

The International Fresh Produce Association (IFPA) welcomed the Senate's unanimous passing of the Ocean Shipping Reform Act, and urged lawmakers to quickly move on the bill and get it signed by U.S. President Joe Biden.

On March 31 2022, the Senate unanimously voted to pass the Ocean Shipping Reform Act (S. 3580). The bipartisan bill is co-sponsored by Senators Amy Klobuchar (D-MN) and John Thune (R-SD) and will head back to the House before going on to the President.

IFPA Chief Public Policy Officer Rober Guenther welcomed the passing of the bill through the Senate, and called on political leaders to follow through and pass the bill.

"The Ocean Shipping Reform Act is essential to our industry and the U.S. export market. We encourage our representatives to reconcile the differences with the House and get the bill to the President," Guenther said in an IFPA statement.

In March the [IFPA drafted a letter co-signed](#) by more than 3 dozen organizations representing the produce industry urging the quick passage of the bill.

Among the bill's benefits to the sector include measures that the IPFA said are necessary to ensure the functioning of the fresh produce sector, these include:

- *Requiring ocean carriers to certify that late fees, "detention and demurrage" charges—comply with federal regulations or face penalties.*
- *Shifting burden of proof regarding the reasonableness of "detention or demurrage" charges from the invoiced party to the ocean carrier.*
- *Prohibiting ocean carriers from unreasonably declining shipping opportunities for U.S. exports, as determined by the FMC in new required rulemaking.*
- *Requiring 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.*
- *Authorizing the Federal Maritime Commission (FMC) to self-initiate investigations of ocean common carrier's business practices and apply enforcement measures, as appropriate;*
- *Establishing new authority for the FMC to register shipping exchanges.*
- *Allowing for third parties to participate in legal cases brought by the FMC against ocean carriers for anticompetitive harm; and letting successful third parties in those legal cases receive money damages, with additional financial penalties designed to deter anticompetitive conduct.*

