

B&H Customs Services Inc.

147-19 SPRINGFIELD LANE #A JAMAICA, NY 11413 Tel 718-525-7050 Fax 718-525-7060

1/24/2017

Ms. Rachel E. Dickon
Assistant Secretary
Federal Maritime Commission
800 North Capitol Street N.W.
Washington, DC 20573-0001

Re.: Petition No. P4-16

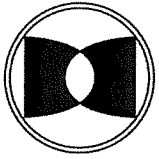
Dear Assistant Secretary Dickon,

My name is Timothy Park and I am the Vice President of B&H Customs Services Inc. located near the JFK airport in New York. We are a customs broking company that arranges customs clearances for our clients as well as domestic logistics of international ocean cargo.

On December 28, 2016, the Federal Maritime Commission (FMC) published a notice to the Federal Register concerning a petition for rulemaking from the Coalition for Fair Port Practices. I am writing in response to this petition and my company fully supports the rulemaking request to further clarify and define the parameters in the assessment of "demurrage, detention, and per diem charges by ocean common carriers and marine terminal operators when ports are congested or otherwise inaccessible." We urge the FMC to bring a proceeding to consider the matter as soon as possible.

Overall, we have been very pleased by the Federal Maritime Commission's hard work and services at the ports but there have been many concerning situations that have occurred in recent years. Vessel operators or marine terminal operators have been assessing detention or demurrage charges in situations that are beyond the control of our company or our clients. For example, the recurring port congestion due to impactful weather events, inadequate port infrastructure, as well as port labor issues have continually caused delays in picking up the containers at the terminals as well as returning the empty containers.

We believe that it would be beneficial to the shipping community if the Commission were to adopt a policy or rule to protect the ocean transportation intermediaries, customs brokers, and most importantly the importers themselves. If a policy were in place to keep the vessel operators and marine terminal operators from assessing detention and demurrage charges during extenuating circumstances, it would



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help the trade community from wasting time emailing and petitioning for relief. We believe this will streamline operations for both sides and encourage the trade community to work more efficiently.

I thank you for this opportunity to respond to the petition.

Sincerely,

Timothy Park,
Vice President,
B&H Customs Services, Inc.