

U.S. Sen. Baldwin: Supports bipartisan legislation to ease U.S. export shipping backlogs, boost Wisconsin exports

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WASHINGTON, D.C. – U.S. Tammy Baldwin (D-WI) is supporting the introduction of the bipartisan *Ocean Shipping Reform Act*, led by Senators Amy Klobuchar (D-MN) and John Thune (R-SD), to update federal regulations for the global shipping industry in order to help American producers export their products to the international market.

The past two years have highlighted significant supply chain disruptions and vulnerabilities, with [reports](#) of agricultural exports sitting at ports while ocean carriers return to Asia with empty containers. In the first nine months of 2021 alone, the U.S. dairy industry lost approximately \$1.3 billion as a result of higher shipping and storage costs.

“Since the beginning of the COVID-19 pandemic, the export shipping backlog has impacted Made In America businesses, manufacturers, and workers as a result of anti-competitive, discriminatory practices in the ocean carrier industry,” **said Senator Tammy Baldwin.** “The bipartisan *Ocean Shipping Reform Act* will give a needed boost to Wisconsin’s agriculture economy by easing the unnecessary shipping backlogs, adding transparency to the ocean carrier operators, and supporting our Made in Wisconsin economy.”

The *Ocean Shipping Reform Act* is also cosponsored by Joni Ernst (R-IA), Debbie Stabenow (D-MI), Gary Peters (D-MI), Todd Young (R-IN), John Hoeven (R-ND), Roger Marshall (R-KS), Jerry Moran (R-KS), Marsha Blackburn (R-TN), Richard Blumenthal

(D-CT), Mark Kelly (D-AZ), and Cory Booker (D-NJ), and would address these supply chain challenges by making it harder for ocean carriers to arbitrarily turn away goods at ports that are ready to be shipped abroad. It would also give the Federal Maritime Commission (FMC), the federal agency responsible for the regulation of oceanborne transportation, greater authority to regulate harmful practices by carriers. Similar legislation was led in the House by Representatives John Garamendi (D-CA) and Dusty Johnson (R-SD) and passed the House with overwhelming bipartisan support by a vote of 364-60.

The *Ocean Shipping Reform Act* would:

- Require ocean carriers to certify that late fees —known in maritime parlance as “detention and demurrage” charges—comply with federal regulations or face penalties;
- Shift burden of proof regarding the reasonableness of “detention or demurrage” charges from the invoiced party to the ocean carrier;
- Prohibit ocean carriers from unreasonably declining shipping opportunities for U.S. exports, as determined by the FMC in new required rulemaking;
- Require ocean common carriers to report to the FMC each calendar quarter on total import/export tonnage and 20-foot equivalent units (loaded/empty) per vessel that makes port in the United States;
- Authorize the FMC to self-initiate investigations of ocean common carrier’s business practices and apply enforcement measures, as appropriate; and
- Establish new authority for the FMC to register shipping exchanges.

The *Ocean Shipping Reform Act* is supported by the Wisconsin Farm Bureau, Wisconsin Agri-Business Association, Agriculture Transportation Coalition (AgTC), the National Retail Federation, the National Industrial Transportation League, the Home Furnishings Association, the Hardwood Federation, National Milk Producers Federation, American Trucking Associations (ATA), ADM, National Milk Producers Federation, U.S. Dairy Export Council, Tyson Foods, the American Home Furnishings Alliance, Auto Care Association, International Association of Movers, Harbor Trucking Association, American Apparel and Footwear Association, Travel Goods Association, American Pyrotechnics Association, National Association of Chemical Distributors, American Equipment Manufacturers, National Marine Manufacturers Association, ATA Agriculture and Food Transporters Conference, ATA Intermodal Motor Carriers Conference, California Automotive Wholesalers’ Association,

DairyAmerica, Fragrance Creators Association, Association of Bi-State Motor Carriers, California Dairies, Inc., Sartori Cheese, Upstate Niagara Cooperative, Inc., International Ingredient Corporation, Associated Milk Producers, American Bankers Association, International Warehouse Logistics Association, Institute of Scrap Recycling Industries, Agri-Mark, Inc., Northeast Dairy Cooperatives, Retail industry Leaders Association, Association of Home Appliance Manufacturers, United Dairymen of Arizona, Maryland and Virginia Milk Producers Cooperative, Midwest Dairy Coalition, International Dairy Foods Association, High Desert Milk, the Consumer Technology Association, Northwest Dairy Association, Darigold, Schreiber Foods, Dairy Farmers of America, First District Association, the Minnesota Soybean Growers Association, Leprino Foods Company, the North American Meat Institute, Meat Import Council of America, Leather and Hide Council of America, Milk Specialties Global, Minnesota Corn Growers Association, South Dakota Soybean Association, Pet Food Institute, Western Growers, Allports Forwarding Inc., California Fresh Fruit Association, Capay Canyon Ranch, Double River Forwarding LLC, Fornazor International, IMC Companies, International Fresh Produce Association, National onion Association, Pacific Northwest Asia Shippers Association, Pandol Bros. Inc., SB&B Foods LLC, ShoEi Foods USA, Specialty Crop Trade Council, Specialty Soya & Grains Alliance, Total Logistics Resources Inc., and Williams Clarke Company, Inc.

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