



CONTAMINATION OF LIQUID CARGOES

Protection against claims against the ship for cargo contamination

Cargo contamination claims

There has been an increase in the number of claims brought against the ship for cargo contamination by water or other product. The origin of the contamination could be in the shore tank at the load port, in the shore pipeline during loading or on the ship itself. But if the cargo is found to be 'off-spec' in the ship on arrival at the discharge port the ship is immediately held liable as the carrier. Even if the ship is not at fault, if there is no proof of contamination at the load port, the ship will be faced with a potentially large claim.

Protection against claims

A prudent ship operator will therefore have a monitoring and control procedure in place to protect the ship against cargo contamination claims, and an effective part of this procedure is the taking of samples during the overall loading process. The sampling could be undertaken by independent inspectors acting on behalf of the ship but could also be undertaken by trained ship's staff as part of their cargo duties.

An experienced officer may notice that the quality of the sample is suspect from its appearance, and early intervention at this point may avoid an expensive problem later.

Sampling

This is the proper collection and storage of samples of the liquid cargo, say 500ml, which is then retained by the ship and made available to an independent surveyor for laboratory analysis in the event of a cargo quality dispute. Ship's staff must be trained in the correct methods for taking and collecting samples and be aware of the safety precautions appropriate to the product being sampled.

After collection the cargo samples should be sealed, labelled, and a separate log or record kept of each sample taken.

Proper consideration must be given to storage of the samples, bearing in mind the hazards associated with each, including the segregation of incompatible products.

Where and when to sample

The aim is to have sufficient information to demonstrate the quality of the cargo at key stages and times of the transfer process such that the ship can defend itself against allegations of liability for contamination. The following samples are suggested:

- At the manifold at the start of loading, and perhaps at intervals during the process.
- At the manifold or, if advised, after a change of shore tank.
- Bottom (or 'first-foot') samples when there is a depth of 30-50cm in the tank.
- Top/middle/bottom or composite samples in the tank on completion of loading.
- Top/middle/bottom or composite samples in the tank on before discharging.
- At the manifold at the start of discharge.

There are industry standards for sampling and these should be followed to ensure the safety of personnel and the value of the sample.

A little effort by the ship to prepare a defence against allegations of cargo contamination can save tens of thousands of dollars, much more than an insurance deductible. Cargo sampling is a relatively simple and cheap precaution and should be used by all ship operators as part of claims prevention.

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