

January 27, 2022

The Honorable Charles Schumer, Majority Leader  
The Honorable Mitch McConnell, Minority Leader  
United States Senate  
Washington, DC

Re: US Agriculture Urges Senate Ocean Shipping Legislation

Dear Senators Schumer and McConnell,

The US agriculture industry is encouraged that the Senate may consider a bill being drafted by Senators Klobuchar and Thune, with input from the Committee on Commerce, Science and Transportation, to address unreasonable ocean carrier practices that are undermining U.S. export competitiveness. The bipartisan Ocean Shipping Reform Act of 2021 (H.R. 4996) recently and overwhelmingly passed the House of Representatives 364 – 60; it is essential the Senate also pass legislation to allow US agriculture to remain viable in global markets.

The transportation crisis for US agriculture products has become increasingly dire. Many agriculture products produced in the U.S. experience significant competition from other countries. If we cannot deliver our products dependably, our foreign customers will find alternatives to our exports. A survey recently conducted by the Agriculture Transportation Coalition (AgTC) found that, on average, 22% of US agriculture foreign sales could not be completed due to ocean carrier practices including: exorbitant freight rates; declined booking requests; unreasonable freight and demurrage/detention charges; and failure to communicate schedules in a timely manner. The damage to our farmers and processors is getting worse; we are losing customers in foreign markets.

Over the past year, intensive media reporting, House and Senate hearings, White House and other Executive Branch Roundtables, and AgTC Workshops, which have included hundreds of agriculture companies, have made clear that current law and regulation are insufficient to protect the ocean shipping interests of US exporters and importers.

We strongly support legislative initiatives to gain reasonable and fair ocean carrier practices consistent with the Federal Maritime Commission's excellent, but still unenforced, Interpretive Rule on Demurrage and Detention. We ask that the Senate bill, like the House bill, establish an obligation for carriers to self-police compliance with that Rule. In addition, the bill should address the ocean carriers' responsibility to carry U.S. export cargo to the extent they can do so safely. We also ask that legislation provide the FMC with additional enforcement tools to address injurious ocean carrier practices.

We request that the Senate advance this legislation, so that following a conference with the House, a final bill can be sent to the President's desk as soon as possible. US agriculture is depending upon it.

Sincerely, attached list of companies and trade associations

Copy: Senator Maria Cantwell, Chair, Committee on Commerce, Science & Transportation  
Senator Roger Wicker, Ranking Member  
Senator Amy Klobuchar  
Senator John Thune  
United States Senate

# Agriculture Transportation Coalition

"The principal voice of agriculture exporters in transportation policy"

Agriculture Transportation Coalition  
ADM  
Agricultural Council of California  
Allied Potato, Inc.  
Almond Alliance of California  
American Cotton Shippers Association  
American Farm Bureau Federation  
American Feed Industry Association  
American Pulse Association  
American Seed Trade Association  
Anderson Hay and Grain Co., Inc  
Anderson Northwest  
Associated Milk Producers Inc.  
Bingaman and Son Lumber, Inc.  
Blue Diamond Growers  
Border Valley Trading  
California Citrus Mutual  
California Cotton Ginner & Growers Association  
California Dairies, Inc.  
California Farm Bureau  
California Fresh Fruit Association  
California Table Grape Commission  
Campos Brothers Farms  
Capay Canyon Ranch  
Colorado Corn  
Corn Refiners Association  
Dairy Farmers of America  
Delta Technology Corporation  
DERCO FOODS  
Diamond E Transport  
Diamond Foods, LLC  
Distilled Spirits Council of the United States  
Double River Forwarding LLC  
Eckenberg Farms Inc.  
EFI Logistics Inc.  
El Dorado Almonds  
Evans Farming  
Farmers International, Inc.  
Geo. S. Bush & Co.  
Holland Nut Company  
Horizon Nut Company  
Idaho Dairymen's Association  
Idaho Potato Commission  
Idaho-Oregon Fruit and Vegetable Association  
International Dairy Foods Association  
International Fresh Produce Association  
JB Global Co LLC  
Johnson Farms  
Johnsonville  
Kraemer & Co. Mfg., Inc.  
Leather and Hide Council of America  
Mariani Nut Company  
Meat Import Council of America  
Michigan Milk Producers Association

Midwest Dairy Coalition  
MJL Properties Inc.  
National Association of State Departments of Agriculture  
National Cotton Council  
National Council of Farmer Cooperatives  
National Milk Producers Federation  
National Oilseed Processors Association  
National Pork Producers Council  
National Potato Council  
North American Meat Institute  
North American Renderers Association  
North Dakota Grain Growers Association.  
Northeast Agribusiness and Feed Alliance  
Northwest Dairy Association/Darigold  
Northwest Horticultural Council  
Ohio AgriBusiness Association  
Oregon Seed Association  
Orleans International, Inc.  
Pandol  
Peanut and Tree Nut Processors Association  
Pet Food Institute  
Pohl & Holmes, Inc  
Proteus Commodities Inc.  
Ray-Mont Logistics  
Rivercrest Ranches  
RPAC, LLC  
Sierra Valley Almonds, LLC  
South East Dairy Farmers Association  
Specialty Soya & Grains Alliance  
Sun Pacific  
Texas Grain and Feed Association  
The National Fisheries Institute  
The National Hay Association  
The Wonderful Company  
Touchstone Pistachio Company  
Treehouse California Almonds, LLC  
Twin Commodities Inc.  
Tyson Foods, Inc.  
U.S. Apple Association  
U.S. Dairy Export Council  
U.S. Meat Export Federation  
US Pea & Lentil Trade Association  
USA Dry Pea & Lentil Council  
USA Rice  
Vann Family Orchards  
Vermeulen Farms Inc.  
Washington State Potato Commission  
WeFARM Organics  
Western Agricultural Processors Association  
Western Growers Association  
Western States Trucking Association  
Williams Clarke Company, Inc  
Wisconsin Agri-Business Association

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