

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, 12-13 July 2022

Chains of responsibility and information

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This document proposes changes to [Chapter 2 Definitions](#) [Chapter 4 of the CTU Code](#)

The Code tries to define functional roles to which typical undertakings are assigned in Chapter 4. These roles include the party who is responsible for managing a part of the transport (Shipper) and a party who is responsible for managing the preparation of the cargo and related documents (Consignor). These roles are used for practical but not legal purposes in the Code.

One problematic issue is that the term Shipper is in many contexts used for both the roles that the Code defines as the Consignor and the Shipper respectively. The Code must thus be very careful to clearly make a distinction between those functional roles.

Another issue with the current definitions is that the entity named on the Bill of Lading, or the Waybill may not be the entity that the Code defines as the Shipper, but rather that as defined as the Consignor.

It must also be noted that any entity may fill multiple roles, as defined in the Code, but stating this in the definitions probably only adds confusion. It is therefore better to expand paragraph 4.1.6 in Chapter 4 instead to exemplify this.

To reflect the proposals submitted to improve the CTU Code, there are a number of additional amendments proposed along with new definitions

Additionally, it proposes changes to [Chapter 4 of the CTU Code](#) on chains of responsibilities and information. In particular, it suggests:

- To reorganise clause 4.2.3 to make the text more understandable
- To amend clause 4.2.5 to clarify the role of the road vehicle driver, particularly where the CTU has been packed and sealed before the road vehicle arrives.
- To sub-divide and amend 4.2.9 to form a new functional role and to reiterate some of the implied responsibilities of the unpacker and consignor.
- To include additional functional roles as 4.2.11, 4.2.12 and 4.2.13. These additional roles are added to include functions that support the transport chain and bring the CTU Code in line with other IMO publications.
- The information to pass on by shipper is basically already listed in §4.2.12 and thus section §4.2.4 may be significantly simplified by not repeating them and just refer to this paragraph. Although it is the shipper that has the role of making sure this information is compiled and passed on as needed, all parties must, as stated in §4.2.12 help ensure that the flow of information works.
- Several bullet points should be removed from § 4.2.4 (shipper) and § 4.2.5 (road haulier) on the basis that they are clearly out of the scope of this Code (drivers qualification, fatigue rules, cut off times for CTUs etc).

This document further proposes changes to Chapter 11 of the CTU Code on completion of packing in order to elaborate on documentation for transport of dangerous goods.

This document also proposes inclusion of additional definitions in Chapter 2 to reflect the proposed amendments and minor amendments to Annex 1 as consequential changes.

As a result of an amendment to functional responsibility of the consignee a thorough study of the terms that are associated with labels, marks and placards used in the CTU code has been made. This document also includes a number of proposed amendments to those terms so as to ensure consistency and compliance with the dangerous goods model regulations.

Proposed changes to Chapter 2

Carrier haulage	When the shipping company itself takes care of the preceding and subsequent transport of a container. It is also referred to as liner’s haulage.
Consignee	The party to whom a cargo is consigned under a contract of carriage or a transport document or electronic record. Also known as the receiver: <u>May also be known as:</u> - <u>The receiver</u>
Consignor	The party who prepares a consignment for transport. If the consignor contracts the transport operation with the carrier, the consignor will undertake the function of the shipper and m <u>May also be known as:</u> <ul style="list-style-type: none"> • The shipper (maritime); • The sender (road transport).
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.
Emergency response information	For consignments for which a dangerous goods transport document is required, appropriate information shall be immediately available at all times for use in emergency response to accidents and incidents involving dangerous goods in transport. The information shall be available away from the packages containing the dangerous goods and immediately accessible in the event of an accident or incident. Also known as “Instructions in Writing”
Freight Forwarder	The party who organizes shipments for individuals or other companies and may also act as a carrier. When the freight forwarder is not acting as a carrier and/or shipper, it acts only as an agent on behalf of the consignor or consignee, in other words as a third-party logistics provider who dispatches shipments via carriers and that books or otherwise arranges space for these shipments.
Inspectors / surveyors	Parties employed by governments or commercial entities to perform inspection / surveying functions to ensure the safe transport of CTUs
Insurers	Are entities / parties that provide insurances which variously cover loss or damage to cargo, CTUs, ships and other means of conveyance 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.
Merchant haulage	Merchant's haulage is when the preceding and subsequent transport is carried out by the shipper and the receiver of a container, respectively.
Multimodal transport operator (MTO)	A carrier who concludes multimodal transport contracts, i.e., contract involving transport by more than one mode of carriage, and for which MTO accepts liability as a carrier"
Packing Certificate declaration	Declaration made by the Packer: <p>"I hereby declare that the goods described above have been packed/loaded into the CTU identified above in accordance with the applicable provisions.</p> <p>MUST BE COMPLETED AND SIGNED FOR ALL CTU LOADS BY PERSON RESPONSIBLE FOR PACKING/LOADING."</p> <p>Also known as the container / vehicle Packing Certificate declaration.</p>
Shipper	The party responsible for arranging and managing the transport of the CTU and its cargo and who concludes a contract of carriage (or in whose name or on whose behalf a contract of carriage has been concluded) with a carrier. <p>The Shipper's contact details should be entered on bills of lading or waybills or other transport documentation.</p> <p>Also known as the sender.</p>
Shipper's Declaration	Declaration made by the Shipper: <p>"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."</p>
Transport documentation	Documents required for the movement of a cargo that may include: <ul style="list-style-type: none"> ● Shipping instructions ● Bill of lading ● Dangerous goods form (also known as a dangerous goods note (DGN)) ● Packing Certificate ● Safety Data Sheets for all cargo that presents a risk to life and / or the environment. ● Dangerous goods manifest (where required)
Unpacker	The party that unloads, removes or empties the cargo from the CTU; the unpacker may be contracted by the consignee, the shipper, by the freight forwarder or by the carrier. If the consignee unpacks the CTU within their own premises, the consignee is also the unpacker. <p>Also known as the receiver.</p>

Note: Readers of this informal document are reminded that Clause 4.1.1 states:

In general, transport operations using CTUs in particular, involve various parties each of whom have a responsibility to ensure that the cargo is transported through the supply chain without incident. Notwithstanding any national legislation or contracts between the involved parties the chain of responsibility discussed below identifies functional responsibilities of the parties involved.

Proposed changed text to Clause 4.1.6:

4.1.6 A single entity may undertake one or more of the functions listed below. For example, the role of shipper is normally filled by the consignor, the freight forwarder or the consignee, depending on the terms of the trade and the role or packer may for transports in road vehicles be shared by the driver representing the road haulier. However, whatever the functional role the entity is undertaking at the time, they should ensure the proper ~~The~~ flow of information between the functions which is discussed further in annex 1.

Proposed changed text to Clause 4.2:

4.2.1 The CTU operator is responsible for providing CTUs that:

- Are fit for purpose;
- Comply with international structural integrity requirements;
- Comply with international or national safety regulations including DG specific requirements for the transport mode;
- Are clean, free of cargo residues, noxious materials, plants, plant products and visible pests.

The CTU operator should also pass on information relating to any freight container with a reduced stacking capacity¹ to the shipper.

4.2.2 The consignor is responsible for:

- Correctly describing the goods including the mass of the total payload;
- Marking all packages in accordance with annex 7 – 4.2 Transport Stability Level (TSL)
- Notifying the packer and the ~~#~~shipper of any unusual transport parameters of individual packages, for example, the offset of the centre of gravity or transport temperatures which should not be exceeded or undercut;
- Ensuring that packages and unit loads are suitable to withstand the stresses which are to be expected under normal transport conditions;
- Providing all the ~~information~~ information-cargo properties that ~~is~~ are required for proper packing;
- Ensuring that goods in packages and unit loads are adequately secured to prevent damage during transport;
- Ensuring that goods are ventilated so that any noxious or harmful gases are permitted to vent off before packing;
- Ensuring that dangerous goods are correctly classified, packed and labelled;
- Ensuring the dangerous goods transport document, including the Shipper's Declaration but not the Container or Vehicle Packing Certificate where applicable (see 4.2.3), is completed, signed

¹ As of 1 January 2012, all freight containers with reduced stacking or racking strength are required by the International Convention for Safe Containers (CSC) to be marked in accordance with the latest version of ISO 6346: Freight containers - Coding, identification and marking.

and transmitted to the packer, forwarder, shipper (if not the consignor) and carrier as applicable.

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 packed in the CTU.
- Ensuring that the cargo is 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 applicable dangerous goods legislations during the entire journey of the CTU from original point of dispatch to final destination;]
- Ensuring that measures are put in place to prevent the movement of visible pests. Such measures involve use of lights that minimize the attraction of insects during active packing and closing doors and tarpaulins once active packing is interrupted but not fully finished;
- Properly closing the CTU and sealing it, when required, and reporting seal details to the shipper with a view to sharing those details with the container operator and, where different, the carrier. CTUs used for international transport should always be sealed;
- Fitting marks and placards to the CTU as required by applicable dangerous goods regulations;
- Fitting the fumigation mark if any fumigant has been used as part of the packing process;
- Fitting other marks and / or labels applicable to the cargo being carried, i.e., flexitank or risk of asphyxiation labels;
- Accurately determining the gross mass² of the CTU³ and transmitting it to the shipper with a view to sharing it with ~~the container operator and, where different,~~ the carrier;
- Ensuring that the CTU is not overloaded and complies with the maximum operating gross mass indicated on the approval plate (see annex 3);
- Providing the container/vehicle packing certificate⁴ and declaration (new document or signed statement in the dangerous goods transport documentation as appropriate) and forwarding any documentation to the shipper with a view to sharing that information with the container operator and, where different, the carrier.
- In the case of temperature-controlled goods, the correct temperature set point is entered into the control unit;
- Ensuring that a seal, where required, is affixed upon completion of the packing of the CTU;

~~To assist with the stowing of freight containers on board ships, and as the only party who may physically see the container, the packer should also pass on to the shipper information relating to any freight container with a reduced stacking capacity (less than 192,000 kg marked on the CSC safety~~

² The gross mass of a packed CTU needs to be obtained either by weighing or calculation before any transport operation commences. Incorrect gross masses are a hazard for any mode of transport. Therefore, the gross mass should be produced before the unit leaves the premises of the Packer. Where a cargo is to be transported in a road vehicle or rail wagon, and where the tare of the CTU is not known, the Packer needs only provide the mass of the cargo and any packing and securing material to the shipper

³ Where the CTU is a freight container the Packers should provide a gross mass as required by the International Convention for the Safety of Life at Sea (SOLAS) Chapter VI, Regulation 2 which shall be verified by the Shipper and transmitted to the Container Operator, and where different, the Carrier.

⁴ To include electronic documentation in accordance with 11.3.1 and 11.3.

~~approval plate)⁵. This information is critically important for the proper stowage of the CTU aboard ship; it should therefore be shared also with the container operator and, where different, the carrier.~~

4.2.4 The shipper is responsible for ensuring that:

- The work distribution concerning packing and securing is clearly agreed and communicated to the consignor and carrier/carriers;
- A suitable type of CTU is used for the intended cargo for the intended transport;
- A CTU is requested which is safe for transport and is clean, free of cargo residues, noxious materials, plants, plant products and visible pests before being supplied to the consignor or packer;
- Suitable modes of transport are selected to minimize the risk of accidents and damages for the actual cargo;
- All required documents and all relevant information, as per section 4.2.12, are received from the consignor and from the packer and passed on to the carrier and consignee as appropriate and as early as required;
 - ~~• The cargo inside the CTU is fully and accurately described;~~
 - ~~• The gross mass of the CTU is accurately determined;~~
 - ~~• The accurate description of the cargo⁶ is communicated to the carrier as early as required by the carrier;~~
 - ~~• The verified gross mass is communicated to the carrier as early as required by the carrier;~~
 - ~~• In case of dangerous goods, the transport document and (for sea transport) the packing certificate is transmitted to the carrier before the transport commences respectively as early as required by the carrier;~~
- In the case of ~~temperature controlled~~temperature-controlled goods, the correct temperature set point is entered ~~into the control unit and~~ onto the transport/shipping documents;
 - ~~• Ensuring that a seal, where required, is affixed immediately upon completion of the packing of the CTU;~~
 - ~~• The seal number, where required, is communicated to the carrier;~~
 - ~~• Any extraordinary properties such as reduced stacking capacity or out of gauge are communicated to the carrier;~~
- The shipper's declaration is accurate;
 - ~~• Shipping instructions are despatched to the carrier on time and that the CTU meets the outbound delivery window;~~
 - ~~• The CTU arrives at the terminal before the stated cargo cut-off time;~~
 - ~~• The information concerning the consignment, description of packages and, in the case of freight containers, the verified gross mass is transmitted to the consignee.~~

4.2.5 The road haulier is responsible for:

- Confirming that the gross mass, length, width and height of the vehicle are within the national road / highway regulations limits;
- Ensuring that the driver is aware of any cargoes that may move during transport, for example bulk liquids on the CTU or hanging foodstuffs;
- Ensuring that the driver:

⁵ ~~As of 1 January 2012, all freight containers with reduced stacking or racking strength are required by the international convention for safe Containers CSC to be marked in accordance with the latest version of ISO 6346: Freight containers Coding, identification and marking.~~

- secures the CTU properly on the trailer or chassis (except where the CTU is a trailer);
- inspects the exterior of the CTU to confirm that it is safe to move;
- confirms that there are no loose components or coverings that may become detached or damage the CTU and / or cargo during transport;
- is aware of their responsibilities in conformance with the underlying contract between the haulier and shipper (merchant haulage) or carrier (carrier haulage) with regard to securing of the cargo and determining the status of the CTU;
- Moves the CTU in such a manner that there are no exceptional stresses placed on the CTU or the cargo;
- is in possession of documents such as an Emergency Response Information / Instructions in Writing when carrying Dangerous Goods.

Proposed changed text to clause 4.2.9 to introduce the functional responsibilities of the unpacker and add a new clause for the remaining roles of the consignee:

- 4.2.9 The unpacker of the CTU is responsible for:
- Checking the seal prior to its removal on whether it conforms with information on the transport documentation;
 - Correctly ventilating the CTU before entering;
 - Confirming that the atmosphere within the CTU is not hazardous before permitting persons to enter it;
 - Not overstressing the floor of the CTU during unpacking operations;
 - Removing all cargo, securing material and other debris from the CTU;
 - [Applying suitable measures and steps for detection of visible pest and, where visible pests are found, to dispose of them in accordance with applicable rules and requirements promulgated by the local office of the National Plant Protection Organization (NPPO) or, if contamination is of animal origin, the local Animal Quarantine Office]
 - Removing all marks, labels and placards regarding the previous consignments
 - Detecting any damage to the CTU and to notify the consignee;

- 4.2.10 The consignee/~~receiver~~ of CTUs is responsible for:
- Receiving the CTU from the carrier and ensuring that the information supplied by the shipper concerning the consignment matches those of the CTUs received;
 - Returning the CTU to the CTU operator completely empty and clean, unless otherwise agreed

Add new Functional roles after 4.2.10:

- 4.2.11 Inspectors / surveyors are responsible for:
- Informing the principal of compliance and/or non-compliance of applicable codes and standards for further action where appropriate.
- 4.2.12 Insurers are responsible for:
- Raising awareness of the CTU Code and best practice among customers.
 - Assisting in the development of additional advice for specific cargo types as appropriate.
- 4.2.13 Customs is responsible for:
- Ensuring the compliance with applicable laws and regulations by opening the CTU at any stage in the transport chain.
 - Replacing ~~ement of~~ seals removed with one that is at least to the same standard and complies with ISO 17712

- Ensuring that, the documentation is amended and the Shipper and container operator and, here different, the Carrier are informed.

Subsequent paragraphs renumbered.

Proposed changed text to existing Clause 4.2.12:

4.2.12¹⁶ All parties should ensure that the flow of information is transmitted to parties identified in the transport contract along the supply chain. The information should include:

- The identification, in accordance with a risk assessment⁷, of risks to the integrity of the CTU that may be present for all or some part of the journey;
- CTU identification;
- Seal number (where required);
- **Any extraordinary properties such as reduced stacking capacity or out of gauge;**
- Verified gross mass of the CTU (**where required**);
- Accurate description of the cargo carried in the CTU;
- The correct description of dangerous goods;
- Correct and appropriate transport documentation;
- Any information required for safety, security, phytosanitary, veterinary, Customs or other regulatory purposes.

Amendments to Chapter 11

Add new text after 11.3.1:

11.3.2 When transporting dangerous goods:

11.3.2.1 Without prejudice to 11.3.2.2, 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.

11.3.2.2 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.

11.3.2.3 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.

11.3.2.4 A Safety Data Sheet may be requested and, where emergency response information is immediately required when the CTU is to be transported by road, rail or inland waterway, it should be provided in hard copy to inland carriers unless electronic transmission has been arranged.

Subsequent paragraphs renumbered.

Consequential changes

Suggested additional and amended definitions:

Carrier haulage	When the shipping company itself takes care of the preceding and subsequent transport of a container. It is also referred to as liner's haulage.
Consignee	The party to whom a cargo is consigned under a contract of carriage or a transport document or electronic record. Also known as the receiver: <u>May also be known as:</u> - <u>The receiver</u>
Consignor	The party who prepares a consignment for transport. If the consignor contracts the transport operation with the carrier, the consignor will undertake the function of the shipper and m <u>May also be known as:</u> <ul style="list-style-type: none"> • The shipper (maritime); • The sender (road transport).
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.
Emergency response information	For consignments for which a dangerous goods transport document is required, appropriate information shall be immediately available at all times for use in emergency response to accidents and incidents involving dangerous goods in transport. The information shall be available away from the packages containing the dangerous goods and immediately accessible in the event of an accident or incident. Also known as "Instructions in Writing"
Freight Forwarder	The party who organizes shipments for individuals or other companies and may also act as a carrier. When the freight forwarder is not acting as a carrier and/or shipper, it acts only as an agent on behalf of the consignor or consignee, in other words as a third-party logistics provider who dispatches shipments via carriers and that books or otherwise arranges space for these shipments.
Inspectors / surveyors	Parties employed by governments or commercial entities to perform inspection / surveying functions to ensure the safe transport of CTUs
Insurers	Are entities / parties that provide insurances which variously cover loss or damage to cargo, CTUs, ships and other means of conveyance 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.
Merchant haulage	Merchant’s haulage is when the preceding and subsequent transport is carried out by the shipper and the receiver of a container, respectively.
Multimodal transport operator (MTO)	A carrier who concludes multimodal transport contracts, i.e., contract involving transport by more than one mode of carriage, and for which MTO accepts liability as a carrier”
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	The party responsible for arranging and managing the transport of the CTU and its cargo and who concludes a contract of carriage (or in whose name or on whose behalf a contract of carriage has been concluded) with a carrier. The Shipper’s contact details should be entered on bills of lading or waybills or other transport documentation. Also known as the sender.
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"> ● Shipping instructions ● Bill of lading ● Dangerous goods form (also known as a dangerous goods note (DGN)) ● Packing Certificate ● Safety Data Sheets for all cargo that presents a risk to life and / or the environment. ● Dangerous goods manifest (where required)
Unpacker	The party that unloads, removes or empties the cargo from the CTU; the unpacker may be contracted by the consignee, the shipper, by the freight forwarder or by the carrier. If the consignee unpacks the CTU within their own premises, the consignee is also the unpacker. Also known as the receiver.

Proposed amendments to annex 1 to clarify the relationship of the Shipper with the Consignor, freight forwarder, carrier and consignee.

7. Figure 1.2 shows the relationship of functions at the start of the supply chain. A sender and consignor may be considered as having the same function and under certain circumstances may be also referred to as the shipper. However, the shipper may act as the processor of information receiving information about the cargo and the packing details from the consignor / sender and packer / consolidator respectively.

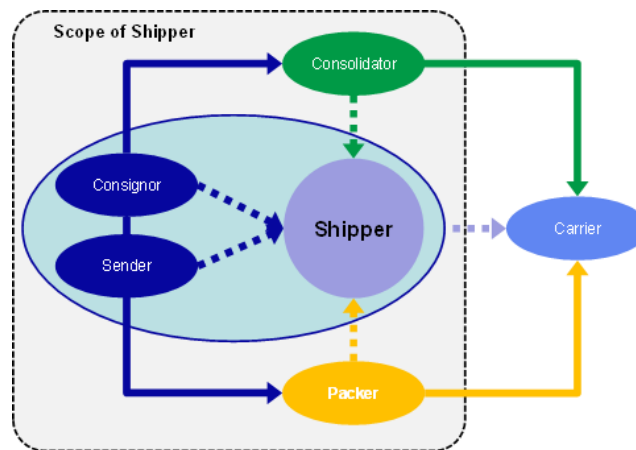


Figure 1.2 Relationship of functions

- 7.1 The shipper may also be the packer / consolidator receiving goods from the consignor and packing them into the CTU before contracting with despatching the goods to the carrier.
- 7.2 The shipper may be the consignor, who is producing the goods, packing it into the CTU and then contracting the carrier to move the CTU to its destination.
- 7.3 The shipper may be a freight forwarder acting on behalf of the consignor or consignee and engaged to act as a transport manager.
- 7.4 The shipper may combine the consignor, the packer and the carrier.
- 7.5 Finally, the Shipper may be the consignee where the consignor delivers the cargo Ex-Works.

Proposed amendments as a result of the introduction of the term “unpacker”

- 12.1.1 When applicable the unpacker of a CTU should check whether the unit is externally in good condition, and not significantly distorted, cracked or bent. If such damage is found, the receiver should document and notify it to the CTU operator. Specific attention should be paid to damage that may have influenced the condition of the cargo within the unit.

Annex 5

- 1.2 When receiving a CTU, the unpacker or consignee should

- 1.2.3 The unpacker or consignee should bring the discrepancy to the attention of the carrier and the shipper. The consignee should also note the discrepancy on the cargo documentation and notify Customs or law enforcement agencies, in accordance with national legislation. Where no such notification requirements exist, the consignee should refuse custody of the CTU pending communication with the carrier until such discrepancies can be resolved.

- 8.1.2 The unpacker or consignee should return the CTU in the same state that it was delivered. This means that the CTU should be:
 - 8.2.1 If additional cleaning beyond a thorough sweep of the CTU is required the unpacker should consider the following techniques:

 - 8.3.2 Cargo residues should be removed and disposed of in line with the unpacker's and / or consignee's procedures.