

July 17, 2015

Via Email and USPS

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

The Honorable Shaun Donovan
Director
Office of Management and Budget
1650 Pennsylvania Avenue, NW
Washington, DC 20503

RE: Docket No. APHIS-2013-0021

OMB RIN 0579-AD77

Dear Secretary Vilsack and Director Donovan:

As stakeholders in the growing perishables industry, we submit this letter in opposition to the APHIS proposal to add new user fees categories and adjust current user fees charged for certain agricultural quarantine and inspection published in the Federal Register Vol. 79, No. 80, April 25, 2014. We oppose implementation of the fees as currently proposed and urge that a new impact study be conducted to develop a more appropriate and equitable fee structure.

We strongly urge USDA/APHIS of its own volition, or on instruction from OMB, to go back to the drawing board to reconsider and rewrite the proposal. We believe it has been demonstrated in comments filed with USDA/APHIS and OMB that further study is needed for the development and implementation of any new fees. Any new rule should examine the ultimate effect on all stakeholders, including importers, retailers, wholesalers, consumers, growers, ocean carriers, shippers, forwarders, warehouses, transport carriers, etc.. Also, any proposed rule should not adversely affect one region(s) more than another as does the proposed new treatment fee. We believe a comprehensive examination of the impacts that the proposed new and increased fees would have on all stakeholders was not conducted – thus we ask that further examination of the issues outlined above should be completed before any fee increase goes into effect.

Multiplying ship and air inspection fees from \$496 to \$825 and from \$70.75 to \$225, respectively, and imposing a new \$375 pest treatment fee will have a tremendous impact on the imports and exports of perishables and cargo as a whole. This increase will result in higher costs for consumers and/or lower profit margins for numerous members of the supply chain and will do so on an inequitable basis. The proposed fees do not distinguish between different types of treatments despite the fact that some are more labor intensive than others or the dramatic differences in volumes of cargo treated as a single treatment in different ports.

Finally, we ask that APHIS consider conducting a new study that is comprehensive in nature and takes into account the unanticipated consequences, including possible increased costs to

consumers, impact on international trade and trade agreements, uneven regional impacts, and potential job losses. There is too much at stake to make such a drastic change at one time, and any fee increase should be phased in over a number of years. Thus, we urge APHIS to rescind this proposed rule and start the stakeholder's process anew.

On behalf of the businesses throughout America, we thank you for your attention to this matter.

Sincerely,

Advanced Customs Brokers	Maritime Exchange for the Delaware River and Bay
Alternative Global Logistics	Miami Association of Realtors
American Association of Colombian Engineers	Miami International Airport
American Association of Port Authorities	National Pest Management Association
APL Limited	Native Bouquet, LLC
Canadian American Border	Native Floral, LLC
Classic Fruit Company	Native Wholesale, Inc.
Colombian American Chamber of Commerce	Port Everglades
ComReal Miami, Inc.	Port of Wilmington Delaware
Costa Farms	Port Tampa Bay
Crowley Inc.	PortMiami
Customized Brokers Inc.	Produce Marketing Association
Enterprise Florida	Quirch Foods Co
Flora Logistics of Miami	Seaboard Marine
Florida Perishables Coalition	Society of Industrial & Office Realtors
Florida Ports Council	South Jersey Port Corporation
Florida Stevedoring and Farovi Shipping	Specialty Crop Trade Council
GrayRobinson, P.A.	Sunfresh Farms, Inc.
HPL Hellmann Perishable Logistics Inc.	The Port of Hueneme
Infinity Commercial Real Estate	Trade Alliance
J&C Tropicals	United Fresh Produce Association
KSG Trade Co.	Vero Logistics, LLC
Louisiana Maritime Association	Versaci Group Intl Inc.
Maritime Consulting Enterprise	Virginia Maritime Association
	WTDC Foreign Trade Zone 281 – 4

cc: Mr. Osama El – Lissy, Deputy Administrator USDA - APHIS - Plant Protection and Quarantine
Ms. Courtney Higgins, Office of Management and Budget
Ms. Brenda Aguilar, Office of Management and Budget