

SUB-COMMITTEE ON CARRIAGE OF
CARGOES AND CONTAINERS
6th session
Agenda item 10

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**REVISION OF THE INSPECTION PROGRAMMES FOR CARGO TRANSPORT UNITS
CARRYING DANGEROUS GOODS**

**Comments on FAO/IPPC proposal for inclusion of Cleanliness among the items to
check in inspection programmes for CTUs**

Submitted by ICS, BIMCO, ICHCA, IICL and WSC

SUMMARY

Executive summary: While expressing support for the proposal in document CCC 6/10, this document draws attention to proposals made by member governments of IPPC that, if implemented, could result in significant costs and other implications for international containerized supply chains and impose requirements on masters regarding loading of containers aboard ships

Strategic direction, if applicable: 1

Output: 1.30

Action to be taken: Paragraph 12

Related documents: MSC.1/Circ. 1497, MSC.1/Circ. 1498; MSC 98/22/2 and CCC 6/10

General

1 This document is submitted in accordance with the provisions of paragraph 6.12.5 of the *Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.5/Rev.1) and provides comments on document CCC 6/10 (FAO).

Comments for inclusion of pest cleanliness questions in the inspection programmes

2 There is consensus internationally among competent authorities that containers and their cargoes can potentially carry pests that could pose a serious risk to agriculture, forestry and natural resources. However, empirical data regarding the types and magnitude of the pest risks associated with containers and their cargoes is still largely lacking. Therefore, the

co-sponsors agree with the proposal in document CCC 6/10 that inclusion of pest cleanliness questions in container inspection programmes may assist in obtaining empirical data to better determine the number of incidences of pest contamination of containers and their cargoes, which in turn may facilitate the development of workable, proportionate and targeted ways to manage pest risks associated with the movement of containers globally.

Efforts of the shipping industry to minimizing pest contamination

3 Minimizing pest contamination of containers and their cargoes is a shared responsibility. As stated in the IMO/UNECE/ILO Code of Practice for Packing of Cargo Transport Units (CTU Code):

"All persons involved in the movement of CTUs also have a duty to ensure, in accordance with their roles and responsibilities in the supply chain, that the CTU is not infested with plants, plant products, insects or other animals...".

4 The shipping industry fully supports and accepts this principle that for a container operator this means that an empty container, when dispatched from a container depot under the control of the shipping company, should be "clean" from visible pest contamination.

5 To assist container operators and container depots in these efforts, several maritime trade associations have developed, and endorsed, the "Joint Industry Guidelines for Cleaning of Containers" (see document MSC 98/22/2) that provide guidance for identification of types of visible pest contamination, cleaning methods and disposal of pest contamination.¹ Development of similar guidelines aimed at other parties in the containerized supply chain, including shippers, packers and consignees, on how to minimize pest contamination for when containers are in their custody should be encouraged.

6 The shipping industry also supports, and actively participates in, joint government-industry efforts to raise awareness of the risks of pest contamination of containers and their cargoes, and to encourage voluntary steps by parties in the containerized supply chain to reduce these risks. A leading example of such collaborative efforts, in addition to the IPPC's Sea Container Task Force, is the North American Sea Container Initiative (NASCI).²

Comments on regulatory requirements

7 The shipping industry accepts that under certain circumstances, and based on a proper risk analysis and assessment, specific pest risks may warrant the implementation of focused programmes and requirements on which the public should be consulted. The Asian Gypsy Moth programme jointly developed and implemented by Canada and the United States is an example of an initiative based on a transparent risk analysis and supported by a well-defined information and outreach campaign to the shipping industry, for what is required of ships for entry in Canadian and American ports. New Zealand and Australia have also targeted risk-based programmes regarding certain countries of origin and/or certain pests such as the brown marmorated stinkbug that have been developed with input from industry and other stakeholders.

¹ <http://www.worldshipping.org/industry-issues/safety/joint-industry-guidelines-for-cleaning-of-containers>

² <http://nappo.org/english/nasci/>

8 That regulatory requirements should be based on a proper risk analysis and approach is a core principle in the IPPC's "Framework for Pest Risk Analysis".³ It is also a central premise in the IPPC CPM's "Recommendation on Sea Containers".⁴ The co-sponsors welcome, and agree, that document CCC 6/10 (paragraph 4) stresses that "there should be a common risk-based approach with supporting guidelines for managing phytosanitary risks associated with containers and their cargoes". Nevertheless, we are seeing proposals from member governments of IPPC that are in conflict with this clear guidance from the global regulator of plant pests.

9 Of particular concern are proposals that advocate the promulgation of a mandatory IPPC standard that would require, as a condition for vessel loading in each export load port, that all empty and packed export containers be certified clean by third party certifiers. If implemented, these proposals could have significant costs and other implications for international containerized supply chains. The following estimation may serve as an illustration of the potential costs of the proposals:

"In 2018, measured on a per-trip basis, the total number of containers carried in international traffic amounted to approximately 217 million:

- .1 219 million packed TEUs ~ approximately 131 million packed containers;
- .2 144 million empty TEUs ~ approximately 86 million empty containers; and
- .3 assuming that the cost of obtaining a cleanliness certificate for each container to be loaded aboard ship would amount to \$100 (which may be a conservative estimate) the total annual costs to the container industry could amount to approximately \$20 billion."

10 The shipping industry does not support such blunt proposals that:

- .1 are not based on proper and published risk analysis and therefore would not assist in the targeting of containers and cargoes that represent the greatest risks for acting as vectors of pest contamination;
- .2 would result in finite resources in both industry and government being spread so thinly across the entire global container transportation network that they would have no discernible effect in terms of reducing pest contamination risks;
- .3 would lead to the production of "cleanliness certificates" whose veracity and validity cannot reasonably be required to be established by the master or the shipping company while competent government agencies are unlikely to have the resources required to inspect and confirm literally tens of millions of certificates issued by an untold number of certificate issuers; and
- .4 would come at huge costs and merely result in unenforceable bureaucratic processes.

³ https://www.ippc.int/static/media/files/publication/en/2016/01/ISPM_02_2007_En_2015-12-22_PostCPM10_InkAmReformatted.pdf

⁴ https://www.ippc.int/static/media/files/publication/en/2017/08/R_06_En_2017-08-23_Combined_UZOHA3.pdf

11 Instead, the shipping industry continues to support joint government-industry partnerships to raise awareness and promote voluntary initiatives while stressing that any mandatory measures should be based on a proper risk assessment and analysis and – to quote from IPPC's own determination – "be justified, practical and proportionate".⁵

Action requested of the Sub-Committee

12 The Sub-Committee is invited to consider the above information and comments and take action, as appropriate.

⁵ IPPC CPM "Recommendation on Sea Containers".