



Friday 21st April 2011

Bulletin 758 - 04/11 - Deinsectisation / Deratting - Brazil

The Club has been made aware that provisions of deinsectisation and deratting in Brazil as stipulated in Article 40 of RDC Nº 72, 29 DE DEZEMBRO DE 2009 is now being enforced in selected ports. To avoid claims pertaining to rat and insect infestation in Brazilian ports the Club issues the following advice;

The Clubs correspondents have reported that the ports of Itaguaí, RJ , Rio de Janeiro but also as far afield as Arraial do Cabo and other minor ports, that the National Sanitation Surveillance Agency – ANVISA based on Resolution RDC Nº 72, 29 DE DEZEMBRO DE 2009 is implementing what is written in article 80 as follows:

Portuguese;

Art. 80. As embarcações devem, no mínimo semestralmente, submeter-se a procedimentos de desinsetização e desratização, que devem ser comprovados por meio de registros ou atestados.

English:

Article 80. Every six months, all Ships must be subject to control procedures of rodents extermination and insects which must be substantiated by records in ship's log book or Certificates.

This imposition has been implemented from the beginning of 2011 in above mentioned ports but it is expected that such obligations will also be carried out in all other Brazilian ports including Recife, Manaus, Ponta da Madeira , etc in due course.

This inspection is independent of the **Ship Sanitation Control Exemption Certificate** as Port Health authorities wish to see evidence that procedures for controlling of insects and rats are in place and have been carried out within the previous six months. In which case, a **Ship Sanitation Control Certificate** has to be issued and signed by a responsible company describing the control of procedures taken. (for guidance, costs for these services in Rio come to approx: US\$ 2,000 - US\$ 3,000)

As far as the Club is aware all vessels calling the above mentioned ports have been complying with Health authority requests and have avoided problems with the issuing of "free pratique" and/or any possible vessels delay due to this issue.

All arrangements for an authorised Company to carry out the deinsectisation / deratting are made by Owners/Masters through their local agents.

The Clubs correspondents have been in informal contact with local lawyers whose opinion is that, in principle it appears to be the authorities' arbitrary action to instigate these regulations and it should be fought against. Especially where there is no evidence of existence/presence of live cockroaches, other insects or rats on board. And again especially if the ship has submitted to an inspection and issued with an updated Ship Sanitation Certificate within last six months (as per "WHO").

Of course, there will be risks involved if a confrontation with Health Authorities occurs during vessel arrival and in case of any delay provoked by a judicial decision for replying to an Injunction filed or delay to vessel's operations, the Owners would have to be prepared to request agents to immediately arrange a rodent deratting and insect disinfestations. In such situation any Legal instrument would lose its effect.

In addition, only for comparison, the costs with lawyers for legal procedures would roughly be estimated in the region of about US\$ 6,000 (not inclusive of minor judicial costs). Alternatively, to diminish costs, the suggestion would be for Vessels to arrive in Brazilian ports with **Ship Sanitation Control Certificates already** issued in other ports abroad where such costs with deratting and disinfestations prove to be less than in Rio.

Source of Information:

Roosevelt Derossi Lomba
Representações Proinde (Rio) Ltda
proinde.rio@proinde.com.br