

Headlines:

USCG – Operation Arctic Guardian;
USCG - E-Zero designees;
USCG – African Maritime Law Enforcement Partnership;
Red Sea – caution advised;
St. Lawrence Seaway – AIS Navigation status;
DOJ – two freight forwarder executives arrested;
CMTS – speaker series event on 30 July;
FMC – Commissioner Maffei departs;
Senate – bill introduced re marine aquaculture;
House – bill introduced to retrain transportation workers;
House – bill introduced re FMC;
Court – failure to warn;
Court – general vs premises negligence;
Court – borrowed employee;
EU NAVFOR – BMP5;
EU NAVFOR – counter piracy guidance;
Paris MOU – annual report;
Singapore – port dues refunds;
UK – application of SPS Code to offshore vessels; and
UK – construction and equipment of offshore vessels.

July 6, 2018



Bryant's Maritime News

Bryant's Maritime Consulting - 4845 SW 91st Way - Gainesville, FL 32608-8135 - USA

Tel: 1-352-692-5493 – Email: dennis.l.bryant@gmail.com – Internet: <http://brymar-consulting.com>

Contact me to help you reach your target audience

Note: This newsletter is one section of the [Bryant's Maritime Consulting](http://brymar-consulting.com) website. Visit the site for more extensive maritime regulatory information. Individual concerns may be addressed by retaining [Dennis Bryant](mailto:dennis.l.bryant@gmail.com) directly. Much of the highlighted text in this newsletter constitutes links to Internet sites providing more detailed information. Links on this page may be in PDF format. Comments on these postings are encouraged and may be made by email to the editor or by going to the blog page on the website and clicking the envelope that appears at the end of each posting. Be aware that the daily newsletter is a single posting, even though it contains a number of individual items. One must learn the rules in order to properly break them.

USCG – Operation Arctic Guardian



The US Coast Guard issued a **news release** announcing the opening of its forward operating location in Kotzebue as part of Operation Arctic Guardian.

Three Coast Guard cutters and various personnel will participate in the annual operation. (7/2/18)
[<https://content.govdelivery.com/accounts/USDHSCG/bulletins/1fb9ae2>].

USCG – E-Zero designees



The US Coast Guard issued a **bulletin** announcing the latest ships to qualify for the E-Zero designation on their QUALSIP 21 certificates. (7/5/18)
[<http://mariners.coastguard.dodlive.mil/2018/07/05/7-5-2018-congratulations-to-the-latest-e-zero-designees/>].

USCG – African Maritime Law Enforcement Partnership



The US Navy issued a **news release** stating that the first phase of the African Maritime Law Enforcement Partnership has closed. AMLEP pairs a US Coast Guard law enforcement detachment (LEDET) with partner nation maritime forces and interagency personnel to execute combined law enforcement operations. The U.S. boarding teams operated from partner nation vessels to identify suspect vessels or escort vessels that have been cited for illicit and criminal activities. (7/3/18)
[http://www.navy.mil/submit/display.asp?story_id=106220].

Red Sea – caution advised



The Maritime Administration (MARAD) posted an advisory concerning the continued threat of regional conflict and piracy in the Red Sea, Gulf of Aden, Arabian Sea, Gulf of Oman, and Indian Ocean. Caution is advised when transiting these waters. **Advisory 2018-009** (7/3/18)
[<https://www.marad.dot.gov/environment-and-safety/office-of-security/msci/advisory/>].

St. Lawrence Seaway – AIS Navigation status



The Great Lakes-St. Lawrence Seaway System issued a notice advising mariners to set their AIS Navigation status to 'o-Underway (Engine)' when they are transiting the St. Lawrence Seaway to ensure the AIS signal is broadcasted on a regular basis. **Seaway Notice 10-2018** (6/29/18)
[<http://www.greatlakes-seaway.com/en/pdf/navigation/notice20180629.pdf>].

DOJ – two freight forwarder executives arrested



The Department of Justice (DOJ) issued a **news release** stating that two freight forwarding executives have been arrested on charges of participating in a criminal conspiracy to fix prices charged to US customers. (7/3/18) [<https://www.justice.gov/opa/pr/two-freight-forwarding-executives-arrested-miami>].

CMTS – speaker series event on 30 July



The Committee on the Marine Transport System (CMTS) issued a **bulletin** announcing that on 30 July it will host an event in Washington, DC regarding EPA's Ports Initiative and the partnership with Port Everglades to refine emission inventory methods and analyze reduction strategies. (6/30/18) [<https://www.cmts.gov/posts/e9e4d7f7-3b08-499d-ac06-158e97a98e06>].

FMC – Commissioner Maffei departs



The Federal Maritime Commission (FMC) issued a **news release** stating that Commissioner Daniel K. Maffei departed the Commission upon the expiration of his term. (6/29/18) [https://www.fmc.gov/commissioner_maffei_departs_commission/].

Senate – bill introduced re marine aquaculture



Senator Wicker (R-MS) introduced the **Advancing the Quality and Understanding of American Aquaculture Act** (S. 3138) to establish a regulatory system for marine aquaculture in the United States exclusive economic zone, and for other purposes. Senator Wicker issued a **press release** explaining the measure. (6/26/18) [<https://www.gpo.gov/fdsys/pkg/BILLS-115s3138is/pdf/BILLS-115s3138is.pdf>].

House – bill introduced to retrain transportation workers



Representative Eddie Bernice Johnson (D-TX) introduced the **Transportation Workforce Modernization Act** (H.R. 6200) to allow the Secretary of Transportation to provide grants to retrain transportation workers. (6/22/18)

[<https://www.gpo.gov/fdsys/pkg/BILLS-115hr6200ih/pdf/BILLS-115hr6200ih.pdf>].

House – bill introduced re FMC



Representative Posey (R-FL) introduced a bill (H.R. 6303) to amend title 46, United States Code, to provide statutory authority for the Office of Consumer Affairs and Dispute Resolution Services of the Federal Maritime Commission, to increase public awareness and understanding of ocean shipping services agreements and such Office, and for other purposes. Official text of the bill is not yet available. (7/3/18).

Court – failure to warn



The US Court of Appeals for the Eleventh Circuit reversed an award of summary judgment in favor of a cruise line in a personal injury case brought by a passenger when a heavy metal door on an exterior deck closed on his finger. The passenger alleged, among other things, a failure to properly warn. The appellate court ruled that there were facts in dispute regarding the adequacy of the warning. *Horne v Carnival Corporation*, No. 17-15803 (11th Cir., 6/29/18) [<http://media.ca11.uscourts.gov/opinions/unpub/files/201715803.pdf>].

Court – general vs premises negligence



The Texas Appellate Court reversed a jury verdict in favor of an employee who was injured when working on an oil and gas platform off the coast of Louisiana. The jury charge submitted a general-negligence question. The appellate court ruled that the charge should have a premises-negligence question. *W&T Offshore v Meyers*, No. 14-16-00378-CV (Tex. Ct. App., July 3, 2018) [<http://www.search.txcourts.gov/SearchMedia.aspx?MediaVersionID=d7630b82-a14c-4a97-bd74-c4e0ecdf64bd&coa=coa14&DT=Opinion&MediaID=722dc405-9516-4b76-8e99-2bbc84d4ed67>]. *Note: This matter was brought to my attention by my good friend Keith Heard of *Burke & Parsons*.*

Court – borrowed employee



Over a vigorous dissent, the Texas Appellate Court reversed a lower court decision that had overturned a jury verdict in favor of an individual injured on an offshore platform. The lower court had ruled as a matter of law that

plaintiff was a borrowed employee. The appellate court ruled that there were disputed fact issues regarding plaintiff's status. As a result, the question had been properly presented to the jury. **Fredieu v W&T Offshore**, No. 14-16-00511-CV (Tex. App. Ct., June 26, 2018)

[<http://search.txcourts.gov/SearchMedia.aspx?MediaVersionID=e70e21e7-7895-450f-9b12-dobb51a3719e&MediaID=40ff6d08-707c-4c04-9ec7-d1d40864cff6&coa=%22%20+%20this.CurrentWebState.CurrentCourt%20+%20o@%22&DT=Opinion>]. *Note: This matter was brought to my attention by my good friend Keith Heard of **Burke & Parsons**.*

EU NAVFOR – BMP5



The EU NAVFOR posted the industry-produced **BMP5 – Best Management Practices to Deter Piracy and Enhance Maritime Security in the Red Sea, Gulf of Aden, Indian Ocean, and Arabian Sea** (5th edition). (6/28/18)
[<http://eunavfor.eu/wp-content/uploads/2018/06/BMP5-PP.pdf>].

EU NAVFOR – counter piracy guidance



The EU NAVFOR posted the industry-produced **Global Counter Piracy Guidance for Companies, Masters, and Seafarers**. (6/28/18)
[http://eunavfor.eu/wp-content/uploads/2018/06/Global-Counter-Piracy-Guidance-BMP_LOW-PP-1.pdf].

Paris MOU – annual report



The Paris MOU issued its **Annual Report 2017**. (6/30/18)
[<https://www.parismou.org/2017-paris-mou-annual-report-%E2%80%9Csafeguarding-responsible-and-sustainable-shipping%E2%80%9D>].

Singapore – port dues refunds



The Singapore Maritime and Port Authority (MPA) issued a notice announcing that it is refunding portions of port dues paid by vessels meeting certain conditions. Applications for refunds must be made by 31 December. **Port Marine Notice 69-2018** (7/2/18)
[<https://www.mpa.gov.sg/web/portal/home/port-of-singapore/circulars-and-notices/detail/ff05coc9-d0dc-420f-9ba7-d9921d0643ce>].

UK – application of SPS Code to offshore vessels



The UK Maritime and Coastguard Agency (MCA) issued a Marine Guidance Note providing guidance on the application of the IMO Special Purpose Ships (SPS) Code to UK ships and to those non-UK ships operating from UK ports and/or in UK waters in the offshore sector. **MGN 515 (M)** (7/4/18)
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/561963/MGN_515.pdf].

UK – construction and equipment of offshore vessels



The UK Maritime and Coastguard Agency (MCA) issued a Marine Guidance Note providing guidance regarding the use of application of IMO Codes and Guidelines regarding the construction and equipment of offshore vessels. **MGN 516 (M)** (7/4/18)
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/561965/MGN_516.pdf].

Join my mailing list



If you are not receiving my almost daily electronic newsletter and would like to have it sent directly to your email inbox, please send me an email, or see below:

Join Our Mailing List!



If you have questions regarding the above items or are interested in advertising in this newsletter, please contact the editor:

Dennis L. Bryant

Bryant's Maritime Consulting
4845 SW 91st Way
Gainesville, FL 32608-8135
USA

1-352-692-5493
dennis.l.bryant@gmail.com
<http://brymar-consulting.com>

© Dennis L. Bryant – July 2018

 Redistribution permitted with attribution