



LP Bulletin

Friday 18 September 2009

Bulletin 656 - 9/09 - Fines - Brazil

The Association would like to remind its Members of problems encountered in Brazil with large unsubstantiated fines being imposed on vessels.

The Association previously issued [Bulletin 231](#), regarding Port Health fines which may be of interest to members. This bulletin aims to update and add to any previous information. A number of cases have arisen over the last couple of years within the Association regarding fines in Brazil. Although the fines in question have occurred in a number of ports, they appear to be more frequent in Santos.

Fines have been imposed on vessels for a number of reasons; many of those mentioned in Bulletin 231 have reappeared such as:-

- yellow fever vaccination certificates,
- hospital medicines out of date,
- food stores out of date and other related areas.

Another area where fines have been noticed is the application of treatment to a vessel's sewage tanks. In one particular case, it was alleged that the vessel's customary practice of breaking a tablet into smaller pieces and passing it into the tube was not adequate. Despite the crew's efforts (which included fixing the pipe whilst the inspectors were onboard) a fine of US\$12,000 was imposed. After some negotiation this was reduced to US\$3,000 but they demanded that the Master pay in cash and no receipt for the payment was left onboard.

As in the case mentioned in this bulletin, fines will tend to be excessive and extreme. These can often be negotiated down but it is vitally important that some record of the fine is maintained. The best way to avoid such problems is to ensure that all of the areas mentioned in this bulletin are checked and in order before arriving in a Brazilian port. Local agents and correspondents can often provide up to date information on this type of issue, as well as offering advice, in the event that a vessel is fined.

Finally, it is important to remember that, when in Brazil, each state will have its own different agenda or standards. If a vessel has been fined in one state then it does not mean the vessel may not be fined again in another state. If a voyage includes calling at more than one Brazilian port the vessel should remain vigilant and be prepared to rectify any problems immediately to avoid further penalties.

Source of information: Loss Prevention Department
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