

MemberUpdate

UPDATE 09 of 15 • 15 May 2015

TOPIC: GTA Grain Transport Contract & Grain Transport Code of Practice

DISTRIBUTION: GTA Members – primary contact list. Please circulate to all appropriate internal parties.

1. Issue

The GTA Board have recently approved a revised and updated version of the GTA Grain Transport Contract (formerly known as the Bulk Freight of Goods or Freight Contract).

This was in response to member submissions regarding:

- potential breaches to the GTA Grain Transport Code of Practice (Transport Code) by transport operators suspected of previously carrying Class 1 prohibited products, and therefore;
- the desire to see a contract that would bind both parties to the requirements of the GTA Transport Code.

2. Background

GTA through its Transport, Storage and Ports Committee released the updated GTA Grain Transport Code of Practice (Transport Code) in July 2014 following industry consultation and submissions. The updated Transport Code is available for download from the GTA Website via

<http://www.graintrade.org.au/sites/default/files/file/Location%20Differentials/Grain%20Transport%20Code%20of%20Practice%201%20July%202014%20FINAL.pdf>

Following member submissions, a review of the existing freight contract was undertaken jointly by the GTA Commerce and Transport, Storage & Ports Committees to address issues raised in these submissions, to ensure the contract was contemporary and that it referenced relevant road safety legislation where appropriate.

3. Amended Grain Transport Contract

The amended GTA Grain Transport Contract is now available to GTA members from the website

<http://www.graintrade.org.au/contracts>

Amendments to the Contract include:

- Inclusion of Clause 1 - Code of Practice
- Inclusion of Clause 2 – Chain of Responsibility
- Amendments to Clause 10 – Insurance
- Amendments to Clause 13b – Delivery
- Wording and terminology amendments throughout to reflect the title change to Grain Transport Contract, and to ensure better alignment with the Transport Code.

To ensure adherence by non-GTA Members including transport operators to the GTA Transport Code, Clause 1 now stipulates that: "Parties to this contract agree to be bound by the GTA Grain Transport Code of Practice in the version current at the time of signing this contract"

GTA strongly encourages members using other freight contracts to include reference to the GTA Transport Code to ensure adherence to its requirements by transport operators.

4. Prohibited Prior Loads (Class 1 Products) - GTA Transport Code

Specific member submissions received throughout this process referenced potential breaches to the GTA Transport Code by transport operators suspected of previously carrying Class 1 prohibited products.

The review of the GTA Transport Code in 2014 specifically included additions and amendments to Class 1 and 2 Products. As per the Code, these lists and the restrictions/requirements of transporters carrying these products are as follows:

Class 1 Products

The following materials must not have been carried in vehicles used for the transportation of goods covered by this Transport Code. Transporters must be prepared to give an undertaking to this effect if required.

- Toxic and corrosive materials (including asbestos) and any packaging used for these materials, radioactive materials, animal/poultry wastes (including manures/litter) and soil containing animal manure (peat)
- Unprocessed animal matter, wet offal, animal manure or dead stock
- Mammalian protein, e.g. meat & bone meal, meat meal, cull cake and other mammalian based products
- Metal flakes or metal product
- Glass
- Sludge from sewage plants treating waste waters (biosolids)
- Solid urban waste, such as household waste
- Materials contaminated with salmonella or other pathogens
- Untreated waste from eating places
- Other materials as determined by the parties

Class 2 Products

Cleaning required–All physical and chemical remnants removed (High Pressure Water Wash with Sanitizer and/or Steam).

- Asphalt (fresh) and asphalt rubble
- Milk & milk products, gelatine, amino acids, dicalcium phosphate, dried plasma and any other blood products
- Tallows
- Mineral clays which have been used for detoxification purposes
- Coal and coal products
- Composts (including green plant material)
- Treated Bulk Grains (e.g. Pickled Grain)
- Treated Fertilisers (e.g. Intake etc)
- Treated Wood Products
- Medicated Stock Feeds
- Insect Infested Grain Products
- Hides treated with tanning substances and associated waste

GTA Members are strongly encouraged to review the GTA Transport Code in its entirety as it outlines best practice in the road transportation of grain. The GTA Transport Code is referenced in the Australian Grain Industry Code of Practice as a Technical Guideline Document. <http://www.graintrade.org.au/grain-industry-code-practice>