







About Seafood Industry Australia

Seafood Industry Australia (SIA) is the national peak-body representing the Australian seafood industry as a whole. With members from the wildcatch, aquaculture and post-harvest sectors of the Australian seafood industry, we are the voice of Australian seafood.

SIA provides consumers, Government and other stakeholders with confident and united representation. Our unity indicates that we love what we do, we stand by our products and that those products are the best in the world.

SIA provides services identified through a process involving member input to fill a critical gap that currently exists, to have more influence on Government decisions, to act as a national industry voice, to be a marketing and communications hub, and to remove obstacles to growth standing in the way of the Australian seafood industry.

Our vision is for the Australian seafood industry to be United, Effective and Respected.

Our mission is to Promote, Protect and Develop the Australian seafood industry on the national and international level.

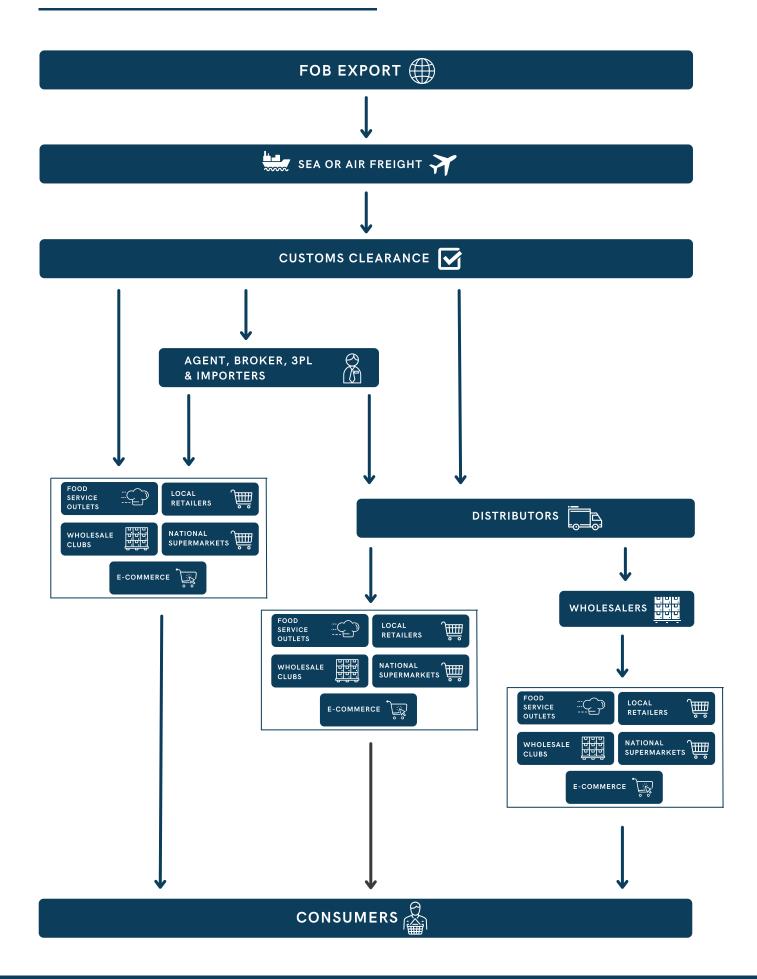
Agricultural Trade and Market Access Cooperation (ATMAC) Program

The ATMAC program is an Australian Government initiative, expanding trade in Australian agricultural, forestry and fisheries sectors into emerging export markets and/or export markets with high-growth potential. This will be achieved through support for diversification efforts that align with industry priorities.

Seafood Industry Australia's 'marketing, market access and export development for the Australian seafood industry' was funded under the ATMAC Program.



Supply Chain Overview





FOB Export

AUSFTA (AUSTRALIA - UNITED STATES)

The Australia-United States Free Trade Agreement (AUSFTA) entered into force on 1 January 2005. Upon AUSFTA's entry into force, more than 97 per cent of Australia's non-agricultural exports to the United States (excluding textiles and clothing) became duty free and two-thirds of agricultural tariff lines went to zero. 96.1 per cent of all Australian exports are now tariff-free.

Under AUSFTA, Australian companies also have access to the federal government procurement market in the United States and the government procurement markets of 31 US states.

USEFUL LINKS

- Austrade Industry
 Directories
- DFAT AUSFTA
- Micor Manual of Importing Country
 Requirements

INCOTERMS®

International Commercial Terms or 'Incoterms®' are a set of 11 individual international rules for interpreting trade terms issued by the International Chamber of Commerce (ICC), which help traders in different countries understand one another. Incoterms clarify the obligations of buyers and sellers in trading internationally to avoid any confusion. These terms are updated periodically to adapt to changing trade practices. Some common examples of Incoterms for any mode of transportation include:

- EXW Ex-Works OR Ex-Warehouse
- FCA Free Carrier
- FOB Free on Board
- CFR Cost and Freight
- CIF Cost, Insurance and Freight

See Appendix A for Incoterms Chart



Logistics

Having efficient and reliable logistics for export can give exporters a competitive advantage through better order handling and shortened product cycles. Export logistics is a crucial yet considerably complicated piece of the export puzzle that includes order handling, transportation, inventory management and handling, storage, packaging, and clearing of the export goods. Most new exporters and experienced exporters use a freight forwarder to navigate the various steps needed to get their products into international markets.

SEA FREIGHT

Ongoing sea freight disruption has caused massive problems to global logistics.

The closure of some of the word's largest ports, congestion and shortages of storage space has resulted in ships rerouting and changing their schedules at short notice. The flow-on effects have been:

- Difficulty in getting containers
- Difficulty in securing freight capacity
- The escalating cost of freight
- Longer shipping journeys due to changing schedules
- Bottlenecks at ports
- Delays in transit

Sea Freight, Full Container Load (FCL)

A container (20-foot or 40-foot) is exclusively used for a single shipment. The container is not shared with other cargo shipments, and the costs are borne by one party. It is generally used for heavy cargo (over 15 tons).

Sea Freight, Less than Container Load (LCL)

A container is shared by various cargo shipments. LCL is the preferred option when there aren't enough goods to fill up the entire container. This option allows the exporters to lower their shipping costs.



AIR FREIGHT

Air freight has been even more disrupted than sea freight at the onset of the pandemic and now appears to be settling into a new normal.

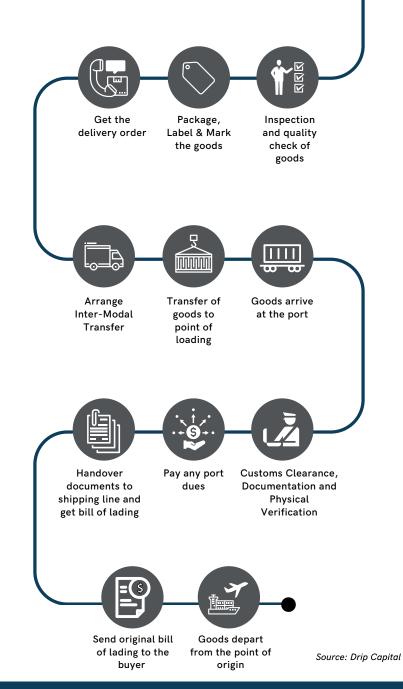
Most air freight is carried on passenger aircraft and with the closed border policy for international arrivals, freight has become problematic to many destinations and costs have escalated.

Government support through the International Freight Assistance Mechanism (IFAM) program has assisted to businesses to secure airfreight by keeping global air links open. The program is due to be reviewed around June-July 2022 with a replacement model being considered. More information is available through the IFAM virtual briefings and on the IFAM website.

USEFUL LINKS

- The International
 Federation of Freight

 Forwarders Associations
 (FIATA)
- Search for a customs broker or freight forwarder on the IFCBAA site:
 - International
 Forwarders &
 Customs Brokers
 Association of
 Australia (IFCBAA)







LOGISTICS CONSIDERATIONS

1

The availability and cost of air and sea freight has become difficult since the COVID-19 disruption and is not likely to improve in the foreseeable future. Global schedules are now considered to be highly unreliable with even efficient ports such as Singapore impacted by delays of a week or more. Once cargo is landed in the USA, there are currently further problems. US trucking companies are short of drivers and vehicles. Booking lead times are now three weeks or more.

2

Global logistics providers CAS Broadcast reported in June 2021 that on certain routes, shipping lines are now refusing to take bookings for up to six weeks, causing chaos. In the USA there are delays of four to as much as 20 days in the West Coast ports of Long Beach, Los Angeles, Seattle and Oakland due to congestion. This is flowing on to impact the efficiency of national rail cargo as well. All these factors are creating a perfect storm of chaos in a market with excess demand that has forced prices to an all time high. Logistics companies are forewarning exporters that freight prices are likely to remain at these record highs for some time.

Source: McKINNA et al, USA Market Scoping Study Report, 2021

USEFUL LINKS AND DOCUMENTATION TO CONSIDER BEFORE EXPORTING

- The 'U.S Customs and Border Protection' provides wide-ranging information about the importing process and import requirements can be found at: https://www.cbp.gov/trade/basic-import-export
- In addition, the Department of Agriculture, Water and the Environment maintains the <u>Manual of Importing Country Requirements (Micor)</u> as a resource for exporters of Australian agricultural products.
- When exporting agricultural products from Australia, exporters must comply with the <u>Export Control Act 2020</u> and associated legislation and the importing countries' requirements.
- Step-by-step guide to exporting fish and fish products
- Requirements for fish exporters





FDA Regulations

FDA is responsible for the safety of all fish and fishery products entering the United States. The agency uses every available tool to identify immediate or potential threats as well as the best course of action to protect public health and safety. As part of the FDA's import safety effort, the agency provides as much available information and guidance as possible to consumers, industry, and government about seafood safety.

- HACCP
- Foreign Inspections and Global Presence
- PREDICT
- Foreign Country Assessments
- Food Safety Modernization Act
- Integrated Food Safety System
- National Residue Monitoring Program
- Consumer Information

FDA operates a mandatory safety program for all fish and fishery products under the provisions of the Federal Food, Drug and Cosmetic (FD&C) Act, the Public Health Service Act, and related regulations. The FDA program includes research, inspection, compliance, enforcement, outreach, and the development of regulations and guidance. As a cornerstone of that program, FDA publishes the Fish and Fisheries Products Hazards and Controls Guidance, an extensive compilation of the most up-to-date science and policy on the hazards that affect fish and fishery products and effective controls to prevent their occurrence. The fourth edition of this guidance document, which has become the foundation of fish and fishery product regulatory programs around the world, is now available. For information on Federal/State food programs concerning shellfish, see Shellfish Programs & Shippers List.

USA SEAFOOD REGULATION LINKS

- 21 CFR Part 123 Fish and Fishery ProductsExternal Link Disclaimer
- <u>21 CFR Part 1240.60 Molluscan shellfishExternal Link Disclaimer</u>
- Procedures for the Safe and Sanitary Processing and Importing of Fish and Fishery Products; Federal
 Register Final Rule 60 FR 665095
- Crabmeat; Amendment of Common or Usual Name Regulation; Proposed Rule 21 CFR part 102
- <u>Proposal To Establish Procedures for the Safe Processing And Importing of Fish and Fishery</u>

 <u>Products; Correction 21 CFR Parts 123 and 1240</u>
- Enhanced Aquaculture and Seafood Inspection Report to Congress





FDA Import Procedure

The Seafish Export Guide (2020) has summarised below the import procedure from the FDA website which highlights the relationship between the FDA and US Customs during the process. All fisheries would need to register their food facility before exporting product to the US. The following steps occur after you have a FDA number.



Importer or agent need to file entry documents with US Customs Service within five working days of the date of arrival of a shipment at a port of entry.

FDA is notified of an entry or a regulated food through:

2

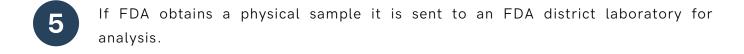
- Duplicate copies of Customs Entry Documents (CF 3461, CF 3461 ALT, CF 7501 or alternative);
- Copy of commercial invoice; and
- Surety to cover potential duties, taxes and penalties.
- FDA reviews the entry documents received from Customs for all seafood entries. The Agency then decides whether to release, visually examine, or sample a given shipment.
- If a decision is made not to collect a sample the FDA sends a 'May Proceed Notice' to US Customs and the importer of record. The shipment is released as far as FDA is concerned.

A decision to collect a sample based on:



- Nature of the product;
- FDA priorities; and
- Past history of the commodity

FDA sends a 'Notice of Sampling' to US Customs and the importer of record. The shipment must be held intact pending further notice. A sample is collected from the shipment. The importer of record may move the shipment from the airport to another port or warehouse.



- If analysis finds the sample in compliance with requirements the FDA sends a 'Release Notice' to US Customs and the importer of record.
- If analysis determines that the sample 'appears to be in violation of the Food,
 Drug and Cosmetic Act and other Acts' the FDA sends US Customs and the
 importer a record of Notice of Detention and Hearing which
 - Specifies the nature of violation(s); and •
 - Gives the importer of record 10 working days to introduce testimony as to the admissibility of the shipment. The hearing is the importer's only opportunity to present a defence of the importation and/or present evidence as to how the shipment may be made eligible for entry. The importer has the choice of reconditioning the product (i.e. bringing the article into compliance, if this can be done), destroying it or re-exporting it.
- If FDA approves the importers proposed reconditioning procedure, the reconditioning may then proceed under FDA supervision.
- If the reconditioning is successful, FDA may release the goods; if not, the goods must be re-exported or destroyed, under US Customs supervision.



Customs & Border Protection Requirements

The US Customs and Border Protection's responsibilities include assessing and collecting duties, taxes and fees on imported merchandise, as well as providing documentation to the FDA for required testing. The CBP advises consulting an import specialist at the desired port of entry to ensure that all regulations are being met. Importers also have the option to hire a Customs Brokers to file entry with CBP; this allows an expert to handle the complex details of importing food items. Lists of Customs Brokers can be found on each state's port page.

Species Protection

Shrimp Exporters/Importers Declaration

The trade requirements for importing shrimps into the US requires all importers to have a DS 2031 form from the exporter testifying that the shrimp boats took necessary precautions to avoid harming sea turtles. This form is to be retained by the importer for three years after entry and must be made available to the CBP or the State Department upon request.

US Fish and Wildlife Service Requirements

The US Fish and Wildlife Service regulates the import and export of living or dead wild shellfish and fish products. Non-living shellfish and finfish intended for human consumption are exempt from Service Import requirements as long as they are not considered injurious or endangered species. A comprehensive document can be found here. In addition, the Fish and Wildlife Service has requirements for importing commercial wildlife shipments. These requirements include importing to designated ports, declaration requirements, transit regulations, along with others. More information can be found on the Fish and Wildlife Service website.



USA Fishery Ports

The US has multiple ports of entry for all goods passing through the Customs and Border Protection.

US Customs collects data from each importer and import country. The <u>US National Oceanic and Atmospheric Administration (NOAA)</u> collects the data from US Customs for seafood being imported to the US.

CLICK THIS LINK TO ACCESS NOAA'S USA FISHERY & PORT FINDER TOOL

US FISHERY AND SEAFOOD ASSOCIATIONS

- National Marine Fisheries Services (NOAA)
- National Fisheries Institute
- <u>SeaShare</u>
- National Restaurant Association
- National Grocers Association
- <u>Seafood Nutrition Partnership</u>
- Seafood Industry Research Fund
- FishChoice



Supply Chain Roles and Responsibilities

ROLES & RESPONSIBILITIES

Importer/Distributor

Most companies use an importer to secure product within the US. The importers then sell these products (at a marked-up price) to a distributor, wholesaler, chain warehouse or foodservice distributor. The distributor will sell product into retail outlets. Most distributors are specialised, as some deal with certain supermarket chains, independents, etc.

Sales Broker

Food brokers are essentially sales people for hire. Given the huge number of US stores selling food, no company can afford an employed sales force that would cover more than a small fraction of the store universe. Brokers work on a commission basis, and may also charge retainers to work on introducing new products from smaller companies. Typical grocery commissions range from 2 to 5% of the product's wholesale price.

KEY BROKER RESPONSIBILITIES

- Works on both sides of distribution 'selling in' to distributors then working with them to market and promote in-store and at shows
- Clearing agent that works for importers in the trade
- Specialists with FDA goods
- Several requirements with FDA that must be met on the item before it can be imported (by you or anyone else for that matter)
- Usually, work on a percentage fee
- Master brokers offer brand management and marketing
- Sells the product to retailers and foodservice
- Services customer
- In addition to their commission, expect a retainer of between 5000\$-10,000\$ per month.

KEY DISTRIBUTOR RESPONSIBILITIES

- Receives shipment from importer
- Usually purchases the product
- Warehouses stock
- Picks orders
- Sends to larger customer and invoices
- Can also provide master brokerage
- Sales and marketing services
- Can specialise in foodservice or retail

KEY IMPORTER RESPONSIBILITIES

- Purchases product from manufacturer
- Offers accounting & administrative support, has distributor & broker network. Can vary by importer.
- Services that can be provided (can be negotiated):
 - Ocean transportation & Insurance
 - Warehousing & storage
 - Customs broker (Importer of Record)
 - Duties
- Getting paid: payment terms & deductions
- Clears customs and pays any duties applicable
- Manages unloading and customs clearance
- Organises trans-shipment to their warehouse
- Warehouses and dispatches stock





KEY DISTRIBUTORS

Note these distributors may not specialise in seafood

















MARGIN STRUCTURE

EST. DISTRIBUTOR MARGIN



30% Importer AND 30% Regional Distributor

It is important that exporters take the adjacent indicative margins as a guide only. There are many conditions attached to trading terms and because they can be a crucial element of success, they need to be strategically negotiated.



The Retail Channel

OVERVIEW

1. MASS MARKET RETAILERS

- Mass market players dominate the total US grocery sector holding over 48% market share in 2020 (businesswire.com).
- Walmart is the most dominant store retailer with over 16% market share in 2020 (businesswire.com) but Walmart is a department store, which is what makes it the largest retailer overall, not the largest grocery retailer.
- Global retailers like Aldi (over 2,000 US stores) and Ahold Delhaize are also making in-roads into the US mass market.
- Sales of products in supermarkets rose greatly throughout 2020 after a year of average growth
 in 2019. This phenomenon was the result of American consumers increasing the proportion of
 their spending that went towards essential goods in response to higher financial pressure and
 uncertainty.
- Traditional Grocery Retailers suffered the most of all businesses in the grocery retail channel due to reduced capacity to implement social distancing and necessary sanitary measures instore, along with the fact that many were classed to be non-essential businesses and therefore forcibly closed at the height of the pandemic.
- Many of the mass market retailers are deep discounters with a price fighting proposition. The largest supermarket chain by far is Kroger (the second-largest retailer after Walmart) with over 2,700 supermarkets and multiple retail brands. It is said that 30% of Americans shop here. Second by a wide margin is Albertsons.















2. REGIONAL SUPERMARKET CHAINS

- Regional supermarket chains tend to have a geographic stronghold across one state or a cluster of states. There are hundreds of US regional supermarket brands.
- Some of these regional chains would be of comparable size and store format to a single Australian national chain.
- Some of the regional chains are member-owned buying and marketing cooperatives (like Metcash) with group-buying offices.
- Some regional chains also have sub-brands for specialty markets.
- Examples:
 - There are too many supermarket brands across the USA to list. In addition to the mass-market chains like Kroger and Albertson's, which began as regional chains, there is Wegmans Food Markets (over 100 stores across east coast); Ahold Delhaize; and Publix Super Markets, HEB (340 stores across Texas and Mexico) and Foodland (East Coast), plus many more.







3. INDEPENDENT STORES

- Every major US city has iconic independent stores with one or a few outlets.
- Some stores specialise in a particular ethnic offer or type of food (e.g. organic).

DEAN & DELUCA



4. SPECIALTY MARKET STORES

- Some of the specialty market stores are national chains and others are regional, but they are all characterised by offering a range of premium, gourmet, ethnic or deli foods.
- Within the specialty store offer, there are also small chains of ethnic stores that specialise in Kosher, Halal, Hispanic or Asian groceries.

• Examples:

 Sprouts Farmers Market, Bristol Farms, The Fresh Market, Whole Foods Market (owned by Amazon), Trader Joe's (owned by Aldi Nord), Central Market (owned by HEB Texas), New Seasons (Oregon, Seattle, San Jose).













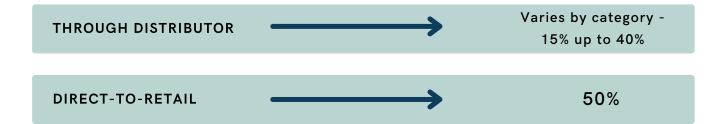
5. CONVENIENCE STORES

- In 2020, convenience stores represented 4.6% of the US food retail sales (USDA.gov). There are believed to be over 150,000 such stores in the US, with most being independently owned (Statista, 2020).
- Convenience stores and forecourt retailers also experienced negative growth in sales in 2020, albeit lower than Traditional Grocery Retailers because they were able to remain classified as essential services. Before the pandemic, these two business channels experienced rapid growth in sales due to successful measures to primarily target on-the-go travellers.
- In major cities, convenience stores can be the leading shopping destination for some shoppers.
- Many of the significant retailers also own convenience store sub-brands.





RETAIL MARGIN STRUCTURE



Margin Structure

The margin structure of the various supply chain partners is highly dependent on many factors including, but not limited to:

- The level of service offered
- Whether freight is included
- Temperature state (ambient, chilled, frozen)
- Chilled and frozen carry bigger margins, chilled the highest
- The value and uniqueness of the product (the margin % is less for higher-value products)
- The size of the order
- The size of the customer
- The retailer trading terms
- The level of marketing support.

It is important that exporters take the adjacent indicative markups as a guide only. There are many conditions attached to trading terms and because they can be a crucial element of success, they need to be strategically negotiated.

Indicative mark-up structure for retail and foodservice:

Fresh product

Importer to distributor - 10 to 20% mark-up



- Distributor to retailer 20 to 30% markup
- Distributor to restaurant 30% mark-up

Frozen product



- Importer to distributor 10% mark-up
- Distributor to retailer 15% mark-up
- Distributor to restaurant 20% markup

Dry product



- Importer to distributor 8 to 10% mark-up
- Distributor to retailer 10 to 15% mark-up
- Distributor to restaurant 16% markup

Source: Grover Global Food Marketing LLC, 2016



The E-Commerce Channel

E-COMMERCE TRENDS

- Food and drink E-commerce has seen an explosion in sales growth since early 2020. At the peak of the COVID-19 crisis in the USA, consumer spending on e-commerce had jumped 44.4% from the last quarter.
- The pace of autonomous food and drink delivery innovation has increased due to the pandemic, as Amazon and Walmart have greatly enlarged their investment and progress in their respective drone delivery pilot programs. These measures are targeted to suit greater customer demands for convenience, especially amongst millennials and younger generations.
- Food delivery apps have seen incredible levels of growth over the last decade in terms of sales, market size, to name a few measures. This trend has only been accelerated by the pandemic, with nearly a third of US consumers recently stating that they use third-party delivery apps to order from restaurants at least twice a week.
- Bundles of food and beverage products have increasingly featured on online menus, with a
 range of options such as mix-and-match, whereby customers can create their package or
 groups of items put together by the E-tailer to suit a particular activity, like Pantry Shop's
 workout bundles.
- As for Australia, online grocery sales in the USA have grown rapidly with COVID-19; online grocery sales grew **54**% in 2020 to reach \$95.82 billion. Online grocery is now a 12.0% share of total US e-commerce sales and 7.4% of all grocery sales. 54% of US consumers made at least one online order in 2020.
- In a manner that mirrors the 'bricks and mortar' component of the grocery sector, there are online specialist retailers and mass markets. All of the national mass-market retailers also offer an online service.
- Pennsylvania based online retailer, Igourmet already ranges 102 Australian and New Zealand products in its Australian cuisine guide, including cheeses, oils, honey, crackers, confectionery, red meat, and has an Australian themed gift box.







The Foodservice Channel

OVERVIEW

Food & beverage services comprise establishments engaged in the sale of prepared food and drinks for immediate consumption. The various types of food and beverage services in USA are:

- Restaurants
- Fast food restaurants
- Food caterers
- Ship chandlers

- Airport catering
- Armed forces
- Others
- Cafes, coffee houses and snack bars

FOODSERVICE TRENDS

- Eco-friendly menu items are experiencing heightened demand within restaurant menus, with vegan, vegetarian diets exploding in popularity and a greater demand amongst Americans for ethically sourced produce. This has led many major fast-food chains to offer traditional customer favourites rebranded as new plant-based products, with "fake meat" from significant producers such as Impossible and Beyond Burgers.
- The foodservice market is highly segmented but, in simple terms, falls into two primary groups: Commercial and Institutional. Within commercial, there are five restaurant segments:

Family dining full-service

Quick-service restaurants (QSR)

Casual dining full-service

Quick casual (limited service)

Fine dining full-service

• The QSR and quick casual segments dominate foodservice market share in value terms. The limited-service segment is showing the fastest growth. The full-service segment is showing a long-term decline. Although they are highly fragmented in terms of brands and locations, there is a large cohort of fine dining and higher-end restaurants.



FULL-SERVICE RESTAURANTS































Appendix

APPENDIX A - INCOTERMS CHART

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Types of Transport	Any Mode or Modes of Transport		See and Inland V		Waterway Only		Any Mode or Modes of Transport				
INCOTERMS 2020	EXW	FCA	FAS	FOB	CFR	CIF	CPT	CIP	DAP	DPU	DDP
	Ex Works (place)	Free Carrier (place)	Free Alongside Ship (port)	Free On Board (port)	Cost & Freight (port)	Cost, insurance & Freight (port)	Carriage Paid To (place)	Carriage & Insurance Paid to (place)	Delivered At Place (place)	Delivered At Place Unloaded (place)	Delivered Duty Paid (place)
Transfer of Risk	At Buyer's Disposal	On Buyer's Transport	Alongside Ship	On Board Vessel	On Board Vessel	On Board Vessel	At Carrier	At Carrier	At Named Place	At Named Place Unloaded	At Named Place
Responsibilities & Charges											
Export Packaging	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER
Loading Charges	BUYER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER
Delivery to Port/Place	BUYER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER
Export Duty, Taxes & Customs Clearance	BUYER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER
Origin Terminal Handling Charges	BUYER	BUYER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER
Loading on Carriage	BUYER	BUYER	BUYER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER
Freight Charges	BUYER	BUYER	BUYER	BUYER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER	SELLER
Insurance	Negotiable	Negotlable	Negotiable	Negotiable	Negotlable	SELLER	Negotiable	SELLER	Negotiable	Negotiable	Negotiable
Destination Terminal Handling Charges	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	SELLER	SELLER	SELLER	SELLER	SELLER
Delivery to Destination	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	SELLER	SELLER	SELLER
Unloading at Destination	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	SELLER	BUYER
Import Duty, Taxes & Customs Clearance	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	BUYER	SELLER





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