THE GOVERNMENT
OF THE GRAND DUCHY OF LUXEMBOURG
Ministry of the Economy

Maritime Administration

Luxembourg, 29 June 2016

Circular CAM 06/2016

To : All accredited shipping managers, DPAs and other interested parties upon request

O/Ref : BB/107378

Verification of Gross Mass of a Container Carrying Cargo

Overload of containers and its influence on ship stability represents an important risk to vessels' and crew's safety as well as to the environment. The International Maritime Organization (IMO) has therefore set new rules for weighing containers in Chapter VI Regulation 2 of the SOLAS Convention (cf. info on IMO website and summary by WSC).

As from 1 July 2016 the previously mentioned SOLAS amendments will enter into force, requiring the shipper to ensure that the Verified Gross Mass (VGM) of a packed container is stated on the shipping document (cf. IMO guidelines). The following information should be observed in view of the practical implementation of the new requirements.

The VGM of a container has to be documented in the shipping documents clearly indicating the name and signature of the shipper or his representative. Failure to do so may prevent the container from being loaded on a ship (or at least delay the loading until verification and documentation of the VGM).

Verification of container mass

Under the new regulation the gross mass of a container carrying cargo shall be verified by the shipper either by:

1. Using calibrated and certified[(1)] weighing instruments that comply with directive 2014/31/EU regarding non-automatic weighing instruments or directive 2014/32/EU regarding measuring instruments, the shipper or a third party duly appointed by the shipper weighs the packed container at the end of the stuffing operation once the seal is affixed;

   or

2. The shipper or a third party, by arrangement of the shipper, weighs all packages, cargo items, pallets, dunnage and other packing and securing material and adds the tare mass of the container. The total sum finally obtained is the weight to be provided using one of the following calculation methods:

   - calculation is part of a documented ISO certification (ISO 9001)
   - calculation is part of an AEO certification[(2)]
   - calculation is part of a documented procedure which will need to be validated by the Luxembourg administration. To this avail, the procedure will be verified by the Société Nationale de Certification et d'Homologation (SNCH)[(3)] duly authorized by the Luxembourg Maritime Administration.

It should be noted that sufficient time needs to be allocated for this verification; a proposed methodology guidance is attached as Annex 1.

In all cases the shipper, as stated on the bill of lading, remains responsible for documenting the VGM of the packed container and its timely transmission, even when VGM is determined by a third party.

Accuracy

The VGM should always be as accurate as possible and deviation must not be more than 5%. The weighing instruments used must be calibrated and certified(1) according to directive 2014/31/EU or 2014/32/EU.

When using a calculation method, instruments used will be of accuracy class III and the accuracy must be described in the different steps.

COMMISSARIAT AUX AFFAIRES MARITIMES
G.-D. DE LUXEMBOURG

(s) Robert BIWER
Government Commissioner
for maritime affairs

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(1) *The competent authority in Luxembourg for certifying weighing instruments is the "Institut Luxembourgeois de la Normalisation, de L'accréditation, de la Sécurité et Qualité des Produits et Services" (ILNAS) and in particular the "Service de la Métrologie légale":*

rue J.F. Kennedy
L-7327 Steinsel
Tél : (+352) 33 55 07
Fax : (+352) 33 55 03
E-mail : metrologie@ilnas.etat.lu
http://www.portail-qualite.public.lu/fr/metrologie/metrologie-legale/index.html

(2) *The competent authority for AEO certification is the "Administration des Douanes et Accises, Division Coopération Nationale et Internationale" (DCNI)*

Mr. Henri NIMAX
Tél. : (+ 352) 28 18 22 21
Fax : (+352) 28 18 92 00
E-mail : henri.nimax@do.etat.lu

B.P. 1605
L-1016 Luxembourg
http://www.do.etat.lu/douanes/oea/

(3) *The designated authority for approval of calculation method is the "Société Nationale de Certification et d'Homologation" (SNCH)*
2A Kalchesbrëck
L-1852 Luxembourg
Tel.: (+352) 261570-250
Fax: (+352) 261570-244
Email: maritime@snch.lu

ANNEX 1

Approval of calculation method by the Luxembourg administration

The request for approval of a calculation method is submitted to

Société Nationale de Certification et d'Homologation (SNCH)
2A Kalchesbrëck
L-1852 Luxembourg
Tel.: (+352) 261570-250
Fax: (+352) 261570-244
Email: maritime@snch.lu

The calculation method should describe how the different weights are determined and to what level of accuracy.

The calculation method should involve the following five steps.

Step 1 - weighing of the load

The weight of the cargo items to be shipped shall be determined by adding together the weight of each individual item. If determined by weighing, this must be done using certified weighing equipment.

The competent authority for verification of such scales in Luxembourg is the "Service de la Métrologie légale" at ILNAS.

As regards bulk products, the weight may be determined in connection with the production process either by metering by means of calibrated filling devices or by weighing the product.

Step 2 – the weight of the packaging

The weight of the packaging shall be determined either by using information from the manufacturer of the packaging or by using information from the shipper/forwarder, as verified and captured in its quality management system or the like.

Step 3 – the weight of pallets, securing materials and dunnage

The weight of pallets, packaging and securing devices, such as shoring poles and dunnage, shall be determined, either by using information from the manufacturer or by using information from the shipper/forwarder or, preferably, by using weight data captured in the quality management system or the like. In any circumstance, the shipper shall be responsible for considering the validity of this information.

Step 4 – the tare weight of the empty container

The shipper should use the tare weight indicated on the container or provided by the ship owner.

Step 5 – the gross weight of the packed container

The weights obtained in steps 1 to 4 above should then be added to obtain the gross mass of the packed container.