

Circular From NORTH

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Fumigated Cargoes: To Vent or Not To Vent?

Claims have emerged where grain cargoes loaded in the United States and subsequently fumigated on board were found to be affected by mould during the voyage. In each case the claimants alleged the cause of the damage was the failure to ventilate whilst the vessel was on passage.

Upon investigation, it was found that the shipowner had been provided with conflicting instructions regarding fumigation and ventilation of the cargo hold.

Conflicting instructions

In the United States, fumigation guidelines are published by the United States Department of Agriculture (USDA). The section “Fumigant Application Methods and Mandatory Minimum Exposure Time” provides direction on exposure time for fumigation. The times are based on the fumigant type, dosage and the depth of the cargo hold.

This would appear to be straightforward. However, also contained within this section of the USDA handbook is the following statement:

“It is recommended that fumigated holds remain closed during the entire voyage even if the mandatory minimum exposure time is met or exceeded.”

Because of this statement, some fumigators in the United States are instructing vessels’ Masters to keep the holds sealed for the entire voyage. In some cases, this has involved long voyages of 40 to 60 days crossing over differing climates. As is customary, the Master followed the fumigator’s advice and no ventilation was carried out. When the affected vessels arrived at the discharge port and mouldy grain observed, the receivers asked for evidence of correct ventilation, which of course showed no ventilation took place.

Protect Yourself

To avoid this and similar types of incident, a good clause in the charterparty will help. It is recommended that the BIMCO fumigation clause for charterparties be incorporated, which is suitable for both time and voyage charterparties.

Remember, the USDA fumigation handbook is only a guideline. Parties, such as the shipowner, charterer

and/or shipper are free to agree to a specific fumigation timetable at the time of fixing. This should confirm the number of days that fumigation is to be carried out taking into consideration the total length of the voyage and whether ventilation of the cargo is required.

Should a Master receive instructions from the fumigation company to keep the holds sealed for the duration of a long voyage, they should seek immediate and written clarification from the charterer or shipper. Clearly outline to them the risks of keeping the hold sealed when conditions would otherwise require hold ventilation.

Contact your usual contact at North or the local correspondent for further advice.

Written with thanks to CWA International and Chaffe McCall New Orleans.

Read more in our [briefing on fumigation](#).

Source of Information: North of England P&I Club

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