranean Shipping Co (MSC), the world's largest container line, is potentially on the hook for \$316m.

DK Butterfly 1, the bankruptcy estate of Bed Bath & Beyond, has filed an extraordinary case with the Washington DC-based regulator against MSC, seeking \$158m in damages and a further \$158m for alleged “willful retaliatory conduct”.

The 36-page document filed details what the defunct US home furnishing company described as exploitative and coercive behaviour.

Describing MSC’s service contract performance during 2021 as “abysmal”, the complaint details how the now bankrupt company was forced to enter the spot market to get its goods shipped. The complaint also alleges that MSC coerced the retailer into paying premiums, as well as hitting the shipper with unfair detention and demurrage charges.

DK Butterfly 1 has filed complaints earlier against Orient Overseas Container Line and Yang Ming as well, albeit seeking far less in damages.