

In May 2014, the European Commission (EC) published revised legislation replacing the 1996 derogation given to the oils and fats trade from the full dedication required for transporting foodstuffs. Although the previous cargo list had been updated in 2004, new legislation was required as the original dedication directive had been withdrawn. Fortunately, the new rules are essentially the same as the previous ones except for the List of Acceptable Previous Cargoes.

The new list is the result of work carried out by the European Food Standards Agency (EFSA) and is based on thorough consideration of the hazards that would occur from contamination of an edible oil by a previous cargo. The risk analyses were based on criteria used by the Scientific Committee on Food for the original list and also on criteria devised and accepted by the Codex Alimentarius Commission in 2009. EFSA also introduced the concept of minor components remaining in the materials from the manufacturing process, thus making their investigations more realistic. All the EFSA opinions and the EU legislation are freely available on the internet.

### Major changes to previous cargoes

There are major changes to the lists. These include the addition of several products requested by the industry since the publication of the 1996 list and subsequently added to trade lists such as the FOSEA Acceptable List. Not all the latest products have been added as several were not considered by EFSA for reasons discussed later. Examples of the new products are: ammonium nitrate solution, calcium nitrate solution and isobutanol. Mixtures of fatty acids, fatty alcohols and fatty esters have also been added, but have been restricted to those sourced from edible types of fats and oils. Care must be taken when shipping these derivatives from non-edible oils such as jatropha oil, as this becomes more common. EFSA has also noted the problem that arose when used cooking oil (UCO) from public collection sites was incorporated into animal feed and they have added the restriction to these derivatives of "not contaminated with compounds of toxicological concern".

There are also some products that remain on the list, but which have been modified from the previous list. EFSA wished to restrict the types of animal, marine and vegetable oils to those that are currently shipped within the trade. In other words, they did not want to allow any new types of oils to be carried as previous cargoes without those oils being subjected to hazard analysis.

To ensure this was the case, EFSA made use of the work carried out by the Joint Food and Agriculture Organization (FAO)/World Health Organization (WHO) Expert Committee on Food Additives (JEFCA) for the International Maritime Organisation (IMO) and restricted them to those that are allowed by IMO to be carried in bulk by sea. These are listed in the IMO publication MEPC.2/Circ and are the names of the oils that must be listed in ships' documents for inspection by local port state control.

The new list clears up the frequently asked question of whether fatty acid methyl esters (FAME) were included in the 2004 list. It now states "any ester produced by the combination of the listed fatty acids with any of the listed fatty alcohols as well as methanol and ethanol", meaning that all

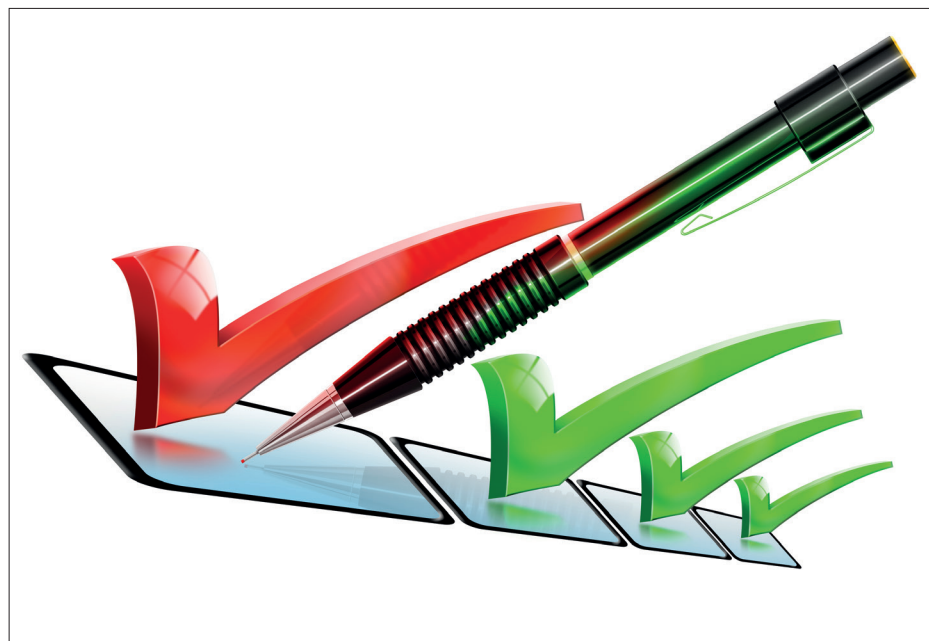


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## Previous cargo rules change

Changes to the previous cargo list published in May 2014 by the European Commission (EC) generally favour the edible oils and fats industry. John Hancock of FOSEA writes

commercial FAMES and fatty acid ethyl esters (FAEEs) are allowed.

Nevertheless, shippers must remember that the toxicological status of a previous cargo is determined by that of the most toxic component, however minor the component may be.

The types of molasses have also been restricted to those produced from sugarcane, sugar beet, citrus and sorghum but, as this includes almost all the commercial molasses shipped in bulk, this should not be a problem.

One modification that should help in the position of tankers for EU destinations is the removal of the restriction for aqueous solutions such as potassium and sodium hydroxide, which are now accepted as previous cargoes in their own right, rather than being transparent cargoes. EFSA accepted that modern cleaning regimes and practice made this previous restriction unnecessary.

There have also been some products that have been removed from the old list, for example, calcium lignosulphonate. The reason for this is that the terms include products with a wide range of specifications and thus full risk analyses were not possible. It is likely that products with fixed specification ranges will be accepted by EFSA in future.

### FOSEA and NIOP differences

There are still some differences between the FOSEA and National Institute of Oilseed Products (NIOP) lists and the new EU list. The major omission is ethyl tertiary butyl ester (ETBE), which is a "big mover" in shipping terms. This material is a replacement for methyl tert-butyl ester (MTBE) in motor fuel and is favoured for its superior environmental footprint.

It is recognised that this product has a lower hazard profile with respect to previous cargoes but, unfortunately, it has not been evaluated by EFSA. The changes in the EU are a result of the adoption by Codex Alimentarius of a set of criteria that were used to develop its own list of acceptable previous cargoes. During the development process within the Codex Committee on Fats and Oils, members were asked for their opinion on all the substances on the Draft List, which was based on the FOSEA and NIOP trade lists. In order to answer this request, the EC asked EFSA to look at the Codex criteria and lists. Since ETBE was not on the FOSEA list at the time that the draft Codex list was drawn up, it was not included in the EFSA work. However, following discussions with the EC, it is probable that a note describing the procedure for adding a substance to the EU list will be posted on their website in the near future.

This will require the production of a data dossier, including toxicological data, giving the complete information to enable EFSA to formulate an opinion. FOSEA is willing to work with any manufacturer or shipper to follow this procedure.

In summary, previous cargo lists are important because they reduce the risk to consumers from any contamination from previous cargoes carried in chemical tankers. The new EU list of acceptable previous cargoes has some important changes from the 2004 list, most of which are favourable to the industry. The products have been subjected to a consistent set of criteria to produce reliable hazard profiles. The expert opinions have been freely published and it is likely that they will form the basis of a fully harmonised list in the not-too-distant future.

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