

MARC FISHER

April 3, 2020

The Honorable Michael Khouri
Chairman
Federal Maritime Commission
800 North Capitol Street, N.W.
Washington, D.C. 20573

Dear Chairman Khouri:

On behalf of Marc Fisher Footwear, and in light of the current crisis, I am writing to urge the Federal Maritime Commission (FMC) to immediately finalize, as published, the FMC's Proposed Interpretive Rule addressing fair demurrage and detention practices at our nation's maritime gateways. Further, with the global supply chain disruption and massive loss of business resulting from the coronavirus, I urge the FMC to issue strong guidance stating that, based on the final interpretive rule, the current crisis constitutes a situation where detention and demurrage fees should be waived.

Marc Fisher Footwear is a leading designer and marketer of woman's and men's fashion footwear representing 14 brands. Our headquarters in Greenwich, CT employs roughly 200 employees and our NJ and CA Distribution centers employ an additional 300+ employees combined.

We are currently facing unprecedented challenges throughout our supply chain because of the current crisis – from lockdowns in supplier countries and shipping issues to the shutdown of retail and Distribution Centers in the United States. As such, the imposition of detention and demurrage charges when equipment cannot be returned or containers cannot be picked up during the free period, for reasons beyond my company's control, especially in this time of crisis, is not only inherently unfair, but makes my company's products more expensive for consumers, at a time when they can least afford it.

Marc Fisher Footwear believes that the approach that the FMC has developed with the Proposed Interpretive Rule, which provides guidance for when a detention or demurrage charge can or cannot be fairly imposed, is the correct one.

Again, I urge the FMC to immediately adopt its proposed interpretive rule, as published. The FMC has created a strong rule, and it needs to be implemented now more than ever.

Thank you for your time and consideration in this matter.

Sincerely,



Alan Luchette
Chief Operations Office

cc: Commissioner Rebecca Dye
Commissioner Daniel Maffei
Commissioner Louis Sola
Commissioner Carl Bentzel