

(d) That portion of the sum of paragraphs (a), (b), and (c) of this section which was sold, transferred, used or consumed to, but not including, the date of the loss.

§ 309.204 Proof of loss.

Claims for reimbursement for total loss of stores and supplies may be submitted by the owner to the Chief, Division of Insurance, Maritime Administration, Washington, DC 20590, based on one of two alternative methods of proof, as provided in paragraphs (a) and (b) of this section. Owners may use either method for each category of stores and supplies.

(a) *Formula.* In cases where the owner and the Chief, Division of Insurance, Maritime Administration, have agreed, in advance of the loss, upon amounts representing, or the method for determining, the average daily consumption costs of stores and supplies for the owner's vessel, claims for total loss of such stores and supplies may be submitted by the owner on Affidavit in Proof of Claim for the loss of stores and supplies, Exhibit A. In such cases, the value of the consumable stores at time of loss is determined as follows:

(1) The value of consumable stores on board at the time the vessel was ready to sail, determined by multiplying the number of days for which the vessel is stored by the average daily consumption cost in dollars, plus

(2) The cost of consumable stores, if any, purchased in foreign ports for the homeward voyage, less

(3) The average daily consumption cost times the number of days from the date the vessel was ready to sail to, but not including, the date of loss, plus the actual amount of consumable stores transferred or sold. The values of slop chest stores, bar stock and fuel, at the time of loss are determined in the same manner by using the applicable daily consumption costs for such stores. The value of subsistence stores at the time of loss is determined as follows:

(i) The value of subsistence stores on board at the time the vessel was ready to sail, determined by multiplying the agreed cost for one man per day by the number of crew signed on and the number of passengers, if any, and multi-

plying that product by the number of days for which the vessel is stored, plus

(ii) The cost of subsistence stores, if any, purchased in foreign ports for the homeward voyage, less

(iii) The number of crew signed on and the average number of passengers, if any, times the agreed cost of one man per day times the number of days from the date the vessel was ready to sail to, but not including, the date of loss, plus the actual amount of subsistence stores transferred or sold.

(b) *Verified costs.* In cases where the owner and the Chief, Division of Insurance, Maritime Administration, have not agreed in advance of the loss upon amounts representing, or the method for determining, the average daily consumption costs of Stores and Supplies for the owner's vessel, claims for total loss of such Stores and Supplies must be submitted by the owner on Affidavit in Proof of Claims for the Loss of Stores and Supplies, Exhibit B. In such cases, the value of the consumable stores will be determined as follows:

(1) The value of consumable stores on board the vessel at the time the vessel was ready to sail, determined by certified inventories of the owner of amounts on board the vessel at the termination of the preceding voyage or date of last inventory, less actual consumption to date of sailing, plus a certified statement by the owner of actual additional purchases made from date of termination of the preceding voyage or date or last inventory to date vessel was lost, subject to audit by the Maritime Administration, less

(2) The average daily consumption cost determined by dividing the amount determined as in paragraph (b)(1) of this section by the number of days for which the vessel was stored, times the number of days from the date the vessel was ready to sail to, but not including, the date of loss, plus actual amount of consumable stores transferred or sold.

The values of subsistence stores, slop chest, bar stock, and fuel, at the time of loss are determined in the same manner, supported by certified inventories of the owner and invoices.

EXHIBIT A

AFFIDAVIT IN PROOF OF CLAIM FOR THE LOSS OF
UNUSED STORES AND SUPPLIES ON BOARD THE
SS _____

STATE OF _____

ss:

COUNTY OF _____

I am the _____ of _____, the Owner of the SS _____, which was lost as a result of enemy action on or about the _____ day of _____, _____. I make this affidavit in support of the above-named Owner's claim for the loss of the actual value of the said vessel's unused Stores and Supplies. The statements herein contained are based upon the personal knowledge of deponent or upon the books of records of the Owner or its agent which deponent believes are true and accurate.

(A) "Stores and Supplies", for loss of which claim is being made, are limited to consumable and subsistence stores as defined in Maritime Administration Inventory Manual, Vessel Inventories, Part I, and do not include radio supplies, expendable equipment, scrap, junk and spare parts.¹

(B) It has been the consistent accounting practice of the Owner to group together Consumable Stores as defined in the Maritime Administration Inventory Manual, Vessel Inventories, Part I, and Expendable Equipment, but the amount herein stated to be the value of consumable stores for the purpose of making this claim does not exceed _____² percent of the aggregate of such consumable stores and expendable equipment.¹ I am familiar with the insurance carried on the Stores and Supplies on the SS _____; and, from the effective date of War Risk Insurance Binder No _____ Policy No _____ issued by the United States of America, which covers the total loss of Stores and Supplies in the amount of \$ _____, to the date of such vessel's loss on _____, there was no war risk insurance on such Stores and Supplies other than that provided by said Binder or Policy.

The period for which the vessel was stored with Stores and Supplies for use on the voyage on which she was lost, beginning with the last day of storing, was _____ days for Consumable Stores, _____ days for Subsistence Stores, _____ days for Slop Chest, _____ days for Bar Stock and _____ days for Fuel. The number of days from the last day of storing to, but not including, the date on which the vessel was lost, was _____ days for Consumable Stores, _____ days for Subsist-

¹Strike out either paragraph (A) or (B).

²Insert percentage agreed upon with Chief, Division of Insurance, Maritime Administration.

ence Stores, _____ days for Slop Chest, _____ days for Bar Stock and _____ days for Fuel.

I. Consumable (Excluding Subsistence) Stores:³

(A) The average daily consumption cost of Consumable Stores for this vessel for the year prior to the voyage on which she was lost was⁴ \$ _____.

(B) The figure required for (A) is not readily available, and the average daily cost of Consumable Stores for this vessel for the last calendar year set up on the Owner's books was⁴ \$ _____.

The amount of Consumable Stores on board at the time this vessel was ready to sail (the number of days for which the vessel was stored times the average daily consumption cost, as above) was \$ _____.

To this amount is added the actual cost of Consumable Stores purchased in Foreign Ports for the homeward voyage (as per statement attached)⁵ \$ _____, making the total amount on board at date of sailing \$ _____.

The average daily consumption cost, as above, times the number of days from the date the vessel was ready to sail to, but not including, the date of loss, as above, is \$ _____.

To this amount is added the actual amount of Consumable Stores transferred or sold (as per statement attached) \$ _____, making \$ _____, which, subtracted from the amount of Consumable Stores on board at date of sailing, as above, is \$ _____, which sum is claimed to be the actual value of the vessel's unused Consumable Stores at the time of the loss, according to the best of deponent's knowledge, information and belief.

II. Subsistence Stores:

The amount of Subsistence Stores on board, that is the number of the crew signed on () and the average number of passengers, if any (), times the number of days for which the vessel was stored as above (), times the applicable factor⁶ of cost for one man per day () was \$ _____.

To this amount is added the actual cost of Subsistence Stores purchased in Foreign Ports for the homeward voyage (as per statement attached)⁵ \$ _____, making the amount on board on date of sailing \$ _____.

The amount of Subsistence Stores consumed, that is the number of crew signed on () and the average number of passengers, if

³If the figure needed to fill the blank in paragraph (A) or (B) is not available, the formula cannot be used; the Owner must submit actual inventories and a record of purchases on Affidavit Exhibit B.

⁴Strike out paragraph (A) or (B).

⁵Strike out this sentence if vessel was lost on outward leg of voyage.

⁶The factor of cost per man per day, as prescribed by the Maritime Administration for voyages beginning in 19 _____, is \$ _____.

any () times the number of days between the last day of storing the vessel and the date on which the vessel was lost () times the applicable factor⁶ of cost for one man per day was \$_____.

To this amount is added the actual amount of Subsistence Stores transferred or sold (as per statement attached), \$_____, making \$_____, which, subtracted from the amount of Subsistence Stores on board at date of sailing, as above, is \$_____, which sum is claimed to be the actual value of the unused Subsistence Stores at the time of the loss, according to the best of deponent's knowledge, information and belief.

III. Slop Chest:⁷

(A) The average daily consumption cost of Slop Chest Stores for this vessel for the year prior to the voyage on which she was lost was⁸ \$_____.

(B) The figure required for (A) is not readily available, and the average daily cost of Slop Chest Stores for this vessel for the last calendar year set up on the Owner's books was⁸ \$_____.

The amount of Slop Chest Stores on board at the time this vessel was ready to sail (the number of days for which the vessel was stored times the average daily consumption cost, as above) was \$_____.

To this amount is added the actual cost of Slop Chest Stores purchased in Foreign Ports for the homeward voyage (as per statement attached)⁵ \$_____, making the total amount on hand at date of sailing \$_____.

The average daily consumption cost, as above times the number of days from the date the vessel was ready to sail to, but not including, the date of loss, as above, is \$_____.

To this is added the actual amount of Slop Chest Stores transferred or sold (as per statement attached) \$_____, making \$_____, which, subtracted from the amount of Slop Chest Stores on board at date of sailing, as above, is \$_____, which sum is claimed to be the actual value of the vessel's unsold Slop Chest Stores at the time of the loss according to the best of deponent's knowledge, information and belief.

IV. Bar Stock:⁹

(A) The average daily consumption cost of Bar Stock for this vessel for the year prior

to the voyage on which she was lost was¹⁰ \$_____.

(B) The figure required for (A) is not readily available, and the average daily cost of Bar Stock for this vessel for the last calendar year set up on the Owner's books was¹⁰ \$_____.

The amount of Bar Stock on board at the time this vessel was ready to sail (the number of days for which the vessel was stored times the average daily consumption cost, as above) was \$_____.

To this amount is added the actual cost of Bar Stock purchased in Foreign Ports for the homeward voyage (as per statement attached)⁵ \$_____, making the total amount on hand at date of sailing \$_____.

The average daily consumption cost, as above, times the number of days from the date the vessel was ready to sail to, but not including, the date of loss, as above, is \$_____.

To this amount is added the actual amount of Bar Stock transferred or sold (as per statement attached) \$_____, making \$_____, which, subtracted from the amount of Bar Stock on board at the time of sailing, as above, is \$_____, which sum is claimed to be the actual value of the vessel's unused Bar Stock at the time of the loss according to the best of deponent's knowledge, information and belief.

V. Fuel:¹¹

(A) The average daily consumption cost of Fuel for this vessel for the year prior to the voyage on which she was lost was¹¹ \$_____.

(B) The figure required for (A) is not readily available, and the average daily cost of Fuel for this vessel for the last calendar year set up on the Owner's books was¹² \$_____.

The amount of Fuel on board at the time this vessel was ready to sail (the number of days for which the vessel was stored times the average daily consumption cost, as above) was \$_____.

To this amount is added the actual cost of Fuel purchased in Foreign Ports for homeward voyage (as per statement attached)⁵ \$_____, making the total amount on hand at date of sailing \$_____.

The average daily consumption cost, as above, times the number of days from the date the vessel was ready to sail to, but not including, the date of loss, as above, is \$_____.

To this amount is added the actual amount of Fuel transferred or sold (as per statement attached) \$_____, making \$_____, which,

⁷If the figure needed to fill the blank in paragraph (A) or (B) is not available, the formula cannot be used; the Owner must submit actual inventories and a record of purchases on Affidavit Exhibit B.

⁸Strike out paragraph (A) or (B).

⁹If the figure needed to fill the blank in paragraph (A) or (B) is not available, the formula cannot be used; the Owner must submit actual inventories and a record of purchases on Affidavit Exhibit B.

¹⁰Strike out paragraph (A) or (B).

¹¹If the figure needed to fill the blank in paragraph (A) or (B) is not available, the formula cannot be used; the Owner must submit actual inventories and a record of purchases on Affidavit Exhibit B.

¹²Strike out paragraph (A) or (B).

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subtracted from the amount of Fuel on board at the time of sailing, as above, is \$____, which sum is claimed to be the actual value of the vessel's unused Fuel at the time of the loss according to the best of deponent's knowledge, information and belief.

Unused Consumable Stores, other than—	
Subsistence Stores	\$ ____
Subsistence Stores	_____
Slop Chest	_____
Bar Stock	_____
Fuel	_____
Total	\$ ____

By: _____
Sworn to before me this _____ day of _____, 19____.

Notary Public

EXHIBIT B

AFFIDAVIT IN PROOF OF CLAIM FOR THE LOSS OF UNUSED STORES AND SUPPLIES ON BOARD THE SS _____

STATE OF _____

ss:

COUNTY OF _____

I am the _____ of _____, the Owner of the SS _____, which was lost as a result of enemy action on or about the _____ day of _____, _____. I make this affidavit in support of the above-named Owner's claim for the loss of the actual value of the said vessel's unused Stores and Supplies. The statements herein contained are based upon the personal knowledge of deponent or upon the books of records of the Owner or its agent which deponent believes are true and accurate.

"Stores and Supplies", for loss of which claim is being made, are limited to consumable and subsistence stores as defined in Maritime Administration Inventory Manual, Vessel Inventories, Part I, and do not include radio supplies, expendable equipment, scrap, junk and spare parts.

I am familiar with the insurance carried on the Stores and Supplies, on the SS _____; and, from the effective date of War Risk Insurance Binder No. _____ Policy No. _____ issued by the United States of America, which covers the total loss of Stores and Supplies in the amount of \$____, to the date of such vessel's loss on _____, there was no war risk insurance on such Stores and Supplies other than that provided by said Binder or Policy.

The period for which the vessel was stored with Stores and Supplies for use on the voyage on which she was lost, beginning with the last day of storing, was _____ days for Consumable Stores, _____ days for Subsistence Stores, _____ days for Slop Chest, _____ days for Bar Stock and _____ days for Fuel. The number of days from the last day of

storing to, but not including, the date on which the vessel was lost, was _____ days for Consumable Stores, _____ days for Subsistence Stores, _____ days for Slop Chest, _____ days for Bar Stock and _____ days for Fuel.

I. Consumable (excluding Subsistence) Stores:

(1) The value of Consumable Stores on board the vessel at the time the vessel was ready to sail, as shown by the attached certified inventory of amounts on board the vessel at the termination of the preceding voyage or date of last inventory on _____, less actual consumption to date of sailing, amounting to \$____, plus the actual additional purchases made for the voyage on which the vessel was lost, as shown by the attached invoices, amounting to \$____, was \$_____.

(2) The average daily consumption factor of \$_____ (determined by dividing the amount determined as in (1) by the number of days for which the vessel was stored) times the number of days from the date the vessel was ready to sail to, but not including, the date of loss () is \$_____.

To this amount is added the actual amount of Consumable Stores transferred or sold (as per statement attached) \$____, making \$____, which, subtracted from the amount of Consumable Stores on board at the time the vessel was ready to sail, as shown in (1) above, is \$____, which sum is claimed to be the actual value of the vessel's unused Consumable Stores at the time of the loss according to the best of deponent's knowledge, information and belief.

II. Subsistence Stores:

(1) The value of Subsistence Stores on board the vessel at the time the vessel was ready to sail, as shown by the attached certified inventory of amounts on board the vessel at the termination of the preceding voyage or date of last inventory on _____, less actual consumption to date of sailing, amounting to \$____, plus the actual additional purchases made for the voyage on which the vessel was lost, as shown by the attached invoices, amounting to \$____, was \$_____.

(2) The average daily consumption factor of \$_____ (as determined by dividing the amount determined as in (1) by the number of days for which the vessel was stored) times the number of days from the date the vessel was ready to sail to, but not including, the date of loss () is \$_____.

To this amount is added to the actual amount of Subsistence Stores transferred or sold (as per statement attached) \$____, making \$____, which, subtracted from the amount of Subsistence Stores on board at the time the vessel was ready to sail, as shown in (1) above, is \$____, which sum is claimed to be the actual value of the vessel's unused Subsistence Stores at the time of the

loss according to the best of deponent's knowledge, information and belief.

III. Slop Chest Stores:

(1) The value of Slop Chest Stores on board the vessel at the time the vessel was ready to sail, as shown by the attached certified inventory of amounts on board the vessel at the termination of the preceding voyage or date of last inventory on _____ less actual consumption to date of sailing, amounting to \$_____, plus the actual additional purchases made for the voyage on which the vessel was lost, as shown by the attached invoices, amounting to \$_____, was \$_____.

(2) The average daily consumption factor of \$_____ (determined by dividing the amount determined as in (1) by the number of days for which the vessel was stored) times the number of days from the date the vessel was ready to sail to, but not including, the date of loss () is \$_____.

To this amount is added the actual amount of Slop Chest Stores transferred or sold (as per statement attached) \$_____, making \$_____, which, subtracted from the amount of Slop Chest Stores on board at the time the vessel was ready to sail, as shown in (1) above, is \$_____, which sum is claimed to be the actual value of the vessel's unused Slop Chest Stores at the time of the loss according to the best of deponent's knowledge, information and belief.

IV. Bar Stock:

(1) The value of Bar Stock on board the vessel at the time the vessel was ready to sail, as shown by the attached certified inventory of amounts on board the vessel at the termination of the preceding voyage or date of last inventory on _____ less actual consumption to date of sailing, amounting to \$_____, plus the actual additional purchases made for the voyage on which the vessel was lost, as shown by the attached invoices, amounting to \$_____, was \$_____.

(2) The average daily consumption factor of \$_____ (determined by dividing the amount determined as in (1) by the number of days for which the vessel was stored) times the number of days from the date the vessel was ready to sail to, but not including, the date of loss () is \$_____.

To this amount is added the actual amount of Bar Stock transferred or sold (as per

statement attached) \$_____, making \$_____, which, subtracted from the amount of Bar Stock on board at the time the vessel was ready to sail, as shown in (1) above, is \$_____, which sum is claimed to be the actual value of the vessel's unused Bar Stock at the time of the loss according to the best of deponent's knowledge, information and belief.

V. Fuel:

(1) The value of Fuel on board the vessel at the time the vessel was ready to sail, as shown by the attached certified inventory of amounts on board the vessel at the termination of the preceding voyage or date of last inventory on _____ less actual consumption to date of sailing, amounting to \$_____, plus the actual additional purchase made for the voyage on which the vessel was lost, as shown by the attached invoices, amounting to \$_____, was \$_____.

(2) The average daily consumptions factor of \$_____ (determined by dividing the amount determined as in (1) by the number of days for which the vessel was stored) times the number of days from the date the vessel was ready to sail to, but not including, the date of loss () is \$_____.

To this amount is added the actual amount of Fuel transferred or sold (as per statement attached) \$_____, making \$_____, which, subtracted from the amount of Fuel on board at the time the vessel was ready to sail, as shown in (1) above, is \$_____, which sum is claimed to be the actual value of the vessel's unused Fuel at the time of the loss according to the best of deponent's knowledge, information and belief.

Claim is hereby made for:

Unused Consumable Stores, other than—	
Subsistence Stores	\$ _____
Subsistence Stores	\$ _____
Slop Chest	\$ _____
Bar Stock	\$ _____
Fuel	\$ _____
Total	
	\$ _____

By: _____

Sworn to before me this _____ day of _____, 19____.

Notary Public