

FACT SHEET Number 02/2009

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DANGEROUS GOODS REQUIREMENTS

INFORMATION FOR SHIPPERS AND CONSOLIDATORS

This Fact Sheet replaces Fact Sheet 02/2000 issued in July 2000. It has been reported that numerous problems still exist in the way dangerous goods documentation is completed in Australia. Australian Marine Orders Part 41 (MO 41) requires certain documentation to be completed to enable shipments of Dangerous goods (DG) from Australia to comply with the International Maritime Dangerous Goods (IMDG) Code as well as the International Conference on Safety Of Life At Sea, SOLAS 74, as amended, chapter VII Part A-D, International Convention for the Prevention of Pollution from ships, MARPOL 73/78, recommendations for the transport of dangerous goods (orange book) and the Navigation Act 1912.

Documentation

The Navigation Act 1912 - Section 249, Shipping of Dangerous Goods stipulates that:

- (1) a person shall not carry dangerous goods in a ship or place dangerous goods or cause dangerous goods to be placed on board s ship for carriage in the ship unless:*
- (b) a description in writing of the goods (not being a description contained in the ordinary shipping documents) is given to the master of the ship at or before the time the goods are placed on board the ship.*

This is a penal provision carrying a fine of \$10,000 or 4 years imprisonment or both.

Marine Order 41 provides detail concerning the completion of the documents required i.e. that it needs to conform to Chapter 5.4 of the IMDG code. It also provides information to whom the Notice should be send and the timeliness thereof.

Correct documentation for consignments of dangerous goods is essential so that those engaged in transport and handling are not exposed to unnecessary risk.

Common Problems associated with Documentation

Section 5.4.1.4.1 of the IMDG code is very prescriptive in relation to the description of the hazardous goods and how it should appear on the Multimodal Dangerous Goods Form. It also provides guidelines of what additional information is required. Few declarations conform with this section.

Copies of the transport documents received by the ship's Agent for presentation to the Master are often illegible. If information provided in a form is illegible, or the person making the required declarations cannot be identified, notice will not be considered as having been given in accordance with the Navigation Act.

The information required is often not provided. The Multimodal Dangerous Goods Form (attached at the end of the Fact Sheet with explanatory notes) provides a format for providing the information. Strict adherence to the layout of the form is not necessary so long as all the specified information is provided. Shippers may use fax or email to deliver the form. Certain classes of dangerous goods may require additional information or certification, as outlined in chapter 5.4 of the IMDG Code. **Please note that the IMDG page number should not be provided.** A consolidator providing documentation on behalf of the originating shipper must meet the notification requirements of the originating shipper as well as those of the consolidator.

Failure to provide all relevant information may result in the cargo being short shipped and all costs incurred as a consequence, being passed on to the account of the Shipper.

Shipping Lines should not at any time amend or add any information declared and signed for by the shipper, freighter forwarder or the consolidator.

Notice of intention to ship Dangerous Goods

Navigation Act requires that, before any dangerous goods are shipped in any ship, the shipper thereof must give notice of intention to ship the goods.

The manner of giving notice is by completing a Multimodal Dangerous Goods Form and providing copies as directed by Marine Order 41, section 8.

Who is the Shipper?

Shipper means any person, organisation or Government which prepares a consignment for transport and, in the case of dangerous goods shipped by cargo transport unit in less than full cargo transport unit load, includes the consolidator of those goods

Consolidator means a person who packs, or supervises the packing of, cargo for various shippers into a cargo transport unit for transport by sea;

Requirements for the packing of Dangerous Goods

Extracts from Chapter VII of part A SOLAS 74

Regulation 4.2

The transport documents prepared by the SHIPPER shall include, or be accompanied by, a signed certificate or a declaration that the consignment, as offered for carriage, is properly packaged, marked, labelled or placarded, as appropriate, and in proper condition for carriage.

Regulation 4.3

The person(s) responsible for the packing/loading of dangerous goods in a cargo transport unit shall provide a signed container/vehicle packing certificate stating that the cargo in the unit has been properly packed and secured and that all transport requirements have been met. Such a certificate may be combined with the document referred to in paragraph 4.2

Regulation 4.4

Where there is due cause to suspect that the cargo transport unit in which dangerous goods are packed is not in compliance with the requirements of paragraph 2 or 3, or where a container/vehicle packing certificate is not available, THE CARGO TRANSPORT UNIT SHALL NOT BE ACCEPTED FOR CARRIAGE.

Extract from Marine Order 41, Appendix – Section 4

Cargo Transport Units

- The packing of cargo transport units must comply with the IMO/ILO/UNECE *Guidelines for Packing of Cargo Transport Units* (can be found in the Supplement to the IMDG Code).
- The packing of dangerous goods into cargo transport units must be supervised by a competent person with knowledge of the requirements of the Code and of the IMO/ILO/UNECE *Guidelines for Packing of Cargo Transport Units*.
- A cargo transport unit in transit under fumigation must comply with the relevant provisions of the *Recommendations on the Safe Use of Pesticides in Ships* and must, as far as practicable, comply with the relevant provisions of the IMO/ILO/UNECE *Guidelines for Packing of Cargo Transport Units* (can be found in the Supplement to the IMDG Code).

Segregation of Dangerous Goods

General requirements for segregation between the various classes of dangerous goods are shown in Section 7.2 of the IMDG Code. Incompatible goods shall be segregated from one another. For the implementation of this requirement, two substances or articles are considered mutually incompatible when their stowage together may result in undue hazards in case of leakage or spillage, or any other accident. The extent of the hazard arising from possible reactions between incompatible dangerous goods may vary and so the segregation arrangements required may also vary as appropriate.

Since the properties of substances or articles within each class may vary greatly, the individual schedules should always be consulted for particular requirements for segregation, as these take precedence over the general requirements. **Segregation should also take account of any subsidiary risk labels.** Where the Code indicates a single secondary hazard (one subsidiary risk label), the segregation provisions applicable to that hazard shall take precedence where they are more stringent than those of the primary hazard.

Dangerous goods which have to be segregated from each other shall not be transported in the same cargo transport unit with the exception of dangerous goods which shall be segregated "away from" each other which may be transported in the same cargo transport unit with the approval of the competent authority. In such cases an equivalent standard of safety shall be maintained.

Stowage of Foodstuffs

- Foodstuffs (for either animal or human consumption) include Pharmaceuticals and extracts and flavourings falling into Class 3 or 8.
- Extracts and flavourings that fall into Class 3 or Class 8 are foodstuffs, and as such should not be stowed with Dangerous Goods of the following class, even if they are of a similar class.
- Class 6.1, Class 6.2, Class 2.3, Class 8 and Class 7 **must not** be stowed in the same cargo transport unit as "Foodstuffs".

Limited Quantities

Dangerous Goods in limited quantities (designated as in Section 3.4 of the IMDG Code) are exempt from certain requirements in the IMDG Code due to the consideration that they are packed individually, in small quantities, which gives an acceptable level of safety through quantity limitations. The Code stipulates the maximum size of the inner packaging. Dangerous goods transported according to these special provisions shall be packaged only in inner packagings placed in suitable outer packaging. No mention is made of total quantity limitations for the number of combination packages that may make up a shipment under these provisions. The total gross mass of a package shall not exceed 30 kg or 20 kg if the “outer packaging” is provided by shrink or stretch wrap.

With few exceptions, Dangerous Goods shipped in accordance with the “Limited Quantity” provisions need not be segregated. The goods described in documentation must be declared as “Dangerous Goods in Limited Quantities”, or “LTD QTY” where applicable, and documentation must be signed by the shipper, and/or the packer, in the relevant places (Declaration(s) to cover compliance with IMDG Code including the compatibility within outer packages). If the documentation is not signed, the Australian Maritime Safety Authority may not authorise the shipment due to assumed incompatibility.

Dangerous Goods packed in excepted quantities

With the introduction of the 34th amendment of the IMDG code, which will become compulsory from 1 January 2010, there is a new provision for DG shipped in "excepted quantities".

DG shipped under the "excepted quantity" provision are only subject to part of the provisions of the IMDG code and are limited to training, classification, packing and documentation. Generally there are no stowage or segregation limitations. The Multimodal Dangerous Goods Form needs to be endorsed with "dangerous goods in excepted quantities" as well as the number of packages in the cargo transport unit which must not exceed 1000.

Full details can be found in Chapter 3.5 of the Code.

Aerosols

Aerosols are one of the most shipped hazardous commodities but are subject to a number of different requirements depending on their capacity and class/sub class. It is recommended that the Special Provisions in column 6 and the comments in column 16 of the IMDG code are considered when declaring and packing Aerosols for shipment.

Inspections

Provision 10 of Marine Orders Part 41 gives Australian Maritime Safety Authority surveyors authority to inspect any cargo transport unit in which dangerous goods:

- (a) have been packed; or
- (b) are being packed; or
- (c) are intended to be packed,

in order to establish whether the relevant provisions of the IMDG Code are being complied with.

Placarding Dangerous Goods - Cargo Transport Units

Any cargo transport unit that has a hazardous label affixed is considered to be a dangerous goods cargo transport unit by the Australian Maritime Safety Authority and other maritime administrations (whether it contains any cargo or not). The Australian Dangerous Goods and the IMDG Codes stipulate that dangerous goods labels are only allowed to be affixed during transportation of dangerous goods. Placarding on a cargo transport unit for shipment by sea should be in accordance with the IMDG code.

All placards relating to dangerous goods should be removed from cargo transport units as soon as the contents are removed and the cargo transport unit is cleaned, unless the cargo transport unit is to be reloaded with goods of the same class or classes. If a cargo transport unit is received bearing a dangerous goods placard, and the accompanying documentation is not consistent, the shipping company (or stevedore on its behalf) will probably reject the cargo transport unit until the contents have been inspected and found to conform to the waybill or manifest.

If a cargo transport unit (CTU) on which the exterior placard is missing or is not consistent with the declared contents is found to be loaded on a ship, the CTU will be discharged from the vessel with all associated cost for account of the shipper. Removal or shipment can only take place once the discrepancies are clarified and corrected.

Training

To achieve an acceptable level of safety in the transport of dangerous goods, which in essence means compliance with the IMDG Code, personnel engaged in the packing operation and preparation of documents should be fully competent to perform these tasks. To this end training is a prerequisite and is the responsibility of management.

Training of shore-side personnel at least to the standards specified in Chapter 1.3 of the IMDG Code will become mandatory on 1 January 2010.

Attention is drawn to AMSA Marine Notice - 20/2008.

REVISION of the IMDG Code

Amendment 34 to the IMDG Code came into effect internationally on 1 January 2009 and may be applied instead of the provisions of the 33rd Amendment. It will become mandatory on 1 January 2010.

It needs to be recognised that the foregoing is a guide only. Shippers and Consolidators need to ensure that anyone involved in the classification, declaration, packing etc of Dangerous Goods is familiar with the requirements for the shipment of Hazardous Goods and referred to in the opening paragraph of this Notice.

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MULTIMODAL DANGEROUS GOODS FORM

This form may be used as a dangerous goods declaration as it meets the requirements of SOLAS 74, chapter VII, regulation 4; MARPOL 73/78, Annex III, regulation 4

1 Shipper/Consignor/Sender		2 Transport document number		
24 hour contact number (1800 numbers not to be used)		3 Page of pages		4 Shipper's reference
		5 Freight Forwarder's reference		
6 Consignee		7 Carrier (to be completed by the carrier)		
8 This shipment is within the limitations prescribed for: passenger and cargo aircraft/cargo aircraft only (Delete non-applicable)		SHIPPER'S DECLARATION I hereby declare that the contents of this consignment are fully and accurately described below by the Proper Shipping Name, and are classified, packaged, marked and labelled/placarded and are in all respects in proper condition for transport according to the applicable international and national governmental regulations.		
		9 Additional handling information		
10 Vessel and date	11 Port of loading			
12 Port of discharge	13 Destination			
14 Shipping marks Number and kind of packages; description of goods* Gross mass (kg) Net mass (kg) Cube (m ³)				
15 Container identification No. / vehicle registration No.	16 Seal number(s)	17 Container/vehicle size & type	18 Tare mass (kg)	19 Total gross mass (including tare) (kg)
CONTAINER/VEHICLE PACKING CERTIFICATE I hereby declare that the goods described above have been packed/ loaded into the container/vehicle identified above in accordance with the applicable provisions† Must be completed and signed for all container/vehicle loads by person responsible for packing/loading.		21 RECEIVING ORGANISATION RECEIPT Received the above number of packages/containers/trailers in apparent good order and condition unless stated hereon: Receiving Organisation Remarks:		
20 Name of company		Haulier's name Vehicle reg. no. Signature and date		22 Name of company (of shipper preparing this note)
Name/Status of declarant				Name/status of declarant
Place and date				Place and date
Signature of declarant				Signature of declarant
		DRIVER'S SIGNATURE		

* **DANGEROUS GOODS:** You must specify: Proper Shipping Name, hazard class, UN No., packing group, (where assigned) marine pollutant and observe the mandatory requirements under applicable national and international governmental regulations. For the purposes of the IMDG Code see 5.4.1.4 (see note 1 on next page)

† For the purposes of the IMDG Code, see 5.4.2 (see also note 2 on next page)

DOCUMENTARY ASPECTS OF THE INTERNATIONAL TRANSPORT OF DANGEROUS GOODS

Note 1: Description of Dangerous Goods

This information is provided as guidance only; persons should refer to Chapter 5.4 of the Code for specific requirements. The basic items of information necessary, in addition to the number and kind of packages, and the total quantity (by volume or mass and, in the case of goods of Class 1, by the net explosive mass of the contents), in the description of each dangerous substance, material or article offered for shipment are:

- . the letters .UN. followed by the UN number shown for the goods in the IMDG Code;
- . the proper shipping name;
- . the class or, when assigned, the division of the goods, including the compatibility group letter for class 1. Any assigned subsidiary hazard class or division number(s) shall be entered following the numerical class hazard or division and shall be enclosed in parenthesis. The words 'Class' or 'Division' may be included preceding the primary or subsidiary hazard class or division numbers;
- . where assigned, the packing group for the substance or article which may be preceded by 'PG' (e.g. .PG II.)

The dangerous goods description shall be shown in the sequence above. No information shall be interspersed, except as provided for in the Code. Unless permitted or required by the Code additional information shall be placed after the dangerous goods description. (see 5.4.1.4.2 of the Code)

The proper shipping name shall be supplemented as applicable by:

- . the words 'EMPTY UNCLEANED' or 'RESIDUE LAST CONTAINED'. before or after the proper shipping name for empty packagings, including portable containers or bulk packagings, which contain the residues of dangerous goods, or the word .WASTE. before the proper shipping name for waste dangerous goods (other than radioactive materials) being transported for disposal or processing for disposal. Where salvage packaging has been used, the words 'SALVAGE PACKAGING' shall be included in the description of the goods;
- . technical names for .n.o.s. and other generic descriptions. Proper shipping names that are assigned special provision 274 shall be supplemented with their technical or chemical group names. If the goods to be transported are marine pollutants the goods shall be identified as .Marine Pollutant. (see 3.1.2.8 of the Code);
- . if applicable, the minimum flashpoint, if 61°C or below (in °C closed cup (c.c.));
- . where applicable, dangerous goods being transported according to the exceptions for dangerous goods packed in limited quantities, the words 'limited quantity' or 'LTD QTY' shall be included.

Examples of dangerous goods descriptions are provided at 5.4.1.4.4 of the Code

Extra information is needed for certain goods of Class 1, 4.1, 5.2, 6.2, 7. See 5.4.1 of the Code.

In certain circumstances special certificates are required. See 5.4.4 of the Code

Transport documents associated with the carriage of cargo transport units under fumigation must show the date of fumigation and the type and amount of fumigant used, and give instructions for the disposal of residual fumigant, including fumigation devices, if used. See 5.5.2 of the Code.

Note 2: Container/Vehicle Packing Certificate

The signature given overleaf in Box 20 must be that of the person controlling the container/vehicle operation, who certifies that:

- . The container/vehicle was clean, dry and apparently fit to receive the goods.
- . If the consignments include goods of Class 1, other than division 1.4, the container is structurally serviceable in conformity with 7.4.6. of the IMDG Code.
- . No incompatible goods have been packed into the container/vehicle unless specially authorized by the Competent Authority.
- . All packages have been externally inspected for damage and only sound packages packed.
- . Drums have been stowed in an upright position, unless otherwise authorized by the Competent Authority.
- . All packages have been properly packed and secured in the container/vehicle.
- . When materials are transported in bulk packagings the cargo has been evenly distributed in the container/vehicle.
- . The packages and the container/vehicle have been properly marked, labelled and placarded. Any irrelevant mark, labels and placards have been removed.
- . When solid Carbon Dioxide (CO₂ - dry ice) is used for cooling purposes, the vehicle or freight container is externally marked or labelled in a conspicuous place, e.g. at the door end, with the words: "DANGEROUS CO₂ GAS (DRY ICE) INSIDE – VENTILATE THOROUGHLY BEFORE ENTERING".
- . A dangerous goods transport document, as indicated in 5.4.1 of the Code, has been received for each dangerous goods consignment loaded in the container/vehicle.