**AMENDMENT NO: 5**

**AGREEMENT TO AMEND SERVICE CONTRACT: ECI24307**

**ESSENTIAL TERMS NO: ECI24307**

WHEREAS, **Fashion Accessories Shippers Association, Inc.** and all members or affiliates named in Appendix B hereto (collectively "Shipper") entered into subject service contract with **COSCO SHIPPING Lines Co.,Ltd.** (hereinafter called "COSCO SHIPPING Lines " or "CARRIER") and WHEREAS, the parties wish to amend the Contract as shown on the pages of the Contract attached hereto;

 NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for good and valuable consideration, the receipt of which is hereby acknowledged by both (Carrier/s) and Shipper, Shipper and (Carrier/s) have mutually agreed to amend the Contract as set forth in this amendment to the Contract. (Carrier/s) and Shipper each agree that the Contract shall be modified as shown below and each shall confirm their agreement by having an authorized representative sign where indicated below and by initialing any attachment.

\*Affiliates:

**Members/Affiliates**

**\*New Affiliates:**

**Big Country Toys LLC**
**4073 Meghan Beeler Court**
**South Bend, Indiana 46628**
**United States**

**Ocean State Jobbers, Inc.**
**375 Commerce Park Road**
**North Kingstown, Rhode Island 02852**
**United States**

**Rohl, LLC**
**3 Parker**
**Irvine, California 92618**
**United States**

~~\*Deleted Affiliates:~~

~~Big Country Toys~~
~~4073 Meghan Beeler Court~~
~~South Bend, Indiana 46628~~
~~United States~~

~~Ocean State Job Lot~~
~~375 Commerce Park Road~~
~~North Kingstown, Rhode Island 02852~~
~~United States~~

**LEGEND**

**Bold:** additions

Underline: changes

~~Strikethrough:~~ deletions

**CODE DEFINITIONS**

Cargo Nature Definitions

GC = General Cargo

RF = Refrigerated Cargo

DG = Dangerous (Hazardous) Cargo

AW = Awkward Cargo (Out of Gauge Cargo)

AD = Awkward Dangerous Cargo (Out of Gauge Dangerous Cargo)

RD = Refrigerated Dangerous Cargo

Container Type Definitions:

GP = General Purpose Container

FL = Flat Rack

HG = General Purpose Hanger Container

GH = High-Cube Hanger Container

HQ = High-Cube Container

OT = Open Top Container

PL = Platform

RF = Standard Refrigerated Container

RQ = High-Cube Refrigerated Container

TK = Tank Container

FQ = Flat Rack High Cube

OC = Open Top High Cube

OH = Hard Top High Cube

OQ = Open Top High Cube

H1 = standard garment container fitted with Rack 1 - tier

(hanger fittings with single tier bar equipment)

H2 = standard garment container fitted with Rack 2 - tier

(hanger fittings with double tier bar equipment)

H3 = standard garment container fitted with Rack 3 - tier

(hanger fittings with triple tier bar equipment)

H4 = standard garment container fitted with Rack 4 - tier

(hanger fittings with quadruple tier bar equipment)

G1 = high cube garment container fitted with Rack 1 - tier

(hanger fittings with single tier bar equipment)

G2 = high cube garment container fitted with Rack 2 - tier

(hanger fittings with double tier bar equipment)

G3 = high cube garment container fitted with Rack 3 - tier

(hanger fittings with triple tier bar equipment)

G4 = high cube garment container fitted with Rack 4 - tier

(hanger fittings with quadruple tier bar equipment)

SOC Indicator

"Y" = Cargo moving in shipper owned containers only.

"N" = Cargo moving in carrier owned containers only.

"A" = Cargo moving in shipper owned containers or carrier owned containers. Shipper owned containers are subject to a SOC surcharge if a SOC surcharge is filed in carrier's tariffs of general applicability or in this contract.

No SOC Indicator = Cargo moving in carrier owned containers only.

Carrier/s and Shipper further agree that (Carrier/s) shall file the above- described amendment with the Federal Maritime Commission and said amendment shall become effective on the date of said filing

The party contracting with the Carrier under the terms of this contract certifies its status is as follows:

|  |  |
| --- | --- |
|  Beneficial Owner of Cargo |  Shipper Association |
|  |  |
|  Automated NVOCC  NVOCC Shipper Association Other (\*) |  Non-Automated NVOCC\_\_ X BCO Shipper Association |

(\*) Merchant must provide further identification of status:

If the merchant is an NVOCC, the merchant hereby certifies that it has a tariff and bond on file with the FMC in full compliance with FMC requirement.

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|

|  |  |
| --- | --- |
|   |   |
| (Signature) | (Signature) |
|  |  |
| COSCO SHIPPING Lines Co.,Ltd. | Fashion Accessories Shippers Association, Inc. |
| Michael Carver | Kenneth O'Brien  |
| Vice President Sales, Global Trade & Sales Department | President/CEOArlene Blocker - Membership Director  |
|  |  |
|  |  |
| Date:  | Date:  |
|  |  |
| Carrier Address:  | Merchant Address: |
|  |  |
| COSCO SHIPPING Lines (North America) Inc.100 Lighting Way Secaucus, NJ 07094As agents for:COSCO SHIPPING Lines Co., Inc. No. 378 Dong Da Ming Road Shanghai, China 200080 | Fashion Accessories Shippers Association, Inc.3rd Floor137 West 25th StreetNew York, NY - 10001United StatesElectronic Signature: After the parties have signed this Agreement and it has been filed with the Federal Maritime Commission, the parties may enter into subsequent amendments in an electronic mail format (e-mail), transmitted via the Internet and executed, modified or amended by the parties with an electronic signature. Amended contracted rates are required to be maintained in this contract. In the event that this Agreement is amended in an e-mail format and executed with an electronic signature, all terms and conditions contained in the Agreement shall have full legal effect, validity and enforceability. The term "electronic signature" means an e-mail approval attached to or logically associated with the Agreement and executed by the approved persons defined below.Arlene Blocker - ablocker@geminishippers.com |

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