

February 27, 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:

I am writing in response to the FMC Federal Register notice published on December 28, 2016 concerning a petition for rulemaking from the Coalition for Fair Port Practices. My company fully supports the rulemaking requested by the Coalition and we urge the FMC to begin a proceeding to consider this matter as soon as possible.

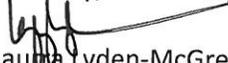
We are a family owned and family run specialty food distributor with locations in Moonachie New Jersey, and Auburn, Washington. I am Laurra Lyden-McGregor, one of four family owners of Peterson Company. We import specialty food products (mainly cheeses and meats) from Europe and distribute those products throughout the United States.

In recent years there have been numerous situations where the vessel operators or marine terminal operators have assessed significant amounts of demurrage or detention in situations where neither we nor our customers are at fault; nor are we or they able to either pick up or deliver cargo or containers from or to the ports or carriers.

A current example that is ongoing, involves FDA holds. Recently the FDA reset vendor registration numbers, which caused incredible confusion and delayed the process of getting containers released. The containers were held at the port while the confusion was being sorted out, but all the while were accruing demurrage charges. In fact, our demurrage charges to date exceed \$5,000.00. This is ridiculous. The existing system of arguing with the carriers or ports, or in challenging the bills at the Commission, is time consuming and unwieldy. For that reason, we believe that the Commission should adopt a policy that makes it clear that it would be inappropriate for the carriers and MTOs to assess demurrage and/or detention charges in situations where the delays are clearly beyond the control or fault of the OTIs and their customers.

Therefore, we urge the Commission to initiate a proceeding to address this issue. Thank you for your time.

Sincerely,


Laurra Lyden-McGregor

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