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EVEN THE SHIP'S RATS WEPT

**Onion Cargo Draws Tears from Eyes
That Ne'er Were Moist Before.**

The French steamship *Ville du Havre* arrived yesterday from Gandia, Spain, bringing 1,600 tons of Spanish onions. The odor from the forehold was so powerful, it was said, that the crew in the fo'c'sle were in tears all the voyage and were forced to sleep on deck.

When the Customs Inspectors went into the fo'c'sle yesterday to see if the men had any tobacco or cigars concealed in their bunks, the heat and the onions combined drove them out for air.

Old Jules Bibot, the quartermaster, declared that when he went down into the forehold to get up a coil of rope, he saw hundreds of rats sitting in a circle around the sacks of onions, wiping the tears from their beady black eyes with their paws, which was quite pathetic, old Jules said.

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DANGEROUS GOODS

- Relevant to bills of lading
- Relevant to charterparties
- Dealt with by Hague Visby Rules
- Dealt with by Rotterdam Rules
- Cargo insurance
- Hull insurance

- Significant sized claims:
 - Damage to ships
 - Damage to other cargo
 - Quarantine
 - Condemned and dumped at sea
 - Bulk cargos

- Unusually gassy coal
- Iron ore concentrates with an unusually high moisture content
- Fuel oil emitting flammable vapours
- Ground nut pellets infested with kharpa beetle
- Butanised crude oil

Shipper's Obligation

- Not to ship goods which are liable to cause damage to vessel or other cargo without giving notice.
- Not to ship goods liable to cause delay

Carrier

- Can rely on implied indemnity
- Can rely on bill of lading terms
- Can rely on Hague Visby Rules (IV r 6)
 - No consent can dump. Claim expense and loss
 - With consent, but become a danger can land without liability
- Rotterdam Rules
- But must carry correctly

- Giannis Nk: (Senegal to Dominican Republic) – ground nuts
- Beetles did make the cargo dangerous.
- Why? Other cargo was dumped due to strict quarantine regulations
 - i.e. Was “physically dangerous” – a natural and not unlikely consequence and to give rise to the loss of other cargo shipped on same vessel

DO RATS MAKE A CARGO DANGEROUS?



- “*Darya Radhe*” Paranagua to Persian Gulf – soya bean meal pellets
- 9 shippers
- 14 rats
- But Bunge not happy
- \$2M worth of losses

Arbitrators had to decide how rats got there:

- There are experts on rat behaviours
- Were there but could not prove which shipper
- Were they dangerous?

- No danger to ship
- No danger to other cargo
- No legal obstacle to the carriage or discharge of the goods
 - illegal voyage/unlawful at discharge port
- Risk of rejection not enough
- Still open as to circumstances – where a cargo might be “*dangerous*” if not damage to ship or other cargo and no legal obstacle