

99-06: Safety Alert Regarding Fumigated Chinese Containers



## Pacific Maritime Association

Accident Prevention Department

550 California Street, P. O. Box 7861

San Francisco, California 94120-7861

### SAFETY BULLETIN 99-6

Safety Alert Regarding

Fumigated Chinese Containers

July 19, 1999

### Information:

Due to the threat of infestation by the Asian Longhorn Beetle, the USDA has required that all shipments from China and Hong Kong that use solid wooden pallets or packing materials to be fumigated or treated to eradicate this insect. The United States Department of Agriculture conducted a meeting with representatives of the Maritime Industry on Friday, July 16, 1999 at the Port of Oakland to discuss emerging issues regarding residual fumigant gas in the treated containers.

During USDA inspections of containers with solid wood packing material (SWMP) from China and Hong Kong, high levels of gas (fumigant) have been encountered at all West Coast maritime ports. Due to the potential danger this may present, USDA has initiated the following inspection procedures:

1. Prior to opening any container in which treatment is thought to have occurred, a container air sample reading for residual gas will be taken. This will be done through the door seals with a Mini Rae electronic gas detector.
2. If gas readings above 5 p.p.m. for methyl bromide or .03 p.p.m. for phosphine are detected, the container will be placarded and the broker notified of the options, which are:
  - a. have an approved fumigation company aerate the container to acceptable level
  - b. re-export the container
3. After adequate aeration, the container may be moved to an approved CFS for inspection/devanning.

**Note that only a small percentage of China/Hong Kong containers are being held for USDA inspection. It is probable that a large number of containers, (China estimates it fumigates 12,000 containers monthly,) imported into west coast ports from China or Hong Kong may have high levels of fumigant.**

Transporters should be aware that it is a violation of the Department of Transportation regulation 49 CFR 173.9 to transport cargo undergoing fumigation without the container being placarded. A U.S. Coast Guard representative indicated that they have traditionally not been enforcing violations of this type, however they will be taking a more active role in ensuring compliance with Rules 49 CFR 172.302 and 173.9 in the future.

Transporters should pay special attention to all containers that are shipped from China and Hong Kong. If these containers have been fumigated, they should be properly placarded as required.

Of extreme concern to the USDA is the safety of all who may come into contact with containers with residual fumigant. Caution must be exercised when opening any cargo containers having a China/Hong Kong origin. There are some telltale signs that fumigation has taken place. These could include taping around the doors, the presence of a small placard or sign in Chinese sealing the door, or treatment documents which sometimes are included in the paperwork packet.

Steps are being taken by the USDA and representatives from China in order to find solutions to the toxicity and documentation of the fumigation problem. One solution is to seek alternatives to methyl bromide such as heating the container to kill the pests, or the utilization

of less toxic chemicals.

New Container Fumigation Marking requirements in 49 CFR 172.302(g) and 173.9 are as follows:

1. Regulations now require display of the marking (sign) on a transport vehicle (truck body or trailer), freight container or railcar, in which the lading has been fumigated or is undergoing fumigation.
2. Regulations now apply to all modes of transportation and not just to rail transport as previously required.
3. Regulations consider a transport vehicle, freight container, or railcar, in which the contents has been fumigated or is undergoing fumigation with any material, to be a "package containing a hazardous material" unless it has been sufficiently aerated so that it does not pose an unreasonable risk to health and safety.

The new FUMIGANT markings must:

1. Have red letters on a white background at least 30cm (11.8 inches) wide and at least 25cm (9.8 inches) high; The "\*" is replaced with the technical name of the fumigant.
2. Be prominently displayed so that they can be seen by any person attempting to enter the interior of the vehicle or container.
3. Remain on the transport vehicle, container or railcar until the fumigated lading is unloaded, and the vehicle or container has undergone sufficient aeration so does not pose an unreasonable risk to health and safety.

For international shipments, transport documents must indicate the date of fumigation, type and amount of fumigant used, and instructions for disposal of any residual fumigant, including fumigation devices.

Any person subject to the regulations solely due to the fumigated lading, must be informed of the requirements and the safety precautions necessary to protect themselves and the others in the event of an incident involving the fumigated lading.

If you offer for transportation or transport a freight container, railcar, or transport vehicle that is subject to the Hazardous Materials Regulations (HMR) solely because it contains lading which has been fumigated or is undergoing fumigation (ie., no other hazardous materials are being transported), you are not subjected to any other requirements of the HMR.

## **Action:**

Employers should note and take appropriate precautions.

Jim Potter

Training and Accident Prevention

Oakland Area

Marc MacDonald  
Director, Accident Prevention