

The SOLAS Container Weight Verification Requirement!

In November 2014, the International Maritime Organization (IMO) amended the International Convention for the Safety at Sea (SOLAS), Chapter VI, Part A, Regulation 2 to require that a packed container's gross mass (Verified Gross Mass, or VGM) be verified prior to loading and stowage aboard a vessel. The new rule goes into effect on July 1, 2016 in all 171 IMO member countries, including the United States.

Why is this important to IMO member countries and the global supply chain community?

It is simply a matter of safety for all those involved in the supply chain, from truckers, to terminal operators, stevedores and anyone else exposed to loaded containers. It's also critically important for vessel operators to have accurate weights for their laden containers to accurately and safely stow containers on their vessels, and for the vessels themselves to sail safely. Misdeclaration of weight is still a problem around the world, and the goal of the amendment is to eliminate this for all stakeholders.

Who is responsible for providing the Verified Gross Mass (VGM) and to whom?

The SOLAS amendment provides that the "shipper" be solely responsible for verifying the Verified Gross Mass (VGM) and transmitting that information to the vessel- operating common carrier prior to vessel load.

If I am not importing overweight products, does this impact me?

This rule applies to all containers, not just "overweight" containers. It is a way to verify weight accuracy, regardless of the weight itself.

What methods can be used to weigh a container to provide the VGM to the carrier?

There are only two (2) ways that shippers (or third parties working on their behalf) can weigh the container for the VGM:

1. Weighing the container after it has been packed using a scale that is both calibrated and certified, or...
2. Adding the weight of the loaded cargo and the container's tare weight.

However, certain commodities by nature of how they are shipped, cannot be weighed using method 2 (metal scrap, plastic scrap, dry bulk grains, other bulk cargo).

How will a shipper know the tare weight of the empty container?

Carriers have informed the shipping community that they will accept the tare weight written on the side of the individual empty container, or in many cases, carriers will provide the tare weight for the specific container being loaded on their website.

As an importer, what responsibility do I have?

The SOLAS regulation clearly stipulates that this is the responsibility of the shipper, or supplier. So even though there is no responsibility, importers must make sure that each supplier in their supply chain is aware of the new regulation, and has a process in place to weigh, verify, and communicate the VGM to their carrier prior to the carrier's VGM cut-off.

How and when will a shipper communicate the VGM to the carrier?

According to the regulations, the VGM can be submitted either electronically as an EDI message (an EDI message called VERMAS with a code of 304 has been established for VGM), via electronic portals used by carriers, or through a carrier's own electronic portal. The weight certification must be signed by a person duly authorized by the shipper (an electronic signature is acceptable). What carriers in the United States have messaged is that the "cut-off" for the VGM will be noon on the same day as the receiving cut-off time – we expect the same for cargo being imported from overseas.

What if the weight verification is inaccurate or late?

Carriers are messaging that without a VGM prior to loading by the specified VGM cut-off, they will maintain a no-load policy and containers will be held in limbo at the receiving terminal until an accurate VGM can be provided. Demurrage and/or any other cost incurred by the carrier to move the non-verified container within the terminal as a result of an inaccurate or missing VGM will be on the account of the shipper. At this point, we are not seeing any "fines" associated with this should an inaccurate or late VGM be provided.

What does accurate mean?

The SOLAS amendment calls for the VGM to be accurate (cargo weight plus tare weight). Many IMO member countries are in the process of declaring what is within an acceptable tolerance to be allowed to load on a vessel (Japan is considering +/- 5% range for example, in India it is +/- 200 KG, China is within 5% or 1MT).

What is China messaging about VGM?

According to guidelines made formal in April, China's Ministry of Transportation is stating that an allowance of up to 5% or 1MT will be acceptable. They are requesting terminals and carriers perform random inspections of containers and their weights to compare to the VGM, and should that variance be exceeded, carriers and/or terminals will request the shipper to reload and reweigh the container, until that discrepancy is eliminated. If no VGM is provided prior to the VGM cut-off, then that container will not be loaded on the vessel.

Are carriers, terminals, ports, and member countries all aligned on procedural implementation and interpretation regarding the SOLAS amendment?

Not yet. Very few IMO member countries have issued formal guidelines or regulations regarding the SOLAS amendment. Each member nation has very different infrastructure and methodology to provide verified and accurate weights of loaded containers, and processes to handle export containers. Some terminals, like Shenzhen's Yantian International Container Terminal (YICT), are stating that they will weigh the containers as they get processed through the terminal if a container arrives without a VGM. But other terminals have not yet declared what they are capable or willing to do on behalf of those shippers who do not transmit a VGM prior to the container arriving at the terminal.

Will the implementation date of July 1, 2016 be delayed? We expect this to go into effect as planned on July 1, 2016.

What can you do?

As an importer, it is imperative that each of your suppliers knows about this new regulation and has a process in place to weigh, verify, and report the VGM to your carrier or 3rd party managing the origin process for you. Most imported goods from Asia and elsewhere in to the United States are finished consumer items in cartons or some easily measurable quantity. Therefore, we expect method #2 to be the most frequently used method to communicate the VGM to the carrier.

For any additional information or guidance on your program and what you need to do to be in compliance with the SOLAS amendment, please contact your local Laufer customer service support team or sales professional. Thank you so much for all your support and we look forward to being your partner through this new process.