

Informal meeting on Code of Practice for Packing of Cargo Transport Units

at the request of the United Nations Economic Commission for Europe Working Party on Intermodal Transport and Logistics

Geneva and virtual, 29-30 September 2021 (second meeting)

Chains of responsibility and documentation

Submitted by ETS Consulting

This document proposes changes to chapter 4 and additional consequential changes to clarify on chains of responsibility and documentation

Clause 4.2.3 is reorganised to make the text more understandable

4.2.3 The packer is responsible for:

- Ensuring that the CTU is checked before packing and that the condition of the CTU is suitable for the cargo to be transported;
- Ensuring that the floor of the CTU is not overstressed during packing operations;
- ~~• Ensuring that the cargo is correctly distributed in the CTU and properly supported where necessary;~~
- ~~Ensuring that the CTU is not overloaded;~~
- Ensuring that the cargo is correctly packed in accordance with 3.3 and, where applicable, 3.4 in the CTU.
- Ensuring that the cargo is secured¹ in accordance with 3.5~~sufficiently secured~~ in the CTU;
- ~~• Ensuring that the cargo is correctly distributed in the CTU and properly supported where necessary;~~
- ~~• Ensuring that no incompatible dangerous goods are packed. Account should be taken of all dangerous goods legislations during the complete transport chain;~~
- Ensuring that measures are put in place to prevent the movement of plants, plant products and visible pests, such as closing doors and tarpaulins once packing has started but not taking place and lights that minimize the attraction of insects;
- Properly closing the CTU and sealing it, when required, and reporting seal details to the shipper. CTUs used for international transport should be sealed;
- Fitting marks and placards to the CTU as required by dangerous goods regulations;
- Fitting the fumigation mark if any fumigant has been used as part of the packing process;
- Accurately determining the gross mass³ of the CTU and transmitting it to the shipper;
- ~~• Ensuring that no incompatible dangerous goods are packed. Account should be taken of all dangerous goods legislations during the complete transport chain;~~
- Ensuring that the CTU is not overloaded

¹ Where the driver of a road vehicle is not involved with the physical packing and securing process, they cannot be responsible for any of those responsibilities allocated to the Packer or the Shipper.

- Providing the container/vehicle packing certificate ² (new document or signed statement in the dangerous goods transport documentation as appropriate) and forwarding any documentation to the shipper.

The packer should also pass on information relating to any freight container with a reduced stacking capacity (less than 192,000 kg marked on the CSC safety approval plate)

Clause 4.2.9 is amended:

4.2.9 The consignee/receiver³ of CTUs is responsible for:

- Not overstressing the floor of the CTU during unpacking operations;
- Correctly ventilating the CTU before entering;
- Confirming that the atmosphere within the CTU is not hazardous before permitting persons to enter it;
- Detecting any damage to the CTU and to notify the carrier;
- Returning the CTU to the CTU operator completely empty and clean, unless otherwise agreed;
- Removing all marks, placards or signs regarding the previous consignments.

4.2.10 Shippers of empty CTUs and operators of empty CTUs are encouraged to have practices

Add new Functional roles after 4.2.9:

4.2.10 Inspectors / surveyors are:

- Parties employed by governments or commercial entities to perform inspection / surveying functions to ensure the safe transport of CTUs
- responsible for informing the principal of compliance and/or non-compliance of applicable codes and standards (e.g., MSC.1/Circ.1442) for further action where appropriate.

4.2.11 Insurers:

- Are entities / parties that provide insurances⁴ which variously cover loss or damage to cargo, CTUs, ships and other means of conveyance.
- should, where possible, raise awareness of the CTU Code and best practice among customers and packers of CTUs.
- should assist in the development of additional advice for specific cargo types as appropriate.

4.2.12 Customs

- may be required to open a CTU at any stage in the transport chain.
- should replace any seals removed with one that complies with ISO 17712
- should ensure that the documentation is amended and the Shipper informed.

Subsequent paragraphs renumbered.

² -to include electronic documentation in accordance with 11.31 to 11.3.5.

³ The Consignee can also act as a Shipper if the Shipper acting on behalf of the consignor transfers responsibility under the terms of the contract at any agreed stage in the transport chain

⁴ Some insurances, such as Cargo or Hull, provide cover based on the value of the item insured. Others, such as Protection & Indemnity or Carrier's Liability, cover the liability under law or contract in relation to the goods being transported and other parties who may be impacted.

Add new text after 11.3.1:

- 11.3.2 When transporting dangerous goods, the information required by international or national regulations may be incorporated into a single document; if not, these documents shall be attached one to the other. If the information is incorporated into a single document, the document shall include a Shipper Declaration and, where required a Packing Certificate declaration.
- 11.3.3 If the transport documentation is presented to the carrier by means of EDI or EDP transmission techniques, the signature(s) may be electronic signature(s) or may be replaced by the name(s) (in capitals) of the person authorized to sign.
- 11.3.4 When the transport documentation is given to a carrier by EDI or EDP techniques and subsequently the cargo is transferred to a carrier that requires paper transport documents, the shipper or carrier shall ensure that the paper document indicates "Original received electronically" and the name of the signatory shall be shown in capital letters.
- 11.3.5 A Safety Data Sheet may be requested and, where the CTU is to be transported by road, rail or inland waterway, should be provided in hard copy to Inland Carriers.

Subsequent paragraphs renumbered.

Consequential changes

1. Add new definitions

EDI	Electronic data interchange - the concept of businesses electronically communicating information that was traditionally communicated on paper.
EDP	Electronic data processing - the use of automated methods to process commercial data.
Packing Certificate declaration	Declaration made by the Packer: "I hereby declare that the goods described above have been packed/loaded into the CTU identified above in accordance with the applicable provisions. MUST BE COMPLETED AND SIGNED FOR ALL CTU LOADS BY PERSON RESPONSIBLE FOR PACKING/LOADING. " Also known as the container / vehicle Packing Certificate declaration.
Shipper's Declaration	Declaration made by the Shipper: "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 and the CTU Code."
Transport documentation	Documents required for the movement of a cargo that may include: <ul style="list-style-type: none"> Dangerous goods form (also known as a dangerous goods note (DGN))

	<ul style="list-style-type: none">• Packing Certificate• Safety Data Sheets for all cargo that presents a risk to life and / or the environment.
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