

**J.W.
ALLEN & CO. INC.**
Est. 1932

A Global Logistics Provider

August 28, 2013

**Federal Maritime Commission
800 North Capitol Street NW
Washington, DC 20573-0001
Attn: Karen V. Gregory- Secretary**

RE: ANPRM; Change in regulations of Ocean Transportation Intermediaries (OTIs).

Dear FMC Commissioners:

With respect J.W. Allen & CO., Inc. brings to the Commissions attention our wholehearted support in the NCBFAA's response and position to proposed changes advertised in FMC Docket no. 13-05 filed May 31, 2013.

Operating as customs brokers, international freight forwarders, NVOCC, and an international air forwarder, over our long history this company has always embraced and taken seriously the legal and ethical principles of this industry providing the very pinnacle of shipping and customer service to clients new and old. Furthermore, in addition to the numerous OGAs involved in international shipping our active participation in C-TPAT, FMCSA, and being approved by TSA as an indirect air carrier demonstrates our commitment to the greater ideal of this industry. Best recommended practices of these as well as other organizations have been incorporated into our operations assuring our commitment and due diligence to compliance.

The legitimate, abiding and duly registered companies involved in international shipping should not be painted with the same brush as those unscrupulous companies who operate outside the mainstream, operating under their own so-called rules. Being outside the mainstream these companies often have no significant assets, no infrastructure to maintain, questionable or non-existent bonding. Their operations, and more specifically their shortcomings, should not reflect on the mainstream industry; the few should not taint the many.

It is our opinion the proposed changes will do nothing to enhance the efficiency or reliability of the commercial shipping industry, but will instead add unnecessary and burdensome regulations. Additionally, with certain of the proposals there are significant due process and confidentiality concerns to consider.

Respectfully this company opposes the following proposals:

- Re-application, new fees, new reporting and renewal of FMC licenses every two years.**
- Increased bond amounts for FMC bonds from \$50,000 to \$75,000 for ocean freight forwarders, from \$75,000 to \$100,000 for NVOCCs and from \$150,000 to \$200,000 for foreign registered NVOCCs.**

International Air & Ocean Freight Forwarders & Customs House Brokers

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- Reduced bond amounts and a special license for those involved strictly in small package household goods barrel trade, when the actions of these parties are those that result in the most complaints received by the FMC and were the focus of FMC Fact Finding Investigation No. 27, Unlawful, Unfair or Deceptive Ocean Transportation Practices Related to the Movement of Household Goods of Personal Property in U.S. – Foreign Oceanborne Trades.
- Institution of a priority system for paying claims made against bonds which would leave OTI last in line for claims against bonds.
- Regulations requiring that any shipping documentation or advertising by agents bear the name and license number of the principal OTI.

This company is in support of the proposal to require qualifying individuals for an FMC license to have gained their three years of experience while working for a legally licensed party.

With all due respect and deference it is suggested the Commissioners focus their attention on the issues discussed in the FF27 report rather than consider imposing new regulations and/ or requirements on licensed OTIs that will do nothing to facilitate the efficiency and competitiveness of the industry.

Sincerely yours,



W.J. Yennie
Vice President- Exports/ NVOCC
J.W. Allen & Co., Inc.

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