



October 20, 2025

The Honorable Sean Duffy
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590-0111

Submitted via regulations.gov

Re: Protecting America's Supply Chain from Cargo Theft; Docket No. DOT-OST-2025-1326

Dear Secretary Duffy:

FMI – The Food Industry Association (FMI) welcomes the opportunity to comment on the Request for Information (RFI) on *Protecting America's Supply Chain from Cargo Theft (Docket No. DOT-OST-2025-1326)*. The threat environment facing the food industry has evolved into a complex tapestry of domestic and transnational challenges – with cargo theft being one of many. We appreciate the Department's (DOT) attention to combatting cargo theft.

As the food industry association, FMI works with and on behalf of the entire industry to advance a safer, healthier, and more efficient consumer food supply chain. FMI brings together a wide range of members across the value chain – from retailers that sell to consumers, to producers that supply food and other products, as well as a variety of companies providing critical services – to amplify the work of the industry.

A collective of FMI's membership manufactures, distributes, and sells food and consumer goods that are found in pantries, refrigerators, medicine cabinets, and laundry rooms across the country. Our retail members, which range in size from independent operators to regional and large national and international businesses and brands, operate 45,000 grocery stores and 12,000 supermarket pharmacies. The food industry produces and supplies over 30,000 different food and consumer good products found on store shelves, employs over 6.3 million individuals, and ultimately touches the lives of more than 100 million U.S. households per week.

The food industry utilizes three primary modalities of transportation: trucking, rail and waterways. Trucks are responsible for moving every product found on grocery store shelves. With the average supermarket carrying over 30,000 unique items, grocers are constantly receiving goods throughout the day. Efficient and safe interstate trucking is a critical component of ensuring those items make it into customers' shopping carts. Freight rail networks also play a critical role in our nation's food and consumer goods



supply chain, transporting raw materials, ingredients, and inputs to the manufacturing and processing facilities that produce many of the goods sold on grocery store shelves. The capacity of railcars to transport large quantities of commodities directly from growers and producers to product suppliers is immensely important to the supply chain. Materials, ingredients, and inputs used to produce goods are also transported via ocean liners and barges over waterways. Additionally, equipment, shelving, and other store and warehousing operations components used by retailers, wholesalers, and product suppliers travel through U.S. ports. Industry stakeholders and logistics providers work collaboratively to mitigate disruptions and implement efficiencies at our nation's ports and waterways.

The food industry faces multiple threats in various respects. For retailers, cases of shoplifting and organized retail and supply chain theft and crime have increased significantly. For distributors and product manufacturers that supply retail locations, threats of cargo theft are pronounced as goods are moved throughout the grocery supply chain. FMI convenes committees and councils across member company departments to share information, resources, and industry practices among the food industry and with law enforcement, community leaders, and other stakeholders to prevent, mitigate, and address the array of crimes and threats facing retailers, distributors, and product manufacturers. FMI is also a partner member of both the Food and Agriculture Information Sharing and Analysis Center ([Food & Ag ISCA](#)) and the Retail and Hospitality Information Sharing and Analysis Center ([RH-ISAC](#)). ISACs help critical infrastructure owners and operators protect their facilities, personnel and customers from cyber and physical security threats and other hazards. These organizations collect, analyze and disseminate actionable threat information and provide members with tools to collaborate, mitigate risks and enhance resiliency.

The following is feedback that FMI compiled from member companies on questions posed in the RFI. The threat environment facing the food industry is ever evolving and as such, the responses below are a snapshot in time.

Cargo Theft Risks Facing U.S. Supply Chain

The risks of cargo theft in the food and consumer goods supply chain are multifaceted. For example, organized crime syndicates use sophisticated methods to perpetrate cargo theft and other retail crimes. These domestic and transnational syndicates and other bad actors use digital tools to steal or buy carrier credentials, gain access to email and shipping and cargo management systems, and falsify dispatches to reroute shipments or double broker a load. Other actions that lead to cargo theft include the manipulation of bill of lading (BOL) and paperwork, and carriers consolidating loads and failing to maintain chain of custody in violation of agreements. Cyber-enabled diversion, such as GPS spoofing, and other cyber threats also pose significant risks. As technologies continue to advance so does the ability for crime syndicates and bad actors to expand their reach.

Crime syndicates and other bad actors also take brazen actions in-route and at multimodal facilities. These actions include seal and trailer manipulation such as unlocking and unhinging doors and moving or replacing seals mid-route and taking advantage of route vulnerabilities. In some cases, fraudulent forms and outdated systems may be used to manipulate the process and move products undetected. The labor shortage, especially the truck driver shortage, is compounding these threats.

In addition to the issues noted above, truck freight faces vulnerabilities because of frequent stops and pinch points along routes. Similarly, rail is subject to vulnerabilities when cargo is stored or dwell times increase in the rail yard, and line disruptions lead to piracy when cars idle on the tracks or spill. Ocean vessels face vulnerabilities from piracy, and both ocean vessels and domestic barges can also face vulnerabilities from weather events. Multimodal and intermodal facilities face risks because of the large volume of cargo moved, complex transfers between modalities, security inconsistencies, lack of visibility on docks, and the high volume of people moving throughout the facilities that can go undetected. Per the request to rank the severity of cargo theft as a challenge by mode of transport, FMI members ranked trucking as serious (4) and very serious (5) and ranked rail and waterways as moderate (3) and serious (4).

Further, FMI members identified barriers to timely detection, reporting, and response to cargo theft incidents. These include limited data sharing and use of technology across carrier modes, utilization of unvetted brokers, delayed law enforcement responses, and incidents involving multiple law enforcement jurisdictions and officers that may lack familiarity with supply chains and logistics. Suggested ways to reduce these barriers include development of minimum visibility standards for high-risk cargo and incentivizing carriers to meet these standards, implementation of a standardized national cargo theft portal for immediate and consistent reporting, bolstering training tools and certification programs to grow awareness of cargo theft risks and warning signs, and increasing the number of safe parking spaces for trucks.

Law Enforcement and Security

A critical step in addressing cargo theft and retail crime is to strengthen and expand our federal criminal laws and better coordinate across all levels of law enforcement. FMI endorsed the bipartisan "Combating Organized Retail Crime Act (CORCA)," S. 1404/H.R. 2853. The food industry supports CORCA because it takes important action to designate organized retail and supply chain crime as federal crimes, establishes the Organized Retail and Supply Chain Crime Coordination Center within the Department of Homeland Security, strengthens federal money laundering statutes, and increases investigations and prosecutions of organized retail and supply chain domestic and transnational crimes. The Organized Retail and Supply Chain Crime Coordination Center would include the Federal Motor Carrier Safety Administration (FMCSA) along with a cross section of other agencies under various federal departments.

DOT Operating Administrations/Federal Agencies

As FMCSA works to modernize, streamline and secure the registration and licensure process, including phasing out of motor carrier (MC) numbers, it should include efforts to strengthen security measures for issuance of a DOT number. Additionally, to address vulnerabilities described above, we encourage the establishment of a standardized national cargo theft portal for reporting, tracking and sharing real-time data and intelligence briefings across modalities, as well as investments in cyber-enabled threat intelligence to monitor fake carrier registrations, spoofed credentials and compromised GPS data, and to develop heat maps. We also encourage DOT to elevate educational and awareness campaigns on the issue of cargo theft.

Industry Stakeholders

The food industry employs many techniques, technologies and practices to combat and mitigate cargo theft. Technologies used by the industry include telematics, GPS tracking, geofencing, AI-powered surveillance, license plate recognition, computer vision and learning, strategic camera placement, RFID tags, and electronic seals. Other practices used include securing yards, distribution facilities and store loading docks, and conducting robust carrier vetting processes. Additionally, the industry reports cargo thefts to the FBI and state and local law enforcement. Some respondents expressed concerns that agencies are short-staffed or may not take reports of small thefts seriously, resulting in missed opportunities to connect these smaller thefts to a series of incidents or larger crime ring activity. DOT can assist in creating a unified reporting system, establishing clear reporting guidelines, and fostering better collaboration between industry stakeholders and law enforcement agencies.

As noted previously, the average supermarket carries over 30,000 different food and consumer goods products. A wide range of these products are vulnerable to cargo theft but particularly foods and beverages that can be fenced or moved to the streets easily like fruits, vegetables, seafood, meat, alcohol and energy drinks. Additionally, respondents noted that commodities that move along our supply chain are also vulnerable to cargo theft. These include energy components, critical minerals, food crops like rice, wheat, coffee, cotton, and cocoa, and some agriculture products due to sensitive geopolitical events, climate change, and supply and demand imbalance.

Forward-Looking

FMI encourages DOT to create a standardized national cargo theft portal for reporting, tracking and sharing real-time data and to conduct intelligence briefings across modalities. DOT should consider incentivizing carriers to increase the use of technology, including AI-driven predictive analytics, enhanced seals and data-sharing platforms to prevent, detect and combat cargo theft.

Conclusion

Combating organized retail crime, including cargo theft, is a critical issue for the food industry. As noted above, guarding against and mitigating cargo threats and retail crimes involves cross-functional departments in our member companies including transportation and logistics, asset protection, store operations, and information technology. FMI welcomes the opportunity to engage further with DOT on this important issue.

Sincerely,



Christine Pollack
Vice President, Government Relations