CLECAT
european association for forwarding, transport, logistics and customs services

NEWSLETTER

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Brussels News

EU TRANSPORT SCOREBOARD: SUSTAINABLE MOBILITY PROGRESS

On 19 March, the European Commission published the 2019 edition of the EU Transport Scoreboard, a benchmark comparing how Member States perform in 30 categories covering all aspects of transport. The goal of the Scoreboard is to help Member States identify areas requiring priority investment and action. It shows how the EU further deepens the progress towards a **safer, cleaner and more efficient internal market in transport** and promotes the shift towards **low-emission mobility**, two priorities of the current Commission.

This year's Scoreboard shows improvements in road safety, the uptake of renewable energy in transport and the punctuality of shipments across the EU. Sweden tops the Scoreboard with high scores in 15 categories, followed by the Netherlands and Austria. These countries all share a solid framework for investment, high transport safety levels, and a good record for implementing EU law.

The publication of the scoreboard coincides with the publication of an update to the DG MOVE report on Transport in the EU: Current Trends and Issues, which sets out the key trends and issues for the single European transport area and draws an overview of the main challenges transport is facing both at the EU-level and in Member States. These include creating a well-functioning Single European Transport Area, connecting Europe with modern, multi-modal and safe transport infrastructure networks, and shifting towards low-emission mobility.

Road

EP PLENARY TO VOTE ON MP1 NEXT WEEK

On 21 March, the European Parliament's Conference of Presidents confirmed that the three social/internal market files within the **1st Mobility Package will be put on the Plenary agenda on 27 March for debate and subsequent vote**. The vote will take place on the following proposals:

- Enforcement requirements and specific rules for posting drivers in the road transport sector – MEP Merja Kyllönen (GUE/NGL, Finland).
- Minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods; positioning by means of tachographs – MEP Wim van de Camp (EPP, the Netherlands).
- Pursuing the occupation of road transport operator and access to the international road haulage market (cabotage) – MEP Ismail Ertug (S&D, Germany).

The Parliament's Transport (TRAN) Committee had limited time to submit amendments to MEP Ertug's cabotage proposal (the only one adopted by TRAN Committee in January), while political groups or a group of over 38 MEPs had until yesterday to table amendments to the original Commission proposals on driving and rest times and posting of drivers. To note, the associated EMPL Committee decided to re-table its amendments on driving times and posting dossiers earlier in February.

However, it is still possible that the vote on the Mobility Package files will not take place, as a group of MEPs have put forward a **motion to remove the Mobility Package from the Plenary agenda**, which will be voted on 25 March.

CLECAT believes this is the last chance in this legislative term to get what is needed for logistics service providers, freight forwarders and their customers: a true internal market for road transport through better enforcement of social rules and increased efficiency in transport. CLECAT has called on Members of the European Parliament across all political groups to adopt in plenary any provisions that would enable the full exclusion of international transport operations from posting of workers rules.

PLENARY TO CLOSE FIRST READING ON COMBINED TRANSPORT

The revision of the Combined Transport Directive, which consitutes part of the second Mobility Package published in 2017, forms a substantial part of the EU's efforts to reduce the negative impacts of transport by promoting a shift from road freight transport to lower-emission transport modes.

In its 2017 proposal for a revision of the Combined Transport Directive which dates from 1992, the Commission aimed at simplifying the existing rules and making combined transport more attractive by means of economic incentives.

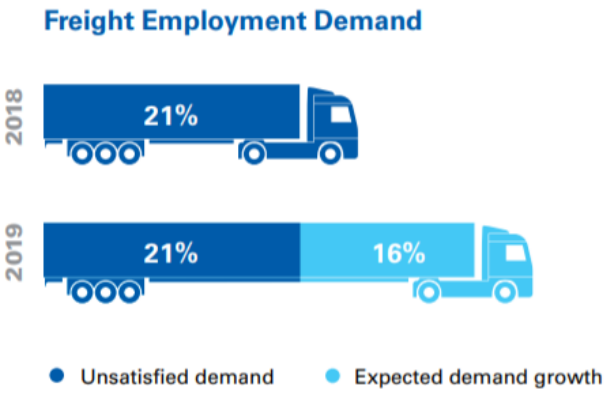
While the European Parliament's Transport and Tourism (TRAN) Committee adopted its report in July 2018, and the Transport Council agreed a general approach at its meeting of 3 December 2018, trilogue negotiations have not made progress on reaching a compromise, due to the diverging views.

Therefore, the European Parliament decided to close the file at first reading, with a plenary vote scheduled for 27 March 2019 at which the EP TRAN report will be voted on.

NEW STUDY ON DRIVER SHORTAGE IN EUROPE

On 20 March, the International Road Transport Union (IRU) published a new report on the driver shortage across Europe, based on the polling of different organisations from October 2018 to January 2019.

The report found that the European road transport sector is struggling to fill available driver positions within different categories. In the road freight transport sector, the supply of drivers currently meets an employment demand of 79%, leaving a visible driver shortage of 21% or a fifth of available positions. The problem is accelerating, with the shortfall predicted to reach 40% as demand grows in 2019.



Key causes of the driver shortage include the negative image of the sector, difficult working conditions, ageing labour force (the average age of a professional driver in Europe is 50 years) and the lack of young talent. Furthermore, there is an acute challenge of attracting female drivers (women drivers are heavily underrepresented in the road transport industry, making up a mere 2% of the European driver population). This is mainly due to the lack of security and well-equipped rest zones.

The current reality and latest figures show that the industry is severely affected by a lack of drivers and needs to take remedial action. As such, the image and public perception of the sector and the professional status of drivers must be raised. Furthermore, the road transport industry, including all stakeholders in the supply chain, needs to work together to address working and social conditions in the sector. The treatment of drivers should be improved, and adequate and sufficient infrastructure and facilities must be provided. Ultimately, a more open and inclusive recruitment policy can help attract a more diverse workforce, including women and youth, in the transport sector.

Brexit

COUNCIL ADOPTS DECISION EXTENDING PERIOD OF ARTICLE 50

On 21 and 22 March, the EU-27 leaders met in Brussels to discuss the latest developments concerning the UK's withdrawal from the EU. The leaders took note of the letter of Prime Minister Theresa May of 20 March, in which she had requested to delay Brexit until 30 June. In response, the European Council's agreed to an extension until 22 May 2019, a day before the start of the European Parliament elections. This extension is however on the condition that the Withdrawal Agreement is approved by the House of Commons next week.

If the Withdrawal Agreement is not approved by the UK House of Commons next week, the European Council agrees to an extension until 12 April 2019 and expects the United Kingdom to indicate a way

forward before this date for consideration by the European Council. European Council President Donald Tusk said in his statement after the meeting that in practice it means that, until that date, all options will remain open, and the cliff-edge date will be delayed. The UK Government will still have a choice of a deal, no-deal, a long extension or revoking Article 50. If that involved a further extension it would mean participation of the UK in the European Parliament elections. However, Prime Minister Theresa May stated that it would be wrong to ask people in the UK to participate in these elections three years after voting to leave the EU.

The Council also reiterated that there can be no opening of the Withdrawal Agreement that was agreed between the EU and the UK in November 2018. Any unilateral commitment, statement or other act should be compatible with the letter and the spirit of the Withdrawal Agreement.

The Council called for work to be continued on preparedness and contingency at all levels for the consequences of the UK's withdrawal, taking into account all possible outcomes.

What will happen next week is still very unpredictable. On 18 March, the speaker of the House of Commons, John Bercow, issued an unexpected ruling which stated that Members of the UK Parliament could not be asked to vote one more time on the same deal in this session of Parliament. According to a precedent dating back to 1604, the government cannot legitimately resubmit to the House the same proposition, or substantially the same proposition.

Source: European Council

COUNCIL ADOPTS NO-DEAL CONTINGENCY MEASURES

On 19 March, the Council adopted a series of legislative acts as part of its contingency preparations for a no-deal Brexit. The aim of the contingency measures is to limit the most severe damage caused by a no-deal Brexit and limit disruption for citizens and businesses. The Council stressed that the contingency measures that have been adopted are temporary in nature, limited in scope and adopted unilaterally by the EU.

In the area of transport, the contingency measures that were adopted include a Regulation ensuring basic road freight and road passenger connectivity, which allows road haulage operators licensed in the UK to carry goods into the EU temporarily. Furthermore, it also allows UK hauliers to carry out limited additional operations of loading and unloading within the territory of the EU (cabotage). The contingency measures on basic road freight connectivity would cease to apply after 31 December 2019.

Regarding air transport, the contingency measures include a Regulation ensuring basic air connectivity, which enables UK-licensed carriers to provide basic air transport services between the UK and the EU-27. Next to air traffic rights, the provisions also cover cooperative marketing arrangements, aircraft leasing, and ownership and control requirements. The Regulation would apply until an air transport agreement with the UK enters into force or until 30 March 2020, whichever comes first.

The rights granted under the measures on both connectivity Regulations are conditional upon the UK conferring equivalent rights to the EU and subject to conditions ensuring fair competition. Where the Commission determines that there is no reciprocity, it may take appropriate steps to address the situation.

The Council has also adopted an amendment to Council Regulation (EC) No 428/2009 governing the EU's export control regime to include the UK under the list of low-risk third countries covered by the EU general export authorisations for the export of certain dual-use items. Dual-use items are materials, equipment and technology which can be used for both civilian and military purposes, including the proliferation and delivery of nuclear, chemical or biological weapons. Under EU law, their exports to third countries are controlled. EU general export authorisations allow for the export of these items to low-risk countries under certain conditions.

The acts will enter into force on the day after the publication in the EU's Official Journal and will become applicable on the day after the UK's withdrawal in the event of a no-deal Brexit.

Source: Council of the EU

Maritime

ONGOING EVALUATION OF CONSORTIA BER

On 20 March, the European Shippers' Council (ESC) held its annual Maritime Day at the Port of Rotterdam, where the ongoing evaluation of the EU Consortia Block Exemption Regulation (BER) was among the major topics discussed.

Mr Itai Rabinovici, officer at the European Commission's DG Competition, gave an update on the recently conducted public consultation regarding the evaluation of BER. DG COMP received 50 submissions from two dominant groups – carriers and shipowners on the one hand, arguing that Consortia BER works very well and should be prolonged, and shippers, freight forwarders, service providers and port authorities on the other hand, calling for a repeal or the significant modification of the rules.

Mr Rabinovici informed participants that a technical paper, containing DG COMP assessment on whether BER has been working well, is expected to come out in spring. This paper will not issue any recommendation as to whether to repeal BER but will focus on giving balanced, unbiased advice to the Commission's College of Commissioners. In case the decision was then made to prolong the Regulation, any modifications would have to undergo another public consultation, most likely over the summer. Ultimately, the College has until April 2020 to decide on whether to prolong the block exemption and under which conditions, before the BER expires on 25 April 2020. However, the term of the current College of Commissioners will end in November and a new Commission will take over. Therefore, Mr Rabinovici expressed hope to have a decision in a few months from now.

To note, CLECAT replied to the Commission's consultation in December 2018, taking the position that, in the interests of effective competition, BER should not be renewed. In case of a renewal, consortia and alliances should receive clear guidance to avoid collusive actions in the maritime supply chain.

NEW ITF REPORT: DATA FOR EVALUATING CONSORTIA BER

On 19 March, the International Transport Forum (ITF) published a new report entitled "Container Shipping in Europe: Data for the Evaluation of the EU Consortia Block Exemption Regulation (BER)." This report reviews the development of container shipping over the last decade, in particular with regards to container trades to and from Europe. The full report is available here.

The data presented confirms that container shipping has become more concentrated and vertically integrated, while slipping on various performance indicators related to trade lanes to and from Europe. These subjects are relevant to the ongoing European Commission's evaluation of the Consortia BER, which is to expire in April 2020 if not renewed.

According to ITF, global alliances have become increasingly dominant. The report also indicates that most liner consortia are likely no longer covered by the Consortia BER, as they go over the BER market share threshold of 30%. Regarding market shares, ITF argues overall that data availability would need to improve for effective implementation of competition regulation for liner shipping.

Furthermore, the ITF study indicates that there has been a tendency of absorption of independent feeder lines by carriers and also by terminal operators. As a result, the market share of independent feeder lines has declined. Moreover, consolidation and the increased dominance of alliances have increased the power of alliances and carriers vis-à-vis tonnage providers. As a result, the market share of container fleets provided by tonnage providers has decreased. Ultimately, the vertical integration between carriers and terminal operators in Europe has emerged.

With respect to performance indicators, the ITF found that schedule reliability of global carriers on European trade lanes has been relatively stable. This also applies to cancellations of a scheduled weekly service (i.e. blank sailings). However, performance has been slipping on fleet utilisation, direct liner connectivity, unique port-to-port connections and weekly service frequency.

IMO 2020 FUEL RULES SET TO CHANGE OCEAN FREIGHT LANDSCAPE

Low-sulphur regulations may trigger more slow steaming and transhipment and be ruinous for some container lines if they fail to recover more from customers than in the past, according to Drewry.

Next year will be a pivotal year for the container shipping market, with the imminent IMO 2020 low-sulphur fuel deadline set to trigger more slow steaming and transhipment - and be potentially disastrous for some container lines if they fail to recover enough of their cost increases from customers, according to industry analyst. In its Container Insight Weekly briefing today, Drewry noted that failure to recover more of the fuel cost from customers than in the past, when it was estimated to be around 50%, "could be ruinous for some lines, many of which are still operating with highly distressed balance sheets".

Drewry said the reality was that carriers' fuel costs will start to differ to a considerable degree as the new fuels are pumped into their ships, with the variance to be largely driven by the type of fuel used. It highlighted a new report by the International Energy Agency (IEA) that suggests marine gasoil (MGO) will be the preferred option for shipowners across all maritime sectors from next year when the new 0.5% sulphur limit becomes law. Use of very low-sulphur fuel (VLSFO), which is expected to be cheaper at the outset, will gradually become more popular as concerns over the availability of blending materials dissipate, Drewry indicated.

The IEA said some shipping companies may also be reluctant to adopt a new fuel immediately and would prefer to use MGO until they have confidence that VLSFO will be easily available in ports and stable and compatible with similar grades, Drewry noted. "Operators with a higher quota of ships fitted with scrubbers that are able to continue to use the cheaper high-sulphur fuel oil (HSFO) stand to make significant operating expense savings, after the initial retrofitting investment," Drewry said.

Last year, the premium between HSFO/IFO 380 and MGO at the port of Rotterdam was approximately $210 per tonne, it noted. "Depending on their success in raising the fuel recovery rate, carriers will inevitably seek to mitigate the anticipated higher operating expenses. One potential side-effect from the new regulations could be greater slow-steaming and use of transhipment - the logic being that as ships sailing speed is reduced and round voyages are extended carriers will drop ports from rotations to ensure that transit times to key points remain competitive.

"Fewer direct port calls will induce greater need for transhipment and feeder operations." Drewry research shows that in the past there was a reasonably high correlation between incidences of transhipment globally, as a percentage of total port throughput, and bunker prices, the analyst pointed out. "The upside from this shift towards more transhipment from a ports and terminals perspective is that this will inflate the global port throughput sum as four container movements at the quayside will be required instead of two with direct port-to-port calls."

Drewry said it will provide more in-depth analysis of this issue, along with the likely costs implications for shippers and carriers related to IMO 2020, in its forthcoming Container Forecaster report, to be published at the end of this month. It concluded: "Shippers rightfully want more transparency regarding how the new fuel surcharge mechanisms will work, but they should be mindful of the potential risks to future service options, competition and rates if they don't concede anything to carriers."

Source: Lloyds Loading List

Air

CARGO PRIORITIES: TRADE, GLOBAL STANDARDS AND MODERNIZATION

During the opening address by Alexandre de Juniac, IATA's Director General and CEO, at the 13th World Cargo Symposium, IATA called on governments and the air cargo industry to focus on three priorities: modernisation, trade and global standards. Mr de Juniac noted that the operating environment for air cargo is increasingly challenging. Demand for air cargo grew by 3.5% in 2018, a significant deceleration from 2017 which saw extraordinary growth of 9.7%. Weakening global trade,

sagging consumer confidence and geopolitical headwinds contributed to a general slowdown in demand growth commencing in mid-2018. And January 2019 saw a year-on-year contraction of 1.8%.

IATA called for the modernization of industry processes. This will be critical to efficiently meet the doubling of demand expected over the next two decades. And it is already being called for by customers of the industry's most promising growth markets—e-commerce and the transport of time - and temperature-sensitive goods, such as pharmaceuticals and perishables. Aligned with a resolution on modernizing air cargo from the 2017 IATA Annual General Meeting, IATA called for faster progress on the digitization of the supply chain and more effective use of data to drive improvements in operational quality. The industry's digital vision is focused on four areas:

- Global implementation of the e-Air Waybill (e-AWB);
- Universal adoption of a common data language—Cargo XML standards;
- Smart data sharing;
- And use of performance data to drive quality improvements.

IATA also called for modernization of air cargo facilities. "The e-commerce world is looking for fully automated high-rack warehouses, with autonomous green vehicles navigating through the facility, and employees equipped with artificial intelligence and augmented reality tools. The average cargo warehouse today is an impressive sight. But there is a huge gap to fill," said de Juniac. "The problem is not technology. The problem is the speed to market. It's exceptionally tough to drive change in a global industry with a huge number of stakeholders where safety is top priority. But it is not mission impossible. I challenge stakeholders to find ways to drive critical change at the speed our customers expect," said de Juniac.

IATA urged governments to ensure that global standards are consistently implemented and enforced when necessary. In this regard, de Juniac highlighted two examples: Global standards for the safe transport of lithium batteries and Implementation of global agreements to make trade simpler, cheaper and faster: IATA called on governments to implement three important agreements: (1) the World Trade Organization's Trade Facilitation Agreement, (2) the Montreal Convention 1999 (MC99); and (3) revisions to the Kyoto Convention of the World Customs Organization.

IATA urged governments to keep borders open to trade. "Protectionism, trade friction, BREXIT and anti-globalization rhetoric are part of a genre of developments that pose real risk to our business and broadly across the economies of the world. We need to be a strong voice reminding governments that the work of aviation—including air cargo—is critically important. Trade generates prosperity. And there are no long-term winners from trade wars or protectionist measures," said de Juniac.

The full speech is available here.

STUDY ON COST OF SUPPORTING ALTERNATIVE JET FUELS

On 20 March, the International Council on Clean Transportation (ICCT) published a working paper on the cost of supporting alternative jet fuels in the European Union. The paper provides an assessment on the cost of production for a selection of alternative jet fuel conversion technologies. It incorporates lifecycle greenhouse gas (GHG) emissions accounting in the economic analysis of the alternative jet fuels production and further identifies the production pathways that offer the most cost-effective carbon reductions.

According to the paper, there are widely varying levelized production costs and carbon abatement potential for the different pathways. However, the study found that generally the cost of producing

even the cheapest alternative jet fuel is much higher than the cost of petroleum. On that basis, it argues that this would necessitate a substantial policy support and that the cost of carbon reductions from fuel switching is estimated to be generally an order of magnitude higher than most carbon offsets.

The working paper is available here.

BOEING 737 MAX 8 SUSPENDED

Following the crash of a Boeing 737 MAX 8 on 10 March, the aircraft-type has been grounded globally due to concerns arising out of the occurrence of the crash within five months of a similar accident. The cause of the crash has not yet been determined and while there is no clear evidence of technical flaws in the aircraft design, the operations have been suspended as a precautionary measure.

In Europe, the operation of all Boeing 737-8 MAX and 737-9 MAX was suspended by EASA as a precautionary measure on 12 March. Additionally, EASA suspended all commercial flights of the above-mentioned models performed by third-country operators into, within or out of the EU.

On 18 March, the European Parliament's Transport and Tourism (TRAN) Committee held an exchange of views with the Executive Director of the European Union Aviation Safety Agency (EASA), Mr Patrick Ky, on why these accidents happened and what needs to be done in the future. EASA is currently not participating in the accident investigation but has filed a request with the aviation authority of Ethiopia to act as an observer. The exchange of views was webstreamed (starting at ca. 16:15). The presentation given by EASA during the exchange of views is available here.

The impact that this suspension has on cargo capacity is varied. According to Air Cargo Airports, Air Canada substituted the 737 MAX 8 with 777-300ER aircrafts on several flights, which offers more available cargo capacity.

Sources: EASA, Boeing, Air Cargo Airports

Sustainability

LEARN WORKSHOP AT SITL IN PARIS

On 26 March, TLF and CLECAT organise a workshop at the SITL in Paris where the results of the Logistics Emissions Accounting and Reduction Network (LEARN) project will be presented and discussed. The workshop will demonstrate practical examples of freight forwarders and shippers companies on how they work with emission accounting and measuring with the aim to reduce their footprint.

The Logistics Emissions Accounting and Reduction Network (LEARN) project mobilizes business to reduce their carbon footprint across their global logistics supply chains through improved emissions calculation, assurance and reporting.

Over the past 2 years, LEARN partners – including CLECAT – have been working closely with related organizations, initiatives and already existing networks. This includes the Global Logistics Emissions Council (GLEC), a voluntary partnership of companies, industry associations and programs, led by Smart Freight Centre. The LEARN project has built on and sought to improve the 'GLEC Framework for

Logistics Emissions Methodologies' that combines existing methods and fills gaps, making carbon accounting work for industry.

More information on the panel is available here.

DHL FREIGHT PILOTS LNG TRUCK IN GERMANY

DHL Freight has deployed one of the very first liquefied natural gas (LNG)-powered Iveco Stralis long-haul trucks capable of towing a mega trailer. During a year-long trial period, the truck will operate as a daily shuttle between DHL's logistics center and a BMW Group production plant in southern Germany. Thanks to a higher loading height and increased fuel efficiency, mega trailers in road transport are particularly important for the automotive industry, making BMW Group the ideal partner for testing in Germany. Since last year's contract renewal with the BMW Group, DHL has been managing the automotive manufacturer's supply chain in seven additional areas, as well as all road transport between 17 countries.

DHL Freight has gained initial experience with LNG trucks in Belgium. Since summer 2018, four of these heavy-duty, long-haul trucks have been part of a sustainable transport solution for one of the world's largest developers and sellers of athletic footwear and sportswear. Now, for the first time, a natural gas-powered truck can be combined with a mega trailer, a feature previously not possible due to tank design. An internal loading height of three meters makes this equipment a preferred solution in the automotive sector as it offers not only more loading capacity but also the possibility of loading larger spare parts.

Full press release is available here

Customs and Trade

EU TRADE STATISTICS 2018

On 20 March, Eurostat published a report outlining developments in EU trade in goods for 2018. The report shows that, in 2018, the United States and China continued to be the two main goods trading partners of the EU, representing respectively 17.1% and 15.4% of total extra-EU trade in goods, i.e. the sum of exports and imports. The top trading partners are followed by Switzerland (6.7%), Russia (6.4%), Turkey (3.9%) and Japan (3.4%).

In almost all EU Member States, the main partner for exports of goods was another member of the EU (intra-EU trade), except for example, Germany, Ireland, and the United Kingdom, which exported mostly to the United States. Overall, Germany was the main export destination for 17 Member States.

The main partner for imports of goods was another member of the EU in all Member States except Lithuania, which imported goods mostly from Russia, and the Netherlands, whose main importing partner was China. Most EU Member States imported the majority of their goods from Germany.

In 2018, machinery and transport equipment continued to play a major role in EU trade in goods with the rest of the world, accounting for 41% of total extra-EU exports and 31% of imports.

Source: Eurostat

BOOST IN EU FUNDING FOR TAX COOPERATION

On 21 March, a provisional agreement was reached to provide funding for the EU's tax cooperation programme ('Fiscalis') during the next EU budget period of 2021-2027. The Fiscalis programme helps tax administrations to cooperate better across the EU to improve tax collection and fight tax fraud.

According to the Commission, the agreement on the Fiscalis funding comes at a time where public sentiment against tax avoidance runs high, with 74% of EU citizens calling for EU action against tax avoidance and tax evasion, and with EU governments needing to recoup more than €50 billion a year lost to Value Added Tax (VAT) fraud alone. A strengthened programme should help address this issue. The Fiscalis programme should also offer support in the upcoming challenges of the next decade, such as the digitalisation of taxation activities, new economic models or the internationalisation of financial instruments, which go well beyond the Union border.

This provisional agreement now has to be formally approved by both the European Parliament and the Council, while the budgetary aspects are subject to the overall agreement on the EU's next long-term budget, proposed by the Commission in May 2018 .

Source: European Commission

Forthcoming events

CLECAT MEETINGS

Maritime Institute meeting
11 April, Antwerp, Belgium

Air/Security Institute meeting
18 April, Schiphol Airport, The Netherlands

Board/General Assembly
26 June, Paris, France

OTHER EVENTS WITH CLECAT PARTICIPATION

SITL Conference – LEARN Workshop for Freight Forwarders and Shippers
26 March, Paris

DSLV Kommission Logistiksicherheit
26 March, Berlin

Zolltag Spedlogswiss
28 March, Switzerland

FIATA HQ Meeting
27-29 March, Zurich

LEARN Final Review
29 March, Brussels

ACEA Workshop on High Capacity Road Transport
7 May, Brussels

Global Liner Shipping Conference
13 -15 May, Hamburg

EP/COUNCIL MEETINGS

European Parliament TRAN Committee
8 April, Brussels
11 April, Brussels

European Parliament Plenary
25-28 March, Strasbourg
3-4 April, Brussels

European Transport Council
6 June, Brussels

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