



14 June 2019
Ref. 19COD248

FEDIOL recommended contract clause on oilseeds related to fumigation for optional inclusion (by members and non-members) in CIF/CIFFO purchases of oilseeds in ships or barges:

"If the detected level (by suited equipment in the air above the cargo) of the Phosphine (Phosphorus hydride) fumigation gas at destination (whether direct final destination or lightering, trans-shipment) is above the limit of 0.14 mg/m³ (corresponding to 0.1 ppm), a suitably experienced external expert shall be employed to declare (under his/her responsibility and liability) what measures have to be taken and when the cargo can be safely discharged, taking the fumigation company's specific instructions into account.

All costs of such expert and the related measures, including but not limited to the lay-time/demurrage between moment of detection of above legal limit level and the declaration of safe to discharge, the ventilation costs, and all other costs and consequences directly related to the Phosphine fumigation gas levels exceeding the limits (and thus being unsafe) at discharge or trans-shipment are hereby acknowledged as reasonably foreseeable consequences of the fumigation, and therefore for Sellers' account."
