

Secretary Thomas Vilsack
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Director Shaun Donovan
Office of Management and Budget
1650 Pennsylvania Avenue, NW, Room 252
Washington, DC 20503

RE: Docket No. APHIS-2013-0021

OMB RIN 0579-AD77

July 16, 2015

As stakeholders in the growing perishables industry, we submit this letter in opposition to the APHIS proposal to add new user fees categories and adjust current user fees charged for certain agricultural quarantine and inspection published in the Federal Register Vol. 79, No. 80, April 25, 2014. We oppose implementation of the fees as currently proposed and urge that a new impact study be conducted to develop a more appropriate and equitable fee structure.

We strongly urge USDA/APHIS of its own volition, or on instruction from OMB, to go back to the drawing board to reconsider and rewrite the proposal. We believe it has been demonstrated in comments filed with USDA/APHIS and OMB that further study is needed for the development and implementation of any new fees. Any new rule should examine the ultimate effect on all stakeholders, including importers, retailers, wholesalers, consumers, growers, ocean carriers, shippers, forwarders, warehouses, transport carriers, etc.. Also, any proposed rule should not adversely affect one region(s) more than another as does the proposed new treatment fee. We believe a comprehensive examination of the impacts that the proposed new and increased fees would have on all stakeholders was not conducted – thus we ask that further examination of the issues outlined above should be completed before any fee increase goes into effect.

Multiplying ship and air inspection fees from \$496 to \$825 and from \$70.75 to \$225, respectively, and imposing a new \$375 pest treatment fee will have a tremendous impact on the imports and exports of perishables and cargo as a whole. This increase will result in higher costs for consumers and/or lower profit margins for numerous members of the supply chain and will do so on an inequitable basis. The proposed fees do not distinguish between different types of treatments despite the fact that some are more labor intensive than others or the dramatic differences in volumes of cargo treated as a single treatment in different ports.

Finally, we ask that APHIS consider conducting a new study that is comprehensive in nature and takes into account the unanticipated consequences, including possible increased costs to consumers, impact on international trade and trade agreements, uneven regional impacts, and potential job losses. Thus, we urge APHIS to rescind this proposed rule and start the stakeholder's process anew. If the fees are required there is too much at stake to make such a drastic change at one time. Therefore any increase should be phased in over a number of years.

On behalf of the businesses throughout America, we thank you for your attention to this matter.

AAPA
Advanced Customs Brokers
Alternative Global Logistics
American Association of Colombian
Engineers
APL Limited
Canadian American Boarder Trade
Alliance
Classic Fruit Company
Colombian American Chamber of
Commerce
ComReal Miami, Inc.
Costa Farms
Crowley Inc.
Customized Brokers Inc.
Enterprise Florida

Flora Logistics of Miami
Florida Perishables Coalition
Florida Stevedoring and Farovi Shipping
GrayRobinson, P.A.
Hellmann
Infinity Commercial Real Estate
KSG TRADE CO.
Louisiana Maritime Association
Maritime Consulting Enterprise
Maritime Exchange for the Delaware
River and Bay
MIA
Miami Association of Realtors
National Pest Management Association
Native Bouquet, LLC
Native Floral, LLC

Native Wholesale, Inc.
Port Everglades
Port of Wilmington Delaware
PortMiami
Quirch Foods Co
Seaboard Marine
Society of Industrial & Office Realtors
(SIOR)
South Jersey Port Corporation
Sunfresh Farms, Inc.
The Port of Hueneme
Vero Logistics, LLC
Versaci Group Intl Inc.
Virginia Maritime Association
WTDC

cc: Mr. Osama El – Lissy, Deputy Administrator USDA - APHIS - Plant Protection and Quarantine
Ms. Courtney Higgins, Office of Management and Budget
Ms. Brenda Aguilar, Office of Management and Budget