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## **The dunnage crisis**

*Ancient practice faces new obstacles*

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Dunnage is generally defined as any material, permanent or temporary, that is used to ensure good stowage and to protect cargo during carriage. It is derived from the Anglo-Latin word “dennagium” and originally referred to mats, brushwood, etc., stowed under or among cargo to prevent wetting or chafing.

The book Modern Ship Stowage by Joseph Leeming (1957 edition) was published shortly prior to the containerization era. It had three pages devoted exclusively to the use of dunnage. The book states: *The proper use of dunnage is an integral and essential part of the process of stowing cargo and, because many cargo claims arise from faulty dunnaging or lack of sufficient or suitable dunnage, the general principles of good dunnaging should be understood by every officer of the ship as well as by those on the dock and by office forces of steamship companies who are concerned with the stowage of the vessels owned or operated by the company.* Containerization greatly reduced, but did not eliminate, the need for traditional dunnage with much cargo. For many cargoes though, such as steel pipes and bagged grain, the use of dunnage is unchanged. Dunnage is also used inside shipping containers.

The MARPOL Convention treats dunnage as a category of garbage, regulated under Annex V. As with other types of garbage, it is to be tracked in the ship's Garbage Record Book, with entries made when it is discharged at sea, discharged ashore to a reception facility, incinerated, or accidentally discharged. Outside of special areas, dunnage may be discharged into the sea when the ship is at least 25 nautical miles from the nearest land. Dunnage may not be discharged at sea when the ship is operating in a designated special area. Annex V also requires the Government of each Party to the MARPOL Convention to ensure the provision of facilities at ports and terminals for the reception of garbage, without causing undue delay to ships, and according to the needs of the ships using the ports and terminals. The process for handling and disposal of dunnage was reasonably well understood and presented few problems – until recently.

Following discovery of the Asian longhorned beetle on unprocessed wood packaging material arriving in North America from eastern Asia in the late 1990s (and then other pests on other pieces of unprocessed wood traveling worldwide), the international community determined

that all wood packaging material (their fancy word for dunnage, but also including the unprocessed wood inside shipping containers) must be pre-treated to prevent inadvertent transport of pests. An intricate bureaucracy, under the auspices of the Interim Commission on Phytosanitary Measures of the International Plant Protection Convention, was established to insure that all such wood packaging material (WPM) is properly treated, marked, and provided with correct paperwork. The specific heat treatment or fumigation and marking requirements are delineated in the International Standard for Phytosanitary Measure (ISPM) #15 – Guidelines for Regulating Wood Packaging Material in International Trade.

Now nefarious groups involved with organized crime are forging the markings and paperwork in a strange black market dunnage scheme. Since the ink-stamping of unprocessed wood is not near as complicated as counterfeiting currency, the illicit process is accomplished with relative ease and is difficult to detect. I can just imagine meeting a tough thug in a dark alley, with him whispering: “Hey, want to buy some excellent surplus dunnage? I can get it for you cheap.”

Never fear, though. Our ever-vigilant Customs and Agricultural Inspectors are closely examining dunnage (I meant to say: wood packaging material) before it can leave the ship. Those pieces that don’t pass muster or are found in the company of a dreaded insect are ordered to be re-exported. Frequently, all the dunnage in a suspect container or cargo hold must be re-exported. If the dunnage or wood packing material cannot be easily separated from the cargo, then both the dunnage/WPM and the cargo must be re-exported. Suspect dunnage is sometimes allowed ashore for incineration, but there is no nationally uniform policy on this issue. The difficulty is that, since there is now a worldwide phytosanitary scheme, dunnage that cannot be offloaded in the United States probably can’t be offloaded anywhere.

In early September, a worker at a bonded warehouse at a terminal in Baltimore was unloading a shipping container in preparation for an inspection by the US Customs and Border Protection (CBP). He noticed and captured a strange-looking insect in the container, turning it over to a CBP agriculture specialist. Analysis by the Animal and Plant Health Inspection Service (APHIS) revealed it to be a member of the Asian longhorned beetle family. The container and its contents were promptly fumigated, ruining any planned longhorned beetle family reunion. This discovery and response were referred to in an official CPB news release as “an exciting Customs and Border Protection milestone”.

Now, a minor turf-war has erupted between the CBP and the US Coast Guard. CBP insists that any suspect dunnage be immediately re-exported. The Coast Guard, on the other hand, says that the MARPOL Convention is controlling and that the ship is entitled to dispose of its dunnage ashore at an approved reception facility.

I once read a story about this difficult situation, called The Dunnage without a Country. If this dunnage re-exportation practice gets out of hand, ships will gradually fill up with dunnage that can’t be offloaded. This will lead to adverse impacts first on carrying capacity and then on

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stability. Ultimately, we will have an IMO Resolution on Procedures for Handling Unpermitted Dunnage, but not before the State of California establishes its own requirements.