

April 27, 2021

The Honorable Pete Buttigieg  
United States Secretary of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Dear Secretary Buttigieg:

We are concerned with challenges imposed by vessel-operating common carriers (VOCCs), who are declining to ship U.S. agricultural commodity exports from U.S. ports, and imposing hundreds of millions of dollars of punitive charges already determined to be unreasonable by the Federal Maritime Commission. The burden on hardworking exporters, manufacturers, farmers, ranchers and our rural communities is overwhelming. We urge the Department of Transportation to utilize all existing authorities to remedy the challenges experienced by U.S. agricultural exporters.

The last three decades in the ocean shipping industry have brought consolidation to a sector that once had dozens of carriers. A result of that consolidation is complete reliance on less than a dozen foreign carriers to deliver our agricultural products overseas. The tenuous nature of this arrangement is evident as VOCCs are delivering massive volumes of imported shipments to U.S. ports and then electing to leave without refilling empty containers with American goods and products.

Whereas shipping containers filled with imported goods are normally unloaded, sent to rural areas, filled with agricultural commodities and then shipped abroad, the lucrative freight rates paid by the import cargo, combined with congestion and delay at ports on our West and East Coasts are leading VOCCs to immediately return empty containers to their overseas ports of origin. The situation is exacerbated by carriers' failure to provide accurate notice to our exporters of arrival/departure and cargo loading times, and then imposing draconian financial penalties on the exporters for "missing" those loading windows – a practice that the FMC has found to be unreasonable.

Foreign markets are critical to American farmers and ranchers with more than 20 percent of agricultural production going abroad. It is cost prohibitive for producers to rework the supply chain and find alternative means of fulfilling their overseas contracts. This impossibility coupled with significant pricing increases explains estimates of nearly \$1.5 billion in lost agriculture exports. These losses come on the heels of trade conflict and pandemic that have wiped away markets globally. The mounting frustration of U.S. agriculture explains why a vast array of food and agriculture associations supported the Federal Maritime Commission's investigation Fact Finding No. 29, "International Ocean Transportation Supply Chain Engagement", to address VOCCs predatory or unreasonable behavior, and its Rule setting forth guidelines for Detention and Demurrage.

We need action now; not additional studies. We ask the Department of Transportation to assist the Commission in expediting its enforcement options. Additionally, we urge the Department of Transportation to consider its existing authorities to determine how it can assist with the transportation needs of the U.S. exporters and the farmers and ranchers they serve, in overcoming the current challenges in shipping goods and products. Thank you for your attention to this urgent matter and for considering our views.

CC: Secretary, U.S. Department of Agriculture, Tom Vilsack

Maria Cantwell, Chair, Senate Committee on Commerce, Science and Transportation  
Roger Wicker, Ranking Member  
Gary Peters, Chair, Subcommittee on Surface Transportation, Maritime, Freight & Ports  
Deb Fischer, Ranking Member

Peter DeFazio, Chair, House Transportation & Infrastructure Committee  
Sam Graves, Ranking Member  
Salud Carbajal, Chair, Subcommittee on Coast Guard & Maritime Transportation  
Bob Gibbs, Ranking Member

Sincerely,

Agriculture Transportation Coalition  
AddTran Logistics, Inc.  
Aden Brook Agri Sales USA, Inc.  
ADM  
Ag West  
Agri Green Ent.  
Agri-Mark, Inc.  
AgriBilt Building Systems  
Agricultural & Food Transporters Conference of ATA  
Allbright Cotton  
Allports Forwarding Inc.  
Almond Alliance of California  
American Bakers Association  
American Cotton Shippers Association  
American Dairy Products Institute  
American Farm Bureau Federation  
American Feed Industry Association  
American Forest & Paper Association  
American Log Exporters Coalition  
American Pulse Association  
American Seed Trade Association  
American Sheep Industry Association  
Andersen & Sons Shelling  
Anderson Hay and Grain  
Anderson Northwest LLC  
Bains Farming, LP  
Bartelson Transport  
Beecher Lane Walnut, Inc.  
BelGioioso Cheese, Inc.  
Bell Bacon Farms  
Blue Sun Farms, Inc.  
Border Valley Trading

BOSSCO Trading LLC  
Brandt Farms, Inc.  
C K International, Ltd.  
Calaway Trading, Inc.  
California Citrus Mutual  
California Cotton Ginners and Growers Association  
California Dairies, Inc.  
California Farm Bureau Federation  
California Fresh Fruit Association  
California League of Food Producers  
California Prune Board  
California Table Grape Commission  
California Walnut Commission  
Capay Canyon Ranch  
Carriere Family Farms  
Cascade Foothills Farmland Association  
Cascade Organic Farms  
Cascade Organic Flour  
Cascade Shippers Association  
Castle Shipping Lines, Inc  
Central Washington Railroad  
Chairman Madera County Board of Supervisors  
Charles T. Creech Inc.  
ClearFreight  
Clemens Food Group  
Columbia Basin Railroad  
Columbia River Customs Brokers and Forwarders Association  
Consumer Brands Association  
Corn Refiners Association  
Cotton Warehouse Association of America  
Crain Marketing, Inc.  
Creekside Farming Co.  
Crest Container Lines Inc.  
Croll Farms  
Customs Brokers & International Freight Forwarders Association of Washington State  
Customs Brokers and Forwarders Association of Northern California  
D&C Distributors  
D&D Ag Services LLC.  
Dairy Farmers of America  
DairyAmerica  
Dale Packing, Inc  
Darigold  
Dart Hay  
Davis Hay & Straw  
Dayka & Hackett LLC  
Derco Foods  
Diamond Foods, LLC  
Distilled Spirits Council of the United States

DLF Pickseed  
Dunlea Farms Ltd  
Eckenberg Farms Inc.  
EFI Logistic Inc.  
Eight Star Commodities  
El Toro Export, LLC  
El Toro Land and Cattle Company  
Excel International, LLC  
Farmers' Rice Cooperative  
Firehorse Farms  
Foodlinx, Inc.  
Forage Export Transport Company  
Forage Exporter and Diamond E Transport  
Foraznor International, Inc.  
Freeburg Hay LLC  
Fresno County Farm Bureau  
GFI Hay Processing  
Gold Dust Potato Processors, Inc.  
Golden Valley Farms  
Grain Millers Inc.  
Grassland Dairy Products, INC.  
Greenfield LLC  
Griffin Seed International LLC  
Grove Services  
Grower Direct Nut Company  
Hajny Trading  
Hardwood Federation  
Hay Day Farms of Arizona LLC  
Hay Day Farms of California LLC  
Hazelnut Growers of Oregon  
Heidel Hollow Farm, Inc.  
High Desert Milk  
Horizon Nut Company  
Hughson Nut  
Hulbert Farms, Inc.  
Idaho Potato Commission  
Idaho Pulse Crops Commission  
Idaho-Oregon Fruit and Vegetable Association  
IMC InterMarket Co. Inc.  
Infinity Intermodal  
Inland Empire Milling Co., Inc.  
Institute of Shortening and Edible Oils  
International Dairy Foods Association  
International Express, LLC  
International Ingredient Corporation  
J.C. Janssen Farm  
James Farrell & Co.  
Jasmine Vineyards

JBF Distribution  
Kevin Fox Farms  
Kingsburg Orchards  
Kintetsu World Express  
L&M  
Land O'Lakes Inc.  
Larsen Hay  
Leather & Hide Council of America  
Leprino Foods Company  
Lindsey Forwarders, Inc.  
Los Angeles Customs Brokers and Freight Forwarders Association  
Lyons Cotton, Inc.  
MacMillan-Piper  
Madera County Farm Bureau  
Mariani Nut Company  
Markarian Family LP  
Marner Hay & Cattle Co.  
Maryland & Virginia Milk Producers Cooperative Association  
MCT Dairies, Inc.  
Meat Import Council of America  
MetaFoods LLC  
Michigan Milk Producers Association  
MidWay Straw Company LLC  
Milk Specialties Global  
Mohawk Trading Co., Inc.  
Montana Pulse Crops Committee  
Monterey County Farm Bureau  
Multi Fruit USA  
National Aquaculture Association  
National Association of Egg Farmers  
National Association of State Departments of Agriculture  
National Beef Packing Company  
National Chicken Council  
National Cotton Council  
National Council of Farmer Cooperatives  
National Fisheries Institute  
National Milk Producers Federation  
National Oilseed Processors Association  
National Onion Association  
National Pork Producers Council  
National Raisin Company  
National Sorghum Producers  
National Turkey Federation  
Neigel Vintners LLC  
Norseman Inc.  
North American Blueberry Council  
North American Meat Institute  
North American Millers' Association

North American Renderers Association  
North Dakota Dry Pea and Lentil Council  
North Dakota Grain Growers Association  
Northeast Dairy Farmers Cooperatives  
Northern California District Export Council  
Northern Pulse Growers Association  
Northpoint Logistic  
Northwest Horticultural Council  
Nugget International Inc.  
Number 9 Hay Trading Co. LLC  
NuPhY, Inc.  
O-AT-KA Milk Products Cooperative, Inc.  
OBI Seafoods, LLC  
Ohio Dairy Producers Association  
OL-USA  
Olam Cotton  
Olive Glen Orchards  
Ontario Dehy Inc.  
Oregon Hay  
Oxbow Animal Health  
P-R Farms, Inc.  
Pacific Northwest Asia Shippers Association  
Pacific Soybean & Grain  
Pacific Valley Foods, Inc.  
Pandol Bros., Inc.  
Paul Price Farms  
Pearl Crop  
Pet Food Institute  
PolyExcel  
Poppelreiter Farms  
Produce Marketing Association  
Proteus Commodities Inc.  
Puris  
Purnell Farms  
Quality Trading Company, LLC  
Randi B Farms  
Ray-Mont Logistics America Inc  
RB International  
Rural & Agriculture Council of America  
S.A. International, Inc.  
Sacramento Packing, Inc.  
Sage Hill NW  
Salida Valley Ranch  
San Diego Customs Brokers Association  
Sartori Company  
SB&B Foods, LLC  
ShoEi Foods USA, Inc.  
Skagit Seed Services, Inc.

Smith Seed Services  
South Dakota Pulse Growers Assn.  
Southeast Milk, Inc  
Southwest Council of Agribusiness  
Specialty Soya & Grains Alliance  
Standlee Premium Western Forage  
Steffen Hay Inc.  
Stevens Hay Exports  
Stewart & Jasper Marketing, Inc.  
Stutzman Farms Inc.  
SunnyGem LLC.  
Sunrise Acres Egg Farm  
Sunrise Trading  
Sunsweet  
Superior Farms  
TenCate Geosynthetics Americas  
Terra Nova Trading, Inc.  
TGS Logistics  
The Calaway Group of Companies  
The Fertilizer Institute  
The Gavilon Group, LLC  
The Pacific Coast Council of Customs Brokers and Freight Forwarders Assns. Inc.  
The Propeller Club of Northern California  
Toyo Cotton Company  
Triple I Press  
TTS - Worldwide  
Turley Cotton Co., Inc.  
Tyson Foods, Inc.  
U.S. Dairy Export Council  
U.S. Forage Export Council  
U.S. Meat Export Federation  
U.S. Pea & Lentil Trade Association  
U.S. Shippers Association  
United Egg Producers  
United States Egg Marketers, Inc.  
Upstate Niagara Cooperative, Inc.  
US Apple Export Council  
US Nisshin Shokai  
USA Dry Pea and Lentil Council  
USA Poultry & Egg Export Council  
USA Rice  
Valley View Foods, Inc.  
Valley Worldwide Logistics Solutions  
Ward Rugh, Inc.  
Warkentin Farms LLC  
Washington Grain Commission  
Washington Pulse Crops Commission  
Washington State Potato Commission

Washington State Short Line Railroad Coalition  
Washington State Tree Fruit Association  
WeFARM Organics  
Western Ag Enterprises, Inc.  
Western Agricultural Processors Association  
Western Growers Association  
Western Nut Company  
Western Pulse Growers Association  
Whitby Ag Enterprises, LLC  
Wilbur-Ellis Nutrition  
Windrow Baling Products Inc.  
Woodlyn Acres Farm, LLC  
Zeeland Farm Services, Inc.  
Zen-Noh Hay, Inc  
ZFS Creston, LLC  
ZFS Ithaca, LLC  
5 Rivers Ag.  
5G Rice Partnership