



October 13, 2023

Mr. William Cody  
Secretary  
Federal Maritime Commission  
800 North Capitol Street, N.W.  
Washington, D.C. 20573

RE: Docket No. FMC-2023-0016  
Maritime Data Transmission, Accessibility, and Accuracy

Dear Mr. Cody,

Please accept these comments on behalf of the U.S. Dairy Export Council (USDEC) and the National Milk Producers Federation (NMPF) and their members with regards to the Federal Maritime Commission's request for information on questions related to maritime data transmission, accessibility, and accuracy.

USDEC is a non-profit, independent membership organization representing the global trade interest of U.S. dairy farmers, dairy processors and cooperatives, dairy ingredient suppliers and export trading companies. Its mission is to enhance U.S. global competitiveness and assist the U.S. industry to increase its global dairy ingredient sales and exports of U.S. dairy products. USDEC and its 100-plus member companies are supported by staff in the United States and overseas in Mexico, South America, Asia, Middle East and Europe.

NMPF develops and carries out policies that advance the well-being of dairy producers and the cooperatives they own. The members of NMPF's cooperatives produce the majority of the U.S. milk supply, making NMPF the voice of dairy producers on Capitol Hill and with government agencies. NMPF provides a forum through which dairy farmers and their cooperatives formulate policy on national issues that affect milk production and marketing. NMPF's contribution to this policy is aimed at improving the economic interests of dairy farmers, thus assuring the nation's consumers an adequate supply of pure, wholesome and nutritious milk and dairy products.

American dairy exporters, like many others, have experienced the volatility in the ocean shipping industry since the onset of the COVID-19 pandemic and the impacts it had throughout the supply chain, some of which are still ongoing. Since then, significant efforts such as the Ocean Shipping Reform Act (OSRA) of 2022 and the resulting rulemaking efforts of the Federal Maritime Commission (FMC) have sought to address some of these challenges and build a more prepared supply chain moving forward. Another such initiative was the Maritime Transportation Data Initiative (MTDI) led by FMC Commissioner Carl Bentzel, which produced recommendations on improving the data systems and practices in the maritime industry through stakeholder engagement at weekly meetings.

As part of these efforts to improve how data is shared in the supply chain, we asked our members to provide input on their recent experiences moving ocean containers to respond to questions posed by the FMC in its RFI. We feel that the unique perspective of the American dairy industry is important consider in the development of new policies and initiatives related to the supply chain, as dairy products are made in all 50 states and exported throughout the world.

## Findings

The range in volume of exports that were represented by the responses of USDEC members was wide, from companies that export 10 TEU containers per month to those that move approximately 8,000.

When asked about the reliability of various data, members universally indicated that data regarding gate hours is at least occasionally unavailable, and 17% of respondents said that it is typically unavailable. Similarly, members all found data regarding Earliest Return Dates to be at least occasionally unavailable. Dwell time data was more polarizing. A sixth of respondents reported that accurate data on dwell time was either always available or always unavailable, with the remaining members finding the reliability of that data somewhere in-between.

Overall, of the types of data that we surveyed our members on: free time, vessel arrival/departure, dwell time, Earliest Return Dates, and gate hours, just 10% reported that the data is always available and accurate, indicating significant room for improvement in the way this information is shared throughout the supply chain to ensure greater efficiency for exporters.

When asked about the specific entities from which they are receiving information about shipping, the majority of respondents said that freight forwarders typically provide reliable and timely information. Drayage providers were also mentioned as being accurate and reliable. Ocean carriers themselves were described more often as “sometimes” providing accurate information or “less reliable”.

In terms of the types of data that members considered to be least likely to be available and accurate, a variety of answers were submitted. Estimated sail dates and arrival dates were most often mentioned, and were also cited as being some of the most important pieces of information to receive in an accurate manner. Email and Electronic Data Interchange (EDI) were the most commonly listed methods as the best ways to receive information.

As a result of all these factors, half of respondents felt that in an environment where they were receiving better information about gate slots and vessel schedules they could deliver over 25% more containers to ports with more accurate timing.

Finally, our members shared a few thoughts unique to the export of dairy products that are important to consider as we evaluate data sharing in the supply chain. Dairy products such as powders pick up aromas, and so the location within a ship matters as those products cannot be proximate to odorous items that may affect the quality of the products. Additionally, some exporters find that they have to place their own temperature recorder in the shipping container due to a lack of cooling temperature through the exporting process, data that is critical in shipping dairy products.

We hope that the FMC will consider the views of America’s dairy exporters as it gathers information from stakeholders and the public. A robust and efficient supply chain and ocean shipping system is critical to

so many industries in the United States and around the world, and dairy is no exception. We appreciate the FMC's continued efforts to study and improve these systems on which USDEC and NMPF's members rely daily.

Point of Contact

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