



December 8, 2017

Rachel E. Dickon
Assistant Secretary
Federal Maritime Commission
800 North Capitol Street NW, Room 1046
Washington, DC 20573-0001
Email: secretary@fmc.gov

RE: Request to Appear as a Participant Witness - Public Hearing on Petition No. P4-16

Dear Assistant Secretary Dickon,

My name is Mr. Sam Sorbello, Owner and President of Atlantic Coast Freezers (ACF) located in Vineland, NJ. I would like to submit my Request to Appear as a Participant Witness at the scheduled public hearing for Petition No. P4-16 taking place on January 16 - 17, 2018.

I. Identity and Contact Information of Witness

Sam J Sorbello, President
Atlantic Coast Freezers
2192 NW Blvd
Vineland, NJ 08360
Phone: (856) 696-1770
Email: sam@acfreezers.com
Website: www.acfreezers.com

II. Company Information

ACF is a cold storage warehousing facility and one of the largest receivers of imported meat products in the Port of Philadelphia (Packer Marine Terminal). ACF provides U.S. Department of Agriculture (USDA) import inspection & warehouse services for our clients, the importers of record for imported meat products. I am the principle of the company and oversee all of its operations and day to day activities.

III. Summary of Testimony

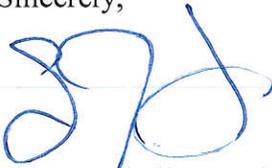
By law, one hundred percent of all imported meat containers are subject to clearance by Customs and Boarder Protection (CBP) officers operating on behalf of USDA Animal and Plant Health Inspection Services (APHIS) before they can be released from the terminal. After they are released, the products are transported to a cold storage facility that is approved to inspect meat (I House) and must be inspected by USDA Food Safety and Inspection Service (FSIS) personnel. Once a container of imported meat product arrives at the I House, every carton in the container is offloaded by hand and staged in the cold storage warehousing facility for FSIS inspection. Each container can take up to 3 to 4 hours in the staging area for the most basic FSIS government inspection processes to be finalized. If the container is selected, randomly or otherwise, for an intensified examination, it can take several more hours for the product in that container to be inspected by FSIS

In performing their mandatory inspection activities, CBP officers at the port and FSIS personnel at the I House sometimes cause a delay in the release of the imported meat cargo to the importer or his agents, which is outside the control of the importer. These delays can be caused by any number of reasons, such as random selection by CBP for intensive inspection at the port for security reasons, lack of adequate FSIS staff availability, weather or traffic problems, etc. None of these delays are a direct result of the importer's action or inaction.

However, meat importers and their agents are nevertheless assessed detention or demurrage fees by shipping lines or terminal operators if there is a delay in picking up or dropping off of equipment outside the allotted free time, regardless of the source or reason for the delay. This is not an equitable position to the importer or their agents. Mandatory government inspection of imported meat products is in the interest of public health and safety. Shipping lines and terminal operators should not be able to assess detention or demurrage fees to importers or their agents for delays arising from these government-mandated activities.

Thank you for the opportunity to appear at the hearing and testify on this important matter. I look forward to your positive response to my request.

Sincerely,



Sam J Sorbello, President
Atlantic Coast Freezers