

# NACMA / LBCA

## Grain Transport Code of Practice

### 1. Introduction

The Grain Transport Code of Practice is a joint initiative between NACMA and the Livestock and Bulk Carriers Association (LBCA).

The Australian grain industry is heavily reliant on land transport for its viability. Transport is a critical component of the grain supply chain. Getting grain to market quickly and safely, whether this be local storage, grain processor, packing facility or export terminal, is in the interests of farmers, grain users, grain handlers and grain transporters.

The process of road transport reform across Australia has introduced laws that impose duties and responsibilities on all parties in the road transport chain to take reasonable steps to prevent non-compliance with the heavy vehicle laws. This includes those consigning, loading, packing and receiving goods that are transported by heavy vehicles. The purpose of these laws is to raise industry standards and thus reduce the possibility of breaches of the law occurring.

NACMA and LBCA have developed the Grain Transport Code of Practice as an important tool to assist participants transport grain to their designated markets quickly, safely and within the relevant laws. It is critical that the Grain Transport Code of Practice address the transport task in a holistic sense covering all parties' responsibilities to ensure success.

### 2. Code Framework

The Grain Transport Code of Practice (the Code) is a voluntary industry code.

All parties wanting to demonstrate their use of the Code have to maintain records for all areas required areas and have their use of the Code audited by a suitable organisation every 18 months to ensure adherence to the Code.

The use of the Code can be made binding between agreeable parties by contract. This can be done by using the NACMA/LBCA Bulk Freight Contract.

### 3. Aim and Scope

The Code is designed for industry participants in managing various aspects of the road transportation of grains and feed products.

Users of the code will be required to maintain records for specific parts. These sections will be marked **[Records required]**.

- a) This Code of Practice is intended to;
  - Provide a set of industry guidelines that describes industry best practice
  - Encourage good and safe practices when transporting grain
  - Ensure the cleanliness of transport vehicles

- Assist industry participants in the management of statutory responsibilities, in particular road transport chain of responsibilities in relation to fatigue and mass management
- Promote a cooperative approach by all responsible parties in their dealing with all bulk transport issues
- Clarify arrangements relating to contamination, rejection and demurrage
- Provide a standard of industry professionalism.

b) Application of this Code;

- The Grain Transport Code of Practice is a voluntary industry Code.
- This Code applies to all bulk product carried by road transport in the Australia
- Participants using the Code must be able demonstrate adherence to the code through records and audits.

c) The list of goods that the Code will apply to is not exhaustive but includes: -

- All crops, e.g. grain, pulses and oilseeds.
- Animal feed materials, ingredients, feed additives.
- Any other bulk materials agreed by parties.

d) For the purposes of this Code the following definitions shall apply: -

- "product" shall include any of the commodities above
- "carrier" shall mean the operator of any vehicle used under this Code
- "drivers" shall mean the person driving the vehicle
- "road transport company" shall mean the transport company engaged to transport the product
- "subcontractor" shall mean a carrier that is engaged by the road transport company to transport the product
- "vehicle" shall include trailers or other containers used to transport product
- "the consignor " shall mean the company for whom the product is being transported
- "audit" shall mean a wide ranging examination of an organisations adherence to the Grain Transport Code of Practice.
- "suitable person for audit" shall mean a person that has minimum five years in audit experience, successfully completed a recognised audit course, certifies their maintenance of knowledge and participates in at least one audit per year.

#### **4. General Carrier Standards**

- a) All parties must exercise due care and diligence in the transport of the product and ensure that they adhere to all current legislation, industry codes of practice (in addition to this Code of Practice) including any amendments that are relevant to such transport.
- b) The carrier must maintain the vehicle in a mechanically sound, and clean condition, fit for the purpose of providing the services.
- c) All parties will comply at all times in the performance of services with all laws (Federal and State) which are applicable to the services, including but not limited to laws dealing with;
  - Registration of the vehicle and compulsory third party insurance.

- Heavy vehicle safety, mass and load regulations, including lawful use of particular roads and routes.
  - Environmental requirements, emission controls and noise standards.
  - Mandatory Australian design standards.
  - Road safety and traffic management laws.
  - Occupational health and safety.
  - Dangerous goods including any signage and compulsory insurance requirements.
  - Chain of responsibility.
  - Food transport and hygiene.
  - Security and anti-terrorism laws, including port identification requirements.
  - Driving hours and fatigue management.
- d) All parties must adhere to working at heights laws. All bulk tipping vehicles and trailers must be fitted with a tarp system that can be operated from ground level or from a safe low-level platform.

## 5. Safety

- a) Carriers and contractors must hold the licenses and comply with any codes or licenses required for the performance of services, including but not limited to:
- operating the vehicle or vehicles or other machinery or equipment supplied or operated by the carrier
  - carrying particular kinds of goods, including dangerous goods
  - entering certain premise (such as ports)
  - operating the vehicle supplied to carry the specified capacity of the vehicle on the routes that will be used
- b) Fatigue management
- All parties will comply with all applicable laws concerning fatigue, fatigue management, rest breaks and record keeping required. (Refer to section 11).
- c) Safe Loading
- All parties will ensure the safe and proper loading of the vehicle, including the securing and appropriate weather protection of the load.
  - All parties will be responsible so far as is practical for checking that the loading of pre-loaded vehicles is safe and satisfactory.
- d) Induction Processes
- The carrier will satisfactorily complete any site induction process required by customers as a condition of entry to the customer's site.
  - Dispatch and receival facilities will provide such training where appropriate and ensure documentation is available to assist carriers with achieving compliance.
- e) Safety Equipment
- All parties will supply and wear appropriate standard safety equipment including safety boots and a safety vest.
  - Drivers must be in control of their vehicles at all times during loading and discharge.
  - All parties must conduct themselves and operate their vehicles in a safe and reasonable manner at all times.
  - All parties shall only smoke in designated areas.
  - Drivers must obtain approval from sites they visit before they carry out any form of maintenance or repair work on vehicles whilst on that site.

- All parties must ensure that full safety precautions applying at the point of load or unload appropriate to the vehicle and its load, are taken during loading and off-loading for the protection of the driver, employees, third parties and plant and equipment.
- f) Control of Hazards
- All parties must demonstrate knowledge of the risks to human and animal health of the products that they carry. This shall include;
    - (i) Contamination from previous loads and between products where multi-compartment bulk vehicles are used.
    - (ii) Protection of products from the elements during loading, transport and delivery
    - (iii) Security and protection of the load.
  - Where carriers are asked to transport goods or materials with which they are not familiar, they must obtain from the Consignor, and the Consignor is obliged to supply, written details for food safety and Health and Safety purposes.

## 6. Insurance

All parties must hold the relevant up-to-date and current insurance cover applicable to their roles and responsibilities.

## 7. Cleanliness

- a) The following is the agreed standard of hygiene that the carrier must comply with:
- Vehicles, equipment and load carrying areas must be inspected before loading and if necessary, cleaned and dried to remove any residue accumulations.
  - As part of the commitment to this Code it is the carriers responsibility to ensure that if the load carrying area requires painting, then food grade paint is used. Note: the paint must not discolour or taint the grain in any way.
  - Exteriors of all vehicles must be presented in a clean condition for the transportation of grain.
  - When maintenance is carried out on the load carrying areas, a record of post maintenance cleaning must be kept. **(Record Required)**.
  - No vehicle that has carried material shown in the Class 1 Exclusion List shall be presented for the cartage of grain.
  - All vehicles and drivers must comply with Class 2 and Class 3 Product cleaning requirements and a record must be retained by the road haulage contractor. **(Record Required)**

## 8. Sub-Contractors

- a) Where a sub contractor (which term includes an owner driver) is employed by the transport Company to undertake cartage of grain as defined in this Code of Practice, the transport company must ensure that the sub contractor is likewise bound by this Code of Practice through a signed Contractor Declaration. **(Record Required)**.
- b) Transport companies must keep a list of their approved transport sub-contractors detailing their method of approval and maintaining relevant cleaning records. **(Record Required)**.

## 9. Collection and Delivery of Loads

- a) If either party cannot meet agreed collection or delivery arrangements, the delaying party must advise the other party promptly. If dispatch and receival facilities cannot provide loading or unloading capability within a two hour time frame then appropriate rest procedures to manage fatigue must be instituted. Refer to section 11.
- b) Suppliers must present the product to be loaded in a timely, efficient and safe manner at the point of loading
- c) In case of any difficulties or doubts about the product quantity or condition that cannot be resolved at the load point, the driver must notify the consignor and the Carrier before loading and seek further instructions.
- d) If any incident or event occurs during loading, transport or delivery that could result in contamination or loss of the goods, the circumstances must be reported to the consignor, and delivery must not proceed until clearance has been given by the consignor. **[Records required]**
- e) On arrival at the delivery destination drivers must: -
  - Report to the weighbridge or other site-designated point, handing over the delivery note for the load and evidence of the vehicle's three previous loads/cleaning records.
  - Under no circumstances discharge their load before the documentation has been checked, sampling completed and the vehicle weighed (where appropriate).
  - Obtain instructions identifying where to unload. Drivers should only discharge bulk product into the intake pit or other area, as instructed by intake staff, and should ensure that they leave the intake area in an acceptable state
  - Obtain copies of signed weigh bridge dockets.
  - On arrival of a vehicle on site dispatch and receival facilities must ensure drivers are aware of the expected loading or unloading time. On site means when a vehicle joins a queue either inside or outside the facility.
- f) If drivers are unsure about where to unload and cannot obtain advice at the destination, they must contact the consignor and not commence unloading until they have had instructions that identify the correct facility into which to unload.
- g) When delivering to a farm, drivers should obtain the signature of the farmer, or other appropriate person, on the receipt note/delivery ticket. Where no signature is obtainable, drivers must sign themselves stating the time and date of discharge/unloading and state that the farmer or other farm employee was not available. **[Records required]**
- h) Drivers must attend their vehicles whilst unloading.
- i) All products should be removed from the vehicle after unloading.
- j) Receiving facility is responsible for providing a means for cleanout and disposal of residues at the drop off point. Sweepings, washings and similar residues from vehicle bodies should be disposed of in a point designated and provided by the receival facility.
- k) If any product is spilled during unloading the approximate quantity of the spillage must be noted by the Driver. This estimated quantity should be noted both on the receipt note to be returned to the consignor and on the delivery document left with the recipient. **[Records required]**
- l) If any product cannot be unloaded and are returned, the Driver must record the destination of the goods. **[Records required]**
- m) Where a load is rejected, the buyer and the seller of the grain must adhere to NACMA Trade Rule 15 which details relevant procedures.

## 10. Fatigue Management

- a) The required outcome from fatigue management scheduling practices is to ensure the product despatch and receipt facilities are operated in a way where driver's safety is not jeopardised or compromised. To achieve this, grain receipt locations must have;
  - Procedures that allow drivers to utilise amenities or take rest and still maintain queuing positions
  - Appropriate facilities available on site or in close proximity that allow drivers access to satisfactory food, water and shelter. Larger facilities that operate on a 24/7 basis should allow driver access to toilets, change rooms, drinking water and appropriate shelter on site
  - Clear documented systems and procedures that recognise and assist managing driver safety fatigue. This is particularly important where throughput times are longer than 2 hours from the time of joining queues to final discharge.
- b) Receipt and dispatch facilities must have systems and procedures in place to ensure the accurate mass management, appropriate safety and fatigue management systems, measures for handling queuing and procedures covering load rejections. These procedures must be on display and visible to drivers. These procedures should include;
  - Mass management: outlining processes for the accurate weighing of vehicles. This will include procedures to deal with reporting of overweight loads.
  - Safety and fatigue management: processes to assist drivers manage fatigue. This should include driver amenities available and their location.
  - Queuing procedures: detailed processes outlining procedures to be followed to ensure driver fatigue issues are properly managed when delays are encountered.

## 11. Mass Management

- a) Concepts of Chain of Responsibility legislation has been approved by all states and territories. Under this legislation farmers, transport operators and receipt points will all be exposed to penalty if they exceed applicable Gross Vehicle Mass (GVM).
- b) All parties should be made aware of applicable procedures that will occur when overloaded vehicles are presented for unload.
- c) Receipt points are responsible to ensure they have procedures in place to manage overloaded vehicles and meet the requirements of the Chain of Responsibility legislation.
- d) Penalties are based on the extent of overloading and repeat offences. In general, minor offences are when vehicle is 0-5% overloaded, substantial is where the vehicle is 5-20% overloaded and severe offenses are when the vehicle is greater than 20% overloaded.
- e) All vehicle weights and registrations will be recorded at the weighing point. These records will be forwarded or made available to State road transport authorities.
- f) Where the goods are weighed at either the collection or delivery points, the Driver must;
  - Ensure that the gross, tare and net weights or other measurements / calculations agree with the amount ordered.
  - Draw the attention of the weighbridge operator to the presence any passengers and follow instructions.
  - Tare vehicle before loading or leaving
  - Sign weighbridge tickets.

## 12. Records

- a) Some clauses in the Code are marked **[Records required]**. Participants using the Code are required to keep and maintain records for these actions to demonstrate adherence to the Code.

The following is a summary of records that must be kept;

- All loads carried by vehicles (e.g. collection/delivery tickets, load sheets etc)
  - Routine cleaning, external cleaning, steam cleaning and sanitizing
  - Inventory of all vehicles and trailers
  - List of approved Subcontractors
  - Audit records of sub-contractors.
  - Staff training/instruction/Qualifications
  - Insurance documents
  - Operators licence – if applicable
  - Complaints
- b) Internally produced records must be signed.
- c) Records must be legible and kept in suitable conditions that allow ready retrieval and prevent deterioration.
- d) Records must be kept for a minimum of seven years.

## 13. Personnel and Training

- a) All personnel must have the appropriate training, experience and/or qualifications for the work they undertake.
- b) The Carrier must identify training needs and ensure that training provided includes a full understanding of the purpose and requirements of:
- This Code of Practice
  - Company instructions, as well as other codes of practice where they apply
  - Food and feed safety and hygiene
  - The importance of accurate record keeping
- c) The Carrier must provide regular training to ensure that staff remains updated in these subjects. **[Records required]**
- d) The Carrier must ensure that drivers hold a valid driving licence for the class of vehicles they drive. **[Records required]**

## 14. Procedures and Instructions

- a) A designated person must have responsibility for the implementation of the requirements of this Code of Practice.
- b) The designated person must ensure that all staff covered by the scope of the Code of Practice are provided with written instructions that confirm their duties and the procedures. Procedures must be periodically reviewed, amended where necessary and re-issued to ensure that they remain current and effective.

## 15. Complaints

- a) There must be a formal system for registering and processing complaints relating to carrier activities. Complaints must be assessed and corrective action taken where necessary.

### **Class 1 Products**

If the following materials are carried in vehicles used for the transportation of goods covered by this Code of Practice, carriers must have their trailers cleaned by a certified cleaning facility, recorded and signed off.

- 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).
- Milk & milk products, gelatine, amino acids, dicalcium phosphate, dried plasma and any other blood products
- No products containing animal products may be carted
- Tallows
- Mineral clays which have been used for detoxification purposes
- Metal flakes and turnings glass
- Used active carbon
- 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
- Asphalt (fresh) and asphalt rubble

### **Class 2 Products**

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

- Coal and coal products
- Composts (including green plant material)
- Treated Bulk Grains (e.g. Pickled Grain)
- Treated Mineral based Fertilisers (e.g. Intake etc)
- Treated Wood Products
- Medicated Stock Feeds
- Insect Infested Grain Products
- Mammalian protein, e.g. meat & bone meal, meat meal, cull cake and other mammalian based products.
- Hides treated with tanning substances and associated waste

### **Class 3 Products**

Cleaning required – All physical remnants removed (Blown out, Swept or Washed as Required). Product:

- Untreated Bulk Grains (e.g. when changing grain types)
- Untreated Mineral based Fertilisers (e.g. Super phosphates etc)
- Inert Mineral Material (e.g. road base, sand, lime, gypsum etc)
- Untreated Wood Chips
- Salt

If at any stage the Transport Company is not sure which category a product that is going to be carted or that has been carted fits, it is their responsibility to contact the consignor prior to loading the product so that the correct cleaning method can be used.