



FEDERAL MARITIME COMMISSION

[Docket No. 25-25]

20230930-DK-Butterfly-1, Inc., *Complainant* v. CMA CGM S.A., *Respondent*; Notice of Filing of Complaint and Assignment

Notice is given that a complaint has been filed with the Federal Maritime Commission (the “Commission”) by 20230930-DK-Butterfly-1, Inc. (the “Complainant”) against CMA CGM S.A. (the “Respondent”). Complainant states that the Commission has subject matter jurisdiction over the complaint pursuant to the Shipping Act, 46 U.S.C. 41301 *et seq.* and personal jurisdiction over Respondent as an ocean common carrier, as defined in 46 U.S.C. 40102(18).

Complainant is a corporation existing under the laws of New York with a mailing address in Union, New Jersey, that was formerly known as Bed, Bath & Beyond, Inc.

Complainant identifies Respondent as a company existing under the laws of France with its principal place of business located in Marseilles, France, who does business in the United States through CMA CGM (America) LLC, with its principal place of business in Norfolk, Virginia.

Complainant alleges that Respondent violated 46 U.S.C. 41102(c) and 41104(a)(10), and 46 CFR 545.5. Complainant alleges these violations arose from the assessment of detention and demurrage charges during periods of time in which the charges were not just or reasonable because of circumstances outside the control of Complainant and its agents and service providers, and the acts or omissions of Respondent that led to the assessment of such charges.

An answer to the complaint must be filed with the Commission within 25 days after the date of service.

The full text of the complaint can be found in the Commission's electronic Reading Room at <https://www2.fmc.gov/readingroom/proceeding/25-25/>. This proceeding has been assigned to the Office of Administrative Law Judges. The initial decision of the presiding judge shall be issued

by September 4, 2026, and the final decision of the Commission shall be issued by March 18, 2027.

(Authority: 46 U.S.C. 41301; 46 CFR 502.61(c))

Served: September 4, 2025.

Jennifer Everling,

Assistant Secretary.

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