



SOLAS – Safety of Life at Sea – Container Weight Requirement

Revised June 28, 2016

WHAT IS THIS?

Effective July 1, 2016, shippers listed on the carrier master bill of lading will be required to provide signed certification stating the accurate Verified Gross Mass (VGM) of the loaded ocean container.

WHO IS DRIVING THIS REQUIREMENT?

The 171 member-nation International Maritime Organization (IMO) concluded in November 2014 that ocean containers not properly weighed can lead to ships not balanced properly, making them prone to structural failures and even capsizing. Inaccurate weights can also lead to unnecessary off-ship accidents. These new rules are a part of the IMO's Convention for the Safety of Life at Sea (SOLAS) treaty.

WHO IS RESPONSIBLE FOR THE INFORMATION?

The shipper named on the ocean bill of lading is the party responsible for providing the ocean carrier with the VGM of a packed container. Where UPS is the NVOCC UPS is listed as the 'shipper' on the master waybill, and as such is responsible for submitting the VGM certification to the carrier. This means that our customers, in turn, will be required to submit to UPS their signed certification stating the accurate VGM of their shipments.

For customers who have UPS act as their agent but list themselves as "shipper" on the master waybill, a certified VGM can be submitted to UPS and we will transmit the certification to the carrier and terminal, but if it is preferred to send to the carrier and terminal directly, UPS should be copied to assist in container coordination.

CAN AN AUTHORIZED AGENT SIGN FOR THE SHIPPER?

Yes, section 5.1 of the SOLAS amendment reads "The shipper of a container shall ensure the verified gross mass is stated in the shipping document. The shipping document shall be signed by a person duly authorized by the shipper."

HOW TO MEASURE

HOW DO SHIPPERS DETERMINE THE VERIFIED GROSS MASS OF THEIR OCEAN CONTAINERS?

The SOLAS amendments dictate that a container's VGM be obtained via one of two methods:

- **Method 1:** upon the conclusion of packing and sealing a container, the container is weighed with the use of a weighbridge or similar equipment.
- **Method 2:** cargo items and all packaging materials, including pallets, are weighed prior to loading and added to the tare weight printed on the container.

For both Method 1 and 2, the weighing equipment has to be calibrated and certified according to local standards of the country in which the equipment is being used. Country regulators may define additional local requirements. The World Shipping Council is collecting each country's SOLAS implementation guidelines and regulations. In the US, for example, the U.S. Coast Guard has confirmed that any scales or



equipment previously approved for other federal or state weight compliance purposes is acceptable without additional steps.

We anticipate that until more options exist to weigh loaded containers, customers will have to use Method 2.

DOES CONSOLIDATED CARGO FROM MULTIPLE VENDORS NEED TO BE RE-WEIGHED?

Customers consolidating cargo from multiple vendors into one container will have to ensure that their vendors properly document the weight of each piece of cargo. SOLAS guidelines confirm that shippers may rely upon manufacturers' pre-printed weights on shipping packages without re-weighing.

WILL THESE REQUIREMENTS APPLY TO LCL SHIPMENTS?

LCL shippers will need to submit a certified VGM to UPS for each LCL shipment which includes the total weight including pallets. This will be required even if the consolidated container is ultimately weighed as a full container under Method 1.

ARE THERE COMMODITY SPECIFIC REQUIREMENTS?

All commodities fall under this requirement, but containerized bulk grains, liquids and scrap metal are examples of commodities that will need to be reported via Method 1. Exceptions include Roll-On-Roll-Off (Ro-Ro) shipments where the chassis or trailer is driven on to a Ro-Ro vessel engaged on a short international voyage, cargo items tendered to the master for packing into a container already on board the vessel, or offshore containers.

CAN THE WEIGHT BE ESTIMATED?

No. The World Shipping Council guideline clearly states "Estimating weight is not permitted."

CAN HISTORICAL WEIGHTS BE USED?

Non-certified historical weights cannot be used. All items must be weighed on a certified scale as dictated by the governing authority and must include dunnage, packing material and pallets. Once, however, the weight for a given item has been certified, that weight can be used for the same item without need for repeated weighing (e.g. specific make and model of a television set with a packaged weight). Shippers may rely on manufacturers' weight pre-printed on packages.

IS THE VGM THE SAME AS THE COMMERCIAL WEIGHT OF THE SHIPMENT?

No, the VGM is not the same as the cargo weight on the bill of lading used for commercial purposes. The VGM is an operational weight.

IS THERE A SPECIFIC METRIC THAT NEEDS TO BE USED FOR THE VGM?

The VGM can be expressed in kilograms or pounds, whichever is common to the origin location and in compliance with local regulations.

WHO CAN WEIGH MY CONTAINERS?

Weighing options vary by country, by port and by terminal. Some terminals may offer weighing services while others will not. To minimize the risk of delays, we recommend that shippers plan on using Method 2 where possible. Please contact your local UPS Ocean Service Center to discuss options for local full container weighing.



USING METHOD 2, DOES MY SUPPLIER NEED TO SUBMIT SOME KIND OF PROOF THAT THE PRODUCT WEIGHTS ARE CERTIFIED?

The VGM submission with the verifier's signature is received by UPS with the understanding that the weights reported have been calculated in accordance with SOLAS and applicable local legal and insurance requirements. To assure that shippers' own scales meet applicable SOLAS requirements, shippers may have scales tested and calibrated by federal or state regulatory agencies.

IS ONE WEIGHING METHOD RECOMMENDED OVER THE OTHER?

Given the limited options for full container weighing at this time, Method 2 will be the option that will likely work best to avoid delays.

HOW EXACT DOES THE VGM NEED TO BE?

There is no global standard for VGM accuracy. Weighing processes and equipment will need to meet the accuracy standards of the country where the equipment is used. A few countries have announced a +/-5% variance will be accepted.

IS THE SHIPPER RESPONSIBLE FOR THE ACCURACY OF THE TARE WEIGHT ON THE CONTAINER?

The party providing the weight of the fully loaded container under Method 2 is responsible for accurately capturing the tare weight listed on the container but they are not responsible if the listed tare weight is incorrect.

WHAT IF THE TARE WEIGHT IS MISSING FROM THE CONTAINER?

If the tare weight is missing from the container, the shipper should immediately contact the local UPS Ocean Service Center who provide the weight or replace the container. In addition, many carriers have begun posting their tare weights on their web sites.

COMMUNICATION OF INFORMATION

WHAT DOES A VGM CERTIFICATE LOOK LIKE AND WHAT CONTENT NEEDS TO BE INCLUDED?

SOLAS does not mandate any particular form of communication between the parties exchanging the verified gross mass information. UPS has prepared a template for use by its customers. Based on information to date, at a minimum, shippers should be prepared to provide the following to UPS:

- VGM (the term "Verified Gross Mass" or "VGM" specifically will be required, followed by the weight)
- Verifier's signature (if the signature is transmitted electronically, the name in capital letters is accounted as the signature)
- SOLAS method used (Method 1 or Method 2) (optional but may be required by some governing authorities)

Because some governing authorities may have significantly more requirements, UPS VGM forms may vary from country to country. The local UPS Ocean Service Center will have the appropriate form for shippers at the time of booking.



WHERE CAN I GO TO UNDERSTAND LOCAL COUNTRY REQUIREMENTS?

The World Shipping Council is collecting each country's SOLAS implementation guidelines and regulations. This is the best place to go to get the latest information at a country level. Here is the link to their [Regional Implementation Information page](#). Ocean shipping regulatory agencies in many countries have published their own guidelines.

TO WHOM MUST THE SHIPPER SUBMIT THE VGM INFORMATION?

If UPS is acting as an NVO, the shipper will need to submit the VGM information to UPS.

For customers who have UPS act as their agent but list themselves as "shipper" on the master waybill, a certified VGM can be submitted to UPS and we will transmit the information to the carrier and terminal, but if it is preferred to send to the carrier and terminal directly, UPS should be copied to assist in container coordination.

HOW CAN CUSTOMERS COMMUNICATE VGM INFORMATION TO UPS?

The signed VGM information may be able to be faxed, emailed, or provided in paper to UPS with the name of the responsible person in capital letters based on carrier or local requirements.

HOW CAN CUSTOMERS COMMUNICATE VGM INFORMATION TO CARRIERS AND TERMINALS?

Where customers have direct contracts with carriers, the shipper noted on the Bill of Lading will be the party responsible for providing the VGM to the carrier and terminal.

There are multiple methods for transmitting VGM information to carriers and terminals. Specific carriers may have preferences and/or limitations. There are a number of common channels available:

1. Via a service portal such as GT Nexus, INTTRA or CargoSmart
2. Via EDI message – see your carrier's EDI requirements.
3. Via the new VGM oriented VERMAS (EDI) message. EDI messages are being amended by the SMDG (non-profit foundation that promotes the use of EDI messages for the maritime industry - www.smdg.org) to help facilitate the electronic transmission of VGM data between shippers and carriers. More details on the electronic submission options will be detailed in future customer communications.
4. For some carriers via their website
5. For some carriers via a physical shipping document
6. *Send it to UPS and we will submit it to the carrier on your behalf*

IN COUNTRIES WHERE UPS USES AN AGENT ARE THOSE AGENTS AWARE OF THE NEW REQUIREMENTS?

Yes, UPS has been communicating the requirements and processes to our agent partners to help ensure that communication flows run smoothly for July 1 shipments



TIMING

WHEN IS THE VGM INFORMATION DUE TO UPS?

The VGM certification must be provided to UPS with sufficient time to allow for vessel load planning. Neither the terminals nor carriers can load a container until they have the certified VGM information. Specific VGM cut-off times will vary from port to port and from terminal to terminal. UPS will request carrier cut off at time of booking an UPS, in turn, will advise when we need to receive your VGM.

RISKS / ENFORCEMENT

WHAT WILL HAPPEN AT THE TERMINAL GATE IF A CONTAINER SHOWS UP WITHOUT THE REQUIRED VGM CERTIFICATION?

There are a number of potential consequences of not having VGM certification at the gate (and no agreement to have the container weighed at the terminal). Consequences may vary depending on the country, the terminal or the carrier. In a circular dated May 23, 2016, the International Maritime Organization (IMO) urged administrations, port state control authorities, companies, port terminals and masters to “adopt a practical and pragmatic approach when verifying compliance with the requirements of SOLAS regulations VI/2.4 to VI/2.6 for a period of three months after 1 July 2016, with a view to:

1. Permitting packed containers that are loaded on a ship before 1 July 2016 and are transhipped on or after 1 July 2016 to be shipped to their final port of discharge without the VGM specified in SOLAS regulations VI/2.4 to VI/2.6 and
2. Providing flexibility to all the stakeholders in containerize transport to refine, if necessary, procedures for documenting, communicating and sharing VGM information.”

It is not certain how the countries and port authorities will interpret “practical and pragmatic approach.”

If governing authorities and/or ports take a strict approach to SOLAS VGM enforcement, here are some of the consequences that shippers can expect if there is no VGM at the gate:

- The container will be refused at the gate
- The container may be accepted but held pending submission of the VGM information or weighing by the terminal

Additional charges could be assessed for things such as re-handling of the container between the quarantine area and the loading area, amending documents, demurrage charges, delayed or cancelled shipments, etc.

HOW WILL THE NEW RULES BE ENFORCED?

It will be the responsibility of local/national governing authorities to enforce the new weight rules. Implementation rules and procedures, including features such as acceptable weight and accuracy, may vary from country to country, and vessel operators and terminals may impose their own different requirements. Local governing authorities may implement measures to satisfy themselves that compliance is achieved, which could include documentation checks, auditing or random weighing. Some countries are making shippers meet regulatory criteria and obtain government certification before they may weigh their own shipments. As mentioned above, the IMO urged parties to “adopt a practical and pragmatic approach” until October 1, 2016.



WILL THE REQUIREMENT APPLY TO CONTAINERS DELIVERED TO THE PORT PRIOR TO JULY 1, 2016 AND STILL AWAITING LOADING ON JULY 1?

Yes.

WILL THE REQUIREMENT APPLY TO CONTAINERS ALREADY IN TRANSIT TO A TRANSHIPMENT POINT PRIOR TO JULY 1?

No. The IMO circular referenced above explicitly urges the governing parties to permit “packed containers that are loaded on a ship before 1 July 2016 and are transshipped on or after 1 July 2016 to be shipped to their final port of discharge without the VGM specified in SOLAS regulations VI/2.4 to VI/2.6”.

WILL STANDARDS AND REQUIREMENTS BE CONSISTENT FOR ALL CARRIERS IN AN ALLIANCE?

Shippers should not expect across the board direction for an alliance since requirements will vary by flag of the vessel, port country and by terminal. Despite the desire of multiple alliance carriers to be consistent, the reality is that they are operating across multiple countries and oftentimes from differing terminals at the same port.

IS THERE A POSSIBILITY THAT THE EFFECTIVE DATE WILL BE DEFERRED?

The IMO has been steadfast in holding to the July 1, 2016 effective date, and none of the affected countries have yet expressed any inclination of deferring implementation. As mentioned above, the IMO urged parties to “adopt a practical and pragmatic approach” until October 1, 2016.

COSTS/FEEES

WHAT ARE POTENTIAL COSTS FOR NOT COMPLYING WITH THIS REQUIREMENT?

There are few specific costs articulated at this point, but shippers should be aware of the potential for additional costs that could include but are not limited to:

- Re-handling of containers between the quarantine and loading areas
- Return to shipper and redelivery drayage costs for containers without a VGM
- Potential terminal fee for a no-VGM container
- Potential storage costs related to containers accepted without a VGM
- Direct weighing costs
- Potential fines or restatement fees if the audited VGM has a variance to the stated VGM that falls outside the country’s variance tolerance

WILL UPS CHARGE A FEE FOR RECEIVING AND TRANSMITTING A VGM?

UPS will charge a \$15 VGM Coordination Services Fee, per container for FCL and per shipment for LCL.

WHY IS UPS CHARGING A VGM FILING FEE?

The management and submission of a shipper’s VGM will require additional costs and investments. Additional charges may be passed through, including, but not limited to, charges for weighing services, manual transmission fees and amendment fees.



ARE VESSEL OPERATING CARRIERS CHARGING FEES FOR RECEIVING/PROCESSING A VGM?

While there are some carriers which have not announced fees for the processing of a VGM, many carriers have advised various fees for the receipt and management of the VGM submission.

PREPARATION

WHAT SHOULD SHIPPERS DO TO PREPARE FOR THIS REQUIREMENT?

1. Develop your internal processes:
 - Begin collecting accurate weights of products (no estimating). Develop procedure for Method 2 capture of cargo and packing weight, and tare weight listed on the container.
 - Develop procedure for producing signed VGM certificates (electronic or physical)
 - Understand the local requirements for your country and what additional requirements the governing authorities or local terminals may require of you.

2. Develop a contingency plan
 - Consider accelerating critical shipments in light of the possibility of disruptions on July 1.
 - Consider the possibility of shipping some of your urgent cargo as UPS Air Freight if you see potential congestion delaying containers.
 - Work with your UPS representative to understand alternative services that could be used in the event of significant disruptions/delays.

ADDITIONAL RESOURCES

[World Shipping Council – Container Weighing FAQs](#)

[World Shipping Council – Container Weighing Country Implementation](#)