



S T A C K F A C T S

May 25, 2004
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RE: Amendment to Chargeable Services

PACER STACKTRAIN ADVISEMENT

Amendment to Canadian National Railroad Chargeable Services Tariff CN9100 Item 2065

Pacer Stacktrain Customers:

An amendment had been made to the CNRR Chargeable Services tariff CN 9100 item 2065 (Intermodal Customers) regarding shipments that are set off at the border or held short of the border due to US Customs and/or other US regulatory agencies such as the FDA and USDA for random inspections.

The charges indicated in this item are for all Customs-related set-offs. They have been in place for several years and are needed to partially cover CNRR's operational costs associated with handling Customs-related set-offs, lifts, etc. In addition to the CNRR charge, customers will continue to be responsible for any examination costs that are incurred performed by a third party (bonded warehouse operator). Below is a snapshot of the amendment to item 2065 to reflect the recent changes and implementation of the 2002 Bioterrorism Act. Please remember that accurate shipment information and Customs clearance of actual goods is the responsibility of the customer.

Amendment to Item 2065:

"Shipments required to be set-off of a CNRR train for any reasons attributable to US Customs and/or other US regulatory agencies (i.e. FDA, USDA) will be subject to a \$400 charge per car or container. If the set-off is related to late or incomplete documentation from the shipper and/or agents or brokers of the shipper, the shipment will be subject to a \$1,000 charge per car or container. Customers are responsible for any additional charges such as unloading, segregating, reloading, customs fees, duties, taxes and penalties if it becomes necessary in order to accomplish a Customs inspection and examination. Inspections and examinations may be performed as deemed necessary by Customs and without notice to CNRR or our customers. CNRR will pass through all inspection and examination-related charges to the customer as soon as these charges are received by CNRR. Such charges will be based on the actual CN expense incurred.

Pacer Stacktrain will make every effort to advise customers that charges are pending upon notice of a held shipment. Pacer Stacktrain will bill all charges directly to the IMC. Please communicate this notice to your customers and appropriate parties within your organization. If you have any questions regarding this notice, please contact your local Pacer Stacktrain representative. Thank you for your continued support.