



BABCO FOODS INTERNATIONAL, LLC

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February 23, 2017

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

Re: Petition No. P4-16

Dear Assistant Secretary Dickon,

I am writing in response to the invitation in the Federal Register Notice of December 28, 2016, my views on the petition for rulemaking from the Coalition for Fair Port Practices. My company fully supports the rulemaking requested by the Coalition and requests the FMC to consider this matter at the earliest.

I am Olivia Vaz, Member and CFO of my Company Babco Foods International LLC. Babco Foods International, LLC, is a small business, established in New Jersey in 2002, under Tax ID #11-3692568. Robert Vaz and Olivia Vaz are the two members of the LLC. The Company is in the business of importing and whole sale distributing food products to the ethnic grocery stores in the USA. There are 36 employees in our payroll.

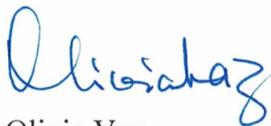
1. In 2015, our Company imported about 200 containers of rice and snack products and incurred demurrage and detention charges of \$57,056. This was primarily as a result of containers going on USDA / FDA exam where the containers are opened, examined and then are made available for pickup. Due to inordinate delay at the container examination center, it takes about a week or two before containers are released. During this time, when the Company is helplessly waiting for the release of the container, it is painfully aware that as each day passes, the container is incurring detention charges. There is nothing that the company can do to expedite the release of containers. A few times we have tried through the clearing agents who have told us that there is a huge line of containers lined up for exam and we simply have to wait.

2. During inclement weather, the port is closed and no container pick up is available. The next day, the line of trucks waiting to pick up containers, extends for miles, many trucks return in the evening without picking up the container as the terminal office is closed by the time they reach the end of the line. Many trucks line up from the early hours of morning. Sometimes it takes 2 days to pick up the container, resulting in demurrage.
3. During Government holidays, the port is closed. If on the previous working day, the pickup terminal is kept open for a longer period, the containers can be picked up, avoiding demurrage for the ensuing long week end.
4. The Pickup hours at some terminals are very short. They close at 3pm or 4pm and the containers are released only the following day, incurring demurrage for one more day. Just one or two terminals are open until 7 pm for pickup of containers.
5. In 2016, in addition to demurrage / detention fee, our Company incurred USDA / FDA Exam Fees of \$31,186.
6. For a small business like ours, these expenses are heavily impacting our cash flow and the Company's bottom line.

We request you to look into this matter. We request that small businesses like ours, who are struggling to keep afloat, provide employment to 36 employees, should not be made to incur additional expenses by paying demurrage / detention charge for delays caused at FDA/USDA exam centers, delays due to infrastructure problems of the terminals, not keeping terminals open for longer hours to pick up, and for any other reasons that the Company has no control on.

We kindly request the Commission to do the needful in this matter and thus assist the small businesses.

Respectfully,



Olivia Vaz

Member / CFO

Babco Foods International LLC.