

### **TITLE TRANSFER**

Legal title of the merchandise transfers to the Buyer upon acceptance and pickup by the Freight Carrier from the factory.

### **OVERVIEW**

OSR takes great care to make sure each shipment arrives in perfect condition. On occasion, there is damage that occurs during shipment. If the receiving party follows the procedures outlined below, OSR will assist in filing the freight claim with the Carrier and will do everything possible to eliminate any additional expense incurred by the Buyer. Failure to follow the procedures below can result in the Buyer taking responsibility for the freight claim and any associated costs to replace/repair damaged product.

It is required that the Buyer open and inspect every item before the Carrier departs. If the Buyer chooses not to inspect every item at the time of delivery, OSR cannot guarantee any claims. In the event the Buyer does not open and inspect items at delivery, the Freight Bill should be signed as follows: No visible damage noted. Any concealed damage to be reported within 5 days. Buyer Signature & Driver Signature

### **VISIBLE DAMAGE / MISSING ITEMS POLICY & PROCEDURE**

It is the Buyer's responsibility to visually inspect all items when they are received – before the Carrier departs. The following process should be followed for any items that appear to have visible damage on the outside of the carton (crushed corner, punctures, scuff marks on packaging, etc.):

1. Open all cartons.
2. Inspect cartons carefully. Confirm receipt of all items against Packing List.
3. Note on the Carrier's Freight Bill the missing items and/or specific damage identified
4. Sign Freight Bill and get driver to sign as well – make a copy for your records
  - a. Freight Bill to be signed as follows: Damage to items XXX (list each item) as shown to driver. Missing items XXX (list each item). Any concealed damage to be reported within 5 days. Buyer Signature & Driver Signature
5. Take digital pictures of the damage (often times the driver will take the necessary pictures) including:
  - a. Damaged carton/packaging (internal and external, if applicable)
  - b. Damaged contents
7. Please hold damaged product and packaging in the event the insurance company needs to review.
8. Complete Berco's Damage Report Form and submit to Customer Service



## FREIGHT POLICY

### **CONCEALED DAMAGE POLICY & PROCEDURE**

All freight carriers strictly require that concealed damage claims be filed within 5 days of accepted delivery. The carton and damaged unit(s) must be located at the location matching the original delivery address for Carrier inspection. The following procedures must be followed for concealed damage:

1. Once damage is found, stop immediately and take digital pictures:
  - a. Damaged item as it sits in the box
  - b. External and internal carton/packaging
  - c. FAILURE TO TAKE PICTURES AT THIS STAGE WILL RESULT IN A DENIAL OF CONCEALED DAMAGE CLAIM. ONCE ITEM IS INSTALLED, NO CONCEALED DAMAGE CLAIM MAY BE FILED.
2. Complete OSR's Damage Report Form and submit to Customer Service
3. Please hold damaged product and packaging in the event the insurance company needs to review
4. OSR cannot guarantee any Carrier claim settlement on concealed damage. In the event the above is not strictly followed, the Carrier will not even accept the claim for review.

### **LABOR POLICY**

Labor reimbursement for repairs, replacements or storage due to freight damage is not covered by OSR's warranty plan. Invoices for labor charges on damaged or missing items will NOT be honored unless approved in advance by VP of Sales. If approved, labor is limited to the following maximum amounts: \$30 per hour maximum. Any approved labor will be issued as a credit on account.

### **PAYMENT HOLD**

Only damaged items that have been properly reported will be authorized for "payment hold" until final resolution. Remittance for balance of non-damaged items must be made within invoice terms to avoid finance charges.

### **STORAGE POLICY**

OSR cannot warranty items in storage under the following circumstances:

1. Storage areas that are not temperature and humidity controlled.
2. Damage claims on items held in storage for more than 5 days from delivery acceptance

### **FREIGHT PICK UP POLICY**

If Buyer selects to pick up freight, they will be responsible for selecting carrier, negotiating rates and terms (including insurance) and remit payment directly to carrier. Buyer agrees to comply with all state and federal laws, rules and regulations regarding shipment of goods from OSR. Customer will be solely responsible for any and all freight claims. Customer assumes all liability associated with shipment. Customer will sign OSR's "Customer Arranged Freight Election & Liability Waiver" form.



## FREIGHT POLICY

### **HIDDEN DAMAGE REPLACEMENT**

In the event that there is hidden damage that is not covered by the Carrier, OSR will replace the item at the following charge: net price PLUS actual shipping cost of replacement LESS 50%. Standard payment terms will apply. Labor will not be paid for hidden damage replacement.