



Comptroller General  
of the United States  
Washington, D.C. 20548

## Decision

Matter of: Lift Forwarders, Inc.  
File: B-249479  
Date: October 19, 1992

### DIGEST

1. Although a carrier normally is notified of loss or damage through DD Forms 1840 and 1840R, we have held that other written forms of notice are acceptable so long as they are timely and sufficiently detailed to alert the carrier to the claim for damages.

2. The date of dispatch typed by the Navy claims office on a notice to a carrier of loss or damage to a shipment of a service member's household goods is sufficient to establish the notice's timeliness for purposes of establishing a prima facie case of carrier liability.

### DECISION

Lift Forwarders, Inc., requests review of our Claims Group's settlement denying \$1,136.46 of the company's claim for a refund of \$1,171.45 that the Navy set off from funds otherwise due the carrier. The set-off arose from damage to a Navy member's household goods that Lift Forwarders transported pursuant to Government Bill of Lading QP-701,535 and delivered on July 15, 1988. The appeal is based on Lift Forwarders' disagreement with the Claims Group about whether the Navy gave Lift Forwarders notice of the damage within the 75-day period required to establish a prima facie case of carrier liability.

We affirm the Claims Group's settlement.

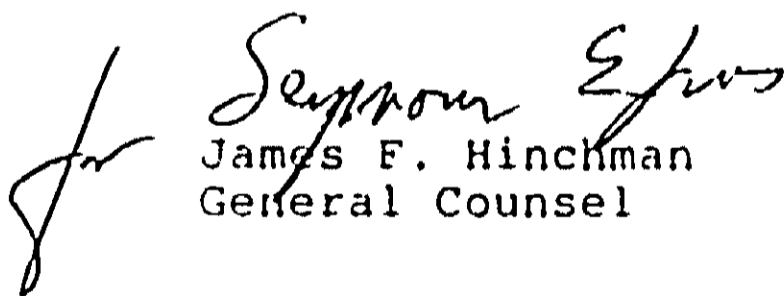
The damage in issue was not listed on the Joint Statement of Loss or Damage, DD Form 1840, completed at delivery, or on the Notice of Loss or Damage completed shortly afterward, DD Form 1840R, which was sent to the carrier in August 1988. Lift Forwarders had argued that its first notice of the damage came when it received DD Form 1843, the Demand on Carrier, dispatched on October 19, 1988, which was outside the required period. In response, the Claims Group noted that the damage was listed on DD Form 1841, the Government Inspection report, and on DD Form 1844, the Claim Analysis Chart, and that the record showed that both were dispatched

to Lift Forwarders on time. Lift Forwarders does not address the DD Forms 1841 and 1844 in its appeal, but the record includes a statement by the carrier that it did not receive the DD Form 1841 until it received the demand.

Although a carrier normally is notified of loss or damage through DD Forms 1840 and 1840R, we have held that other written forms of notice are acceptable so long as they are timely and sufficiently detailed to alert the carrier to the claim for damages. Sherwood Van Lines, 67 Comp. Gen. 211 (1988). The DD Form 1841 in the record indicates that it was dated and dispatched to Lift Forwarders September 6, 1988, which is within the 75-day period. (There is no evidence to establish that the dispatch did not actually occur when indicated.) In this respect, we have held that the date of dispatch typed on a DD Form 1840R is sufficient evidence of notice for purposes of a prima facie case of carrier liability. National Forwarding Co., Inc., B-238982.4, June 25, 1992. We see no reason not to apply the same rule to other forms of notice like the Form 1841.

Moreover, Navy officials at destination recently confirmed to our Office that it was their practice in 1988, and remains their practice, to forward a copy of the DD Form 1841 to the carrier when that report is signed (September 6, 1988, in this case). They also stated that they in fact forwarded a copy of the DD Form 1844 involved here, along with a second copy of the DD Form 1841, to the carrier on September 9.

In sum, Lift Forwarders advised in detail of all damages eventually claimed, and within the 75-day limit. The Claims Group's settlement is affirmed.

  
James F. Hinchman  
General Counsel