



# AZOVLOYD PANDI SERVICES Ltd.

P&I CORRESPONDENT, MARINE & LEGAL CONSULTANT

18 Lunina Avenue, Block 3, Mariupol, Ukraine, 87510, E-mail : [aps@pandi.com.ua](mailto:aps@pandi.com.ua) ,  
[www.pandi.com.ua](http://www.pandi.com.ua)

## **Risks awareness: Recent practice of holds inspections prior to loading of finished steel cargoes in the port of Mariupol**

When transporting goods of finished metal products from the port of Mariupol, one of the main ports in Ukraine for transshipment of such kinds of cargoes, there have recently been repeated cases when in order to commence loading the Master was demanded to accept the letter of protest issued by the shippers' surveyor where it is stated that vessel is held responsible for any chlorides contamination of cargo during the whole transit because of allegedly presence of chlorides on the surfaces of the holds found by this surveyor as a result of the silver nitrate test.

The demanding acceptance of such the letter of protest, if given by the Master, deprives the ship of any defense against any claim for sea water damage to cargo, even if the cargo had pre-shipment defects of such nature, and therefore Masters are required to take protective actions.

All vessels arriving at the port of Mariupol for loading of finished steel products are inspected for the presence of chlorides on the surfaces of the holds and the watertightness of hatch covers by a shippers' surveyor, which is a regular contactor for the local dominant manufacturer/trader/shipper of steel products.

The conclusion about the allegedly unreadiness of the vessel's holds for loading is made by Shippers' surveyor on the basis of a silver-nitrate test produced a positive result. Unfortunately, the practice has shown that attempts by the crew to repeatedly rinse holds with fresh water do not lead to resolving the problem, since repeated silver-nitrate tests conducted by the Shippers' surveyor again produce positive results. In several similar cases, even testing the plot of deck especially washed with fresh water for the experiment, required by the Master, produced again positive result.

We can only suppose that it happened because of the silver-nitrate solution, used by the Shippers' surveyor for testing, was inadequate due to its improper preparation by this surveyor or because of the loss of its quality due to improper storage.

Taking in mind the close and regular business relationship between the survey company and the Shippers, the said actions of the Shippers' surveyor could be considered as deliberate and as aimed to shift the

responsibility to the vessel for chloride contamination of cargo prior shipment stored on exposed quaysides.

In our opinion, to protect the interests of the vessel in such situations, the following actions on the part of the vessel are to be taken:

- 1) a thorough washing the holds by the crew before arriving at the loading port with sea water, followed by a plentiful rinse with fresh water, even mixed with appropriate detergents
- 2) to allow the Shippers' surveyor to carry out the hold inspection only upon presentation of Shippers' written authorization for the surveyor to conduct hold inspection and the scope of such inspection, confirmed by the shipowner. Any inspections are beyond scope specified in such a document should not be allowed
- 3) to instruct the ship's surveyor for joint inspection of the holds with the Shippers' surveyor including performance of the alternative silver nitrate test
- 4) a letter of protest issued by the Shippers' surveyor on the basis of his findings, could be signing by the master only with the remark "for receipt only"
- 5) if the silver nitrate test carried out by the ship's surveyor produces a negative result, then after the commencement of loading the Master should issues a response letter of protest, where it should be clearly describe all actions taken by the crew to ensure the readiness of the holds for loading, enclosing the results of silver-nitrate test made by the ship's surveyor and on this basis to dismiss the groundless allegations by the Shippers' surveyor regarding the holds conditions, made in his letter of protest.
- 6) to arrange a thorough pre-loading inspection of the cargo, focusing the attention of the ship's surveyor on conducting silver nitrate tests of intended cargo. If chlorides are found on the surface of the cargo, to notify the Shippers in writing of the identified defects and of the intention to make appropriate remarks in the bill of lading.
- 7) in the case that the cargo with detected defects are not replaced or these defects are not rectified by the Shipper prior to loading, to clause the bill of lading in accordance with the findings of the Ship's surveyor.

Any comments to this article can be e-mailed to:  
nikityuk@pandi.com.ua

*Prepared by Azovlloyd P&I Services Ltd*