



March 28, 2016

Mr. Mark Wildman
International Fisheries Division
Office for International Affairs and Seafood Inspection
National Marine Fisheries Service
National Oceanographic and Atmospheric Administration
1315 East-West Highway
Silver Spring, MD 20910

**RE: Joint Request for 30 Day Comment Extension Period NOAA-NMFS-2015-0122,
Docket No. 150507434-5999-01**

Dear Mr. Wildman:

The Food Marketing Institute (FMI), the National Council of Chain Restaurants (NCCR), the National Fisheries Institute (NFI), the National Restaurant Association (NRA), the National Retail Federation (NRF) and the Retail Industry Leaders Association (RILA) (collectively the Joint Commenters), hereby request that the National Oceanic and Atmospheric Administration (NOAA) extend by 30 days the comment period regarding the Notice of Proposed Rulemaking (NPRM) for the National Marine Fisheries Service Seafood (NMFS or NOAA Fisheries) Import Monitoring Program (NOAA-NMFS-2015-0122, Docket No. 150507434-5999-01).

Comments as of now are due on April 5, 2016. The Joint Commenters respectfully seek an extension of the comments deadline to May 5, 2016. The complexity of this NPRM and its economic impact on importers and the seafood supply chain warrant this extension. Therefore, the Joint Commenters urge NOAA to provide additional time to ensure those impacted by the Proposed Rule have adequate time to respond in a thoughtful and comprehensive manner.

The NPRM proposes to require U.S. seafood importers to collect and report a lengthy and complex set of traceability data elements to NMFS through the International Trade Data System

(ITDS) and U.S. Customs and Border Protection's (CBP) Automated Commercial Environment (ACE) as a condition of entry into the United States, for certain wild-caught and farmed seafood. The objectives of this mandate are to combat illegal, unreported, or unregulated ("IUU") fishing and to reduce or eliminate seafood fraud. The Joint Commenters have concerns about the NPRM and the impact it will have on importers, and are entitled to a full opportunity to comment.

The NPRM is an economically significant rulemaking and requires considerable time to analyze and then develop comments. Through this rule, NOAA Fisheries is establishing an entirely new permitting obligation, imposing on an entire industry a detailed new international reporting obligation, and setting up a system to handle the voluminous data that will be supplied to the ITDS as a result. The supply chain for many imported seafood items – including numerous items within the scope of the NMFS proposal – can be highly complex, making it difficult to understand precise impacts for various different products within a short period of time. NMFS in the NPRM contends that the costs of the rule will be relatively minor. The Joint Commenters disagree and believe the proposed changes could result in significant costs for system requirements, operational changes in the harvest of wild-caught and farmed products, training and recordkeeping, and legal liability for incomplete or incorrect submissions. Full consideration of such impacts is precisely the purpose of the notice and comment process.

For these reasons, the Joint Commenters believe a modest 30-day extension of the comment period is warranted. We appreciate the opportunity to continue discussions with NOAA and urge the Agency to contact us further with any questions or concerns

Respectfully,

Food Marketing Institute (FMI)
National Council of Chain Restaurants (NCCR)
National Fisheries Institute (NFI)
National Restaurant Association (NRA)
National Retail Federation (NRF)
Retail Industry Leaders Association (RILA)

Food Marketing Institute (FMI)

Food Marketing Institute proudly advocates on behalf of the food retail industry. FMI's U.S. members operate nearly 40,000 retail food stores and 25,000 pharmacies, representing a combined annual sales volume of almost \$770 billion. Through programs in public affairs, food safety, research, education and industry relations, FMI offers resources and provides valuable benefits to more than 1,225 food retail and wholesale member companies in the United States and around the world. FMI membership covers the spectrum of diverse venues where food is sold, including single owner grocery stores, large multi-store supermarket chains and mixed retail stores. For more information, visit www.fmi.org and for information regarding the FMI foundation, visit www.fmifoundation.org.

National Council of Chain Restaurants (NCCR)

The **National Council of Chain Restaurants**, a division of the National Retail Federation, is the leading organization exclusively representing chain restaurant companies. For more than 40 years, NCCR has worked to advance sound public policy that serves restaurant businesses and the millions of people they employ. NCCR members include the country's most respected quick-service and table-service chain restaurants.

National Fisheries Institute (NFI)

For more than 65 years, **NFI** has been the nation's leading advocacy organization for the seafood industry. From responsible aquaculture, to a marketplace supporting free trade, to ensuring consumers have the facts on the sustainability and health benefits of fish and shellfish, NFI and its members support and promote sound, science-based public policy, as well as engaging in every step of bringing fish from the boat or farm to dining room tables.

National Restaurant Association (NRA)

Founded in 1919, the National Restaurant Association is the leading business association for the restaurant industry, which comprises 1 million restaurant and foodservice outlets and a workforce of 14 million employees. We represent the industry in Washington, D.C., and advocate on its behalf. We operate the industry's largest trade show ([NRA Show](#) May 21-24, 2016, in Chicago); leading food safety training and certification program ([ServSafe](#)); unique career-building high school program (the NRAEF's [ProStart](#)); as well as the [Kids LiveWell](#) program promoting healthful kids' menu options. For more information, visit [Restaurant.org](#) and find us on Twitter [@WeRRestaurants](#), [Facebook](#) and [YouTube](#).

National Retail Federation (NRF)

NRF is the world's largest retail trade association, representing discount and department stores, home goods and specialty stores, Main Street merchants, grocers, wholesalers, chain restaurants and Internet retailers from the United States and more than 45 countries. Retail is the nation's largest private sector employer, supporting one in four U.S. jobs – 42 million working Americans. Contributing \$2.6 trillion to annual GDP, retail is a daily barometer for the nation's economy. NRF's [This is Retail](#) campaign highlights the industry's opportunities for life-long careers, how retailers strengthen communities, and the critical role that retail plays in driving innovation.

Retail Industry Leaders Association (RILA)

RILA is the trade association of the world's largest and most innovative retail companies. RILA members include more than 200 retailers, product manufacturers, and service suppliers, which together account for more than \$1.5 trillion in annual sales, millions of American jobs and more than 100,000 stores, manufacturing facilities and distribution centers domestically and abroad.