

Hamburg, den 18.04.2016

SOLAS / VGM :

IMO requirement for container weight verification

The IMO's Maritime Safety Committee (MSC) approved changes to the Safety of Life at Sea (SOLAS) convention regarding a **mandatory container weight verification** requirement on shippers. It means that a verification of container weight before loading is mandatory to place Container on ships. The DSC report was approved by the Maritime Safety Committee (MSC) in May 2014 and adopted by MSC in November 2014. The requirement making container weight verification a condition for vessel loading will become **legally binding on July 1, 2016**.

FACTS:

- 1.) The **shipper is responsible** for the verification of the packed container's weight or in case of LCL shipment for the single units (pallets, cases, cartons a.s.o.)
- 2.) This requirement will become legally **effective on July 1, 2016**. After that date, it would be a violation of SOLAS to load a packed container onto a vessel if the vessel operator and marine terminal operator do not have a verified container weight. The SOLAS amendments provide that there are two methods shippers may use to determine the container weight once the container packing process has taken place.
- 3.) This requirement will **apply globally**. Shippers, freight forwarders, vessel operators, and terminal operators will all need to establish policies and procedures to ensure the implementation of this regulatory change.
- 4.) Under the SOLAS amendments, there are two permissible methods for weighing:

Method 1:

weighing the **pure but full loaded container after it has been packed**

or

Method 2:

weighing all the cargo and its further contents (wooden beams, lashings, foil and so on) of the container and adding those weights to the **container's tare weight** as indicated on the door end of the container. **IMPORTANT: Estimating weight is not permitted.** The shipper (or by arrangement of the shipper a third party) has a responsibility to weigh the packed container or to weigh its contents.

Under either Method, the **weighing equipment used must meet national certification and calibration requirements.** (In Germany it class III for single units and class IIII for Full Container) Further, the party packing the container cannot use alone the weight somebody else has provided – they need to re-weigh the total CTR after loading (especially important for Consol Container – there might be an extra fee by the CFS to re-weigh the CTR.)

- 5.) A carrier or agent / forwarder may rely on a shipper's signed weight verification to be accurate. The carrier / agent / forwarder does not need to be a "verifier" of the shipper's weight verification.
- 6.) the shipper's weight verification must be "signed", meaning a specific person representing the shipper is named and identified as having verified the accuracy of the weight calculation on behalf of the shipper.
- 7.) The lack of a signed shipper weight verification can be remedied by weighing the packed container at the port – if the port / terminals have the possibility to do so. If not other alternatives must be found. Otherwise the Container won't be loaded onto board. All these charges are to shipper's account though
- 8.) If a packed container is weighed at the load port, that weight is to be used for vessel stow planning.
- 9.) In case a Container will be weighed randomly by the authorities and the **VGM** by shipper does not match the weigh note at port the Container will not be loaded and all charges will be to shipper's account

Source: World Shipping Council (WSC)

LINK: <http://www.worldshipping.org/industry-issues/safety/cargo-weight>

Since the **responsibility but not the taking over of charges especially for EXW and FCA trades aren't clarified** in Germany we highly recommend our clients to negotiate this issue with your trading partner to be on the safe side who will be responsible for the charges.

We will keep you updated as soon as further information is on hand

In the meantime pls feel free to get in touch with me for further questions.

Best regards

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