

**Christine BERG**

Head of Unit  
Maritime Safety  
DG MOVE- Mobility and Transport  
European Commission

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Brussels, 27 November 2014

Dear Mrs. Berg

We are writing you on behalf of UNISTOCK, the European association of portside storekeepers for agribulk commodities and FEPORT, the European association representing terminals operators and stevedoring companies located in EU seaports.

Our Associations would like to draw your attention on the risks of a compulsory application of the Bulk Loading and Unloading (BLU) Code for grains.

Initially a recommendation from the International Maritime Organisation (IMO), the BLU Code, had been made compulsory in the EU through Directive 2001/96/EC<sup>1</sup>. Since the adoption of the above mentioned Directive, the BLU Code has been applied to solid bulks (mainly coals, ores and minerals). Following changes to IMO legislation – in particular the definition of bulk in SOLAS Chapter VI being extended to both solid bulk and grains – the BLU Code automatically applies to cereals through IMO legislation, although on a voluntary basis.

Indeed, in some countries, rules have already been established at national level making parts of the BLU Code applicable to grain port operations, for example; check lists. In some other cases grain operators have voluntarily applied parts of the BLU Code. The type of liabilities that would newly fall on terminal operators if the directive makes BLU Code fully applicable to grains, would not be positive for the sector we represent and would not lead to enhanced safety levels.

As mentioned, the BLU Code was initially designed for solid bulks - mainly minerals – which sectors' characteristics are significantly different from those of the grain business. The type of ships employed (cape size); the physical characteristics of the cargo<sup>2</sup> and

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<sup>1</sup> establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers

<sup>2</sup> No grain is heavier than 0,8 mt/m<sup>3</sup>, where some minerals are 5 times more dense, with the implications this has for the ship structural stresses.

the extremely different commercial structure of both sectors make the BLU Code not suitable to be applied to the grain sector.

The study enclosed, undertaken by Unistock members some years ago reaches the same conclusions, providing sound evidence and reasoned arguments. The serious setbacks, additional costs and contractual implications the BLU Code would cause to grain shipping and loading/unloading operations, without leading to improved safety in European ports, are further detailed and expressed in the position paper here attached.

We would appreciate the opportunity to exchange our views with you in person at your earliest convenience.

Thanking you for your attention to this issue and your kind cooperation,  
Yours sincerely,



Teresa Babuscio  
Unistock Secretary General



Lamia Kerdjoudj-Belkaid  
FEPOR Secretary General

**Unistock Europe** is the only European association of professional storekeepers for agribulk commodities in the European Union. Unistock Europe full members are present in **11 countries** [Belgium, Estonia, Finland, France, Germany, Ireland, The Netherlands, Poland, Portugal, Spain and the UK]. With a total of approximately **79 port silos facilities** Unistock Europe proactively represents **the united voice for the agri-bulk storage sector** towards the EU authorities. Unistock Europe has also three extraordinary members in Belgium, Switzerland and The Netherlands. Unistock Europe is a full member of COCERAL, the European agribulk trade association.

**FEPOR** (Federation of European Private Port Operators), is the European association which represents the interests of terminal operators and stevedoring companies located out of the seaports of the European Union. Founded in 1993, FEPOR represents the companies responsible for all cargo handling activities, **including grain handling**, in most of Europe's seaports.