



April 14, 2022

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

Re: Demurrage and Detention Billing Requirements ANPRM (Docket No. 22-04)

Dear Secretary Cody:

The Toy Association appreciates the opportunity to submit the comments below to the Federal Maritime Commission regarding the Advanced Notice of Proposed Rulemaking on Demurrage and Detention Billing Practices. The Toy Association strongly supports the Commission's ANPRM and encourages the agency to quickly move to a NPRM to finalize billing requirements.

The toy industry was severely harmed in recent years by the international shipping crisis of delays, container costs, and demurrage and detention fees (and a host of costly add-on charges) that was part of a systemic transportation breakdown, from factory loading dock to retailer receiving dock. The shipping crisis came along with rising costs across the supply chain and the need for toy companies to take offsetting price increases, all against a backdrop of continued evolution in retail and e-commerce driving low prices, as well as other concerns including COVID variants, which threatened many of our many and especially our small companies worrying about whether they could stay in business.

Many small- and mid-size toy companies are still in recovery mode after being shut out or shut down during the height of the pandemic. Their hopes were pinned on a successful 2021 holiday season, yet their products did not all arrive in time – or at a final cost that made the effort worthwhile. U.S.-based manufacturers are facing similar steep increases in the price of raw materials and our nation's ongoing worker shortage. What's more, consumers and kids who we exist to serve faced a holiday season with the potential of limited selection and disappointed kids who didn't get their favorite toy over the holidays.

Founded in 1916, The Toy Association™, Inc. is the not-for-profit trade association representing all businesses involved in creating and delivering toys and youth entertainment products for kids of all ages. The Toy Association leads the health and growth of the U.S. toy industry, which has an annual U.S. economic impact of \$98.6 billion, and represents hundreds of companies including manufacturers, retailers, licensors, and others who are involved in the youth entertainment industry. Its manufacturing members account for 93% of U.S. toy and game sales driving the annual \$38.2 billion U.S. domestic toy market. The Toy Association serves as the industry's voice on the developmental benefits of play and promotes play's positive impact on childhood development to consumers and media. The organization has a long history of leadership in toy safety, having helped develop the first comprehensive toy safety

standard more than 40 years ago, and remains committed to working with medical experts, government, consumers, and industry on ongoing programs to ensure safe and fun play. As a global leader, The Toy Association produces the world-renowned Toy Fair New York; advocates on behalf of members around the world; sustains the Canadian Toy Association; acts as secretariat for the International Council of Toy Industries and International Toy Industry CEO Roundtable; and chairs the committee that reviews and revises America's widely emulated ASTM F963 toy safety standard.

Respectfully submitted,

Stephen Pasierb, President & CEO, The Toy Association