

FACT SHEET Number 03/2009

May 2009

DANGEROUS GOODS REQUIREMENTS

PROCEDURES FOR SHIPPING LINES

This Fact Sheet replaces Fact Sheet 02/2000 issued in July 2000. It is reported that numerous problems still exist with Dangerous Goods (DG) documentation presented by Shippers and Consolidators of containerised DG.

There is legislation in place as well as regulations that govern the shipments of DG by ocean going vessels and the main ones being:

- Marine Orders Part 41 (MO 41)
- International Maritime Dangerous Goods (IMDG) Code
- 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
- Transport of Dangerous Goods – Model Regulations (Orange Book)
- Navigation Act 1912.

The International Conference on Safety of Life at Sea SOLAS 74 as Amended, Chapter VII Part A – D:

Regulation 2.3

The carriage of dangerous goods in packaged form is prohibited except in accordance with the provisions of this chapter.

Regulation 3

The carriage of dangerous goods in packaged form shall be in compliance with the relevant provisions of the IMDG code.

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.

These are important requirements and one which makes it ILLEGAL to carry DG NOT in accordance with the IMDG-code. It also places the responsibility on the Shipper to prepare the Transport Document i.e. properly describe and identify the DG to be shipped.

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

(a) 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.

The Navigation Act sees non compliance as a serious offence and the penalties imposed for non-compliance should alone be sufficient inducement for those dealing with the shipments of DG to comply with the various requirements.

Marine Order 41 and Chapter 5.4 of the IMDG code provide most, if not all, of the requirements for proper documentation to accompany DG shipments. Shipping Line staff handling DG shipments needs to be familiar with the contents.

Under the provisions of Marine Order 41, a copy of the Multimodal DG Form needs to be presented to the Master of a ship before DG's are loaded.

In addition to the Multimodal DG Form, the Master must also have in his possession, before loading of DG Cargo commences a Special List (DG List), Manifest or Stowage Plan providing information of the location on board of DG Cargoes. This information is in addition to the description of the DG in accordance with chapter 5.4.1.4 and 5.4.1.5.

Whenever DG is offered for shipment and the accompanying documentation and/or the placarding of Cargo Transport Units (in most cases this means “containers” but may not always be so) is not in accordance with the requirements, the cargo should not be loaded until the shortcomings are rectified. Shipping Australia recommends that the standard of documentation must be more closely scrutinised and corrective action taken as appropriate.

Acceptance of DG, apart from being subject to the various regulatory requirements would also be subject to individual Shipping Line “in-house” procedures. These procedures may be more stringent than the regulations call for e.g. a prohibition of the carriage of certain DG’s and the use of Shipper Owned Containers etc.

Provision of Documentation for Transhipment Cargo

MO 41 - 8.1.7 states that: *If dangerous goods are being transhipped, it is sufficient for the person organising the transhipment to provide the master with a copy of the dangerous goods transport documentation covering the previous part of the voyage, accompanied by a Multimodal Dangerous Goods Form containing ship and voyage information for the intended voyage and endorsed to the effect that the goods have been transhipped.*

Published by the Shipping Australia Limited
Level 6, 131 York Street SYDNEY NSW 2000
ABN. 61 096 012 574

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

* **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 appropriate 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.