



**JSU President Yoji Fujisawa speaking during the embarkation ceremony for non-MAAP cadets onboard T/S Kapitan Felix Oca.**

## Shipboard training for non-MAAP starts

*Ceremony held for inaugural class aboard 'T/S Kapitan Felix Oca'*

The opening ceremony of the Shipboard Training Program for the 68 trainees selected from non-MAAP merchant marine institutes on board *T/S Kapitan Felix Oca* – owned by Maritime Academy of Asia and the Pacific (MAAP) – was held Aug. 30 in Manila. It was attended by members of various Japanese and Philippine maritime groups and organizations, including JSU President Yoji Fujisawa, AMOSUP President Capt. Gregorio S. Oca, MAAP's Vice Adm. Eduardo Ma. R. Santos, as well as representa-

tives from IMMAJ and PJMCC.

The aforementioned program is for the selected non-MAAP trainees as a way to address the shortage of officers and job development by Japanese shipowners, and funded by the JSU-AMOSUP Training Levy Fund (JATF) as stipulated in the JSU-AMOSUP CBA Agreement.

Under this program, following a three-month training on board *T/S Kapitan Felix Oca*, trainees will undergo nine more months of onboard training arranged by

Japanese shipowners and manning companies, before being recruited as officers.

*T/S Kapitan Felix Oca* was originally the first *Seiun Maru* (5,000 gw/t, built in November 1986), before the National Institute for Sea Training of the former Department of Transport of AMOSUP sold it in 1997 as a training ship.

This time, AMOSUP and MAAP deserve to be commended for their good sense to open it for shipboard training for non-MAAP trainees as well. Moreover, this pro-

gram is expected to be a successful measure to secure officers onboard Japanese merchant vessels through further development of seafarer training on a public and private level, both in Japan and the Philippines in the future.

During the ceremony, the president of the JSU stated that "the issue of the securement and cultivation of competent foreign seafarers, especially Filipino seafarers, must be an urgent task to be addressed, and the JSU would willingly like to become involved with the training program and commit to sparing no effort and cooperation for its achievement."

## IBF pact addresses seafarer safety in warlike ops areas

The following provisions are set forth in the IBF Agreement with regards to seamen's rights when they are working onboard ships operating in areas designated as "warlike operations."

(1) During the assignment, a seafarer shall be given full disclosure of the war zones pertaining to the ship's trading pattern, and shall have the right not to proceed to a warlike operations area, in which event the seafarer shall be repatriated at cost to the Company, with benefits accrued until date of return to the port of engagement.

(2) When a ship enters into a warlike operations area, the seafarer will be paid a bonus equal to 100 percent of the basic wage for the duration of the ship's stay in such area, subject to a minimum of five days' pay. Similarly, the compensation for disability and death shall be doubled.

As regards to what defines "warlike operations areas," since the establishment of the IBF in 2003, the areas designated by the Joint War Committee (JWC), which consists of representatives from the Lloyd's Market Association (LMA) and the International Underwriting Association of London (IUA), have not been applied.

Instead, the IBF Warlike Operations Areas Committee decided to designate warlike operations areas based on labor-and-management agreements between the International Transport Workers' Federation (ITF) and the Joint Negotiation Group (JNG).

To date, the committee has designated the following areas as warlike operations areas:

(1) From Oct. 6 to present: The territorial waters extending up to the 12-mile limit from due north of the north-western border of Somalia with Ethiopia to due north of Cape Gardafui.

(2) From July 19, 2006 to Aug. 24, 2006: The waters between 34-05N and 33-06N and from 34N-00E to the Lebanese coast, as well as the Israeli waters around Haifa within 12 miles of the coast north of 32-35N.

As attacks by armed pirates are frequent in and around the Gulf of Aden, the ITF has asked the JNG to add it to the list of warlike operations areas for the purpose of ensuring the safety of seamen.

According to the committee's rules, however, a committee majority made up of an equal number of representatives from the ITF and the JNG must agree on the designation of a new warlike operations area.

Taking into consideration this situation and the resolution adopted in June by a meeting of the Fair Practices Committee (FPC) demanding that waters off Somalia and Nigeria both be declared as warlike operations areas because they are stricken with frequent piracy and armed robbery attacks, the All Japan Seamen's Union (JSU) and other seafarer unions around the world are lobbying governments and the shipping industry to take the necessary actions to ensure safety.



**The Gig Oca Robles Seamen's Hospital in Davao City, Philippines.**

## AMOSUP celebrates hospital opening in Davao

A ceremony was held to celebrate the Aug. 4 completion of an AMOSUP Seamen's Hospital in Davao on Mindanao Island in the Philippines.

Those in attendance included JSU President Yoji Fujisawa and Director Katsuji Taki, as well as Mamoru Yamaguchi from the Manila Welfare Office.

Numerous guests were also in attendance, including Chairwoman Patricia A. Santo Tomas of the Development Bank of the Philippines, individuals from the PJMCC and other local organizations concerned with maritime affairs and seamen's families.

From Japan, representatives of the IMMAJ, Manila expatriate employees of Japanese shipping companies were present.

As about 80 percent of the Philippine population is of Roman Catholic faith, on the day of the ceremony, a local pontiff performed mass, and all attendees prayed for God's grace in blessing

the new hospital.

This is the fourth hospital run by the AMOSUP. The other three are located in Manila, Cebu and Iloilo.

Having a bed capacity of over 50 patients, the hospital will employ about 10 full-time physicians, offering surgery, obstetrics, gynecological exams and dental treatments.

Normally, these hospitals cater to seafarers and their dependent family members (including children 17 years old and younger) for free while mariners are working onboard vessels (usually a period of eight to nine months), and then for the following six months.

The facility is arranged with the trauma and dental departments on the first floor, while the operating room and general ward are located on the second floor. Sophisticated medical devices are also available.

As with the Iloilo hospital, the Davao hospital has received a subsidy of about YEN22 million from the JSU Welfare Fund to buy X-

ray and ultrasonic inspection apparatuses.

Demand for Filipino mariners is growing faster than ever as the shortage of seamen continues to escalate.

As such, Japan and the Philippines are striving to upgrade training and education more extensively, not only limiting themselves to private sectors but also involving the maritime authorities of both nations.

In addition, shipping companies must now do more to enrich the welfare of their crewmen, which includes proving better medical services.

Cooperation between the JSU and the AMOSUP has enhanced remarkably in recent years.

The completion of the hospital and the mutual assistance between the organizations is expected to bring about peace of mind to seamen and their families living in Davao and on neighboring islands.



# Seafarers' unions push for global 'war-risk' body

Seafarers' unions have expressed a need for an international "war-risk" negotiating forum to replace the existing patchwork system. The move comes after some employers rejected a request by the International Transport Workers' Federation (ITF) this month to declare Georgia's coastal waters a war-risk area.

Under the current system, national-flag ships are covered by negotiations between national unions and shipowners' associations, while some flag-of-convenience (FOC) ships are covered by the International Bargaining Forum (IBF) agreement between

the ITF and employers in the Joint Negotiating Group (JNG).

But FOC ships outside the IBF have to follow the non-negotiated ITF agreement, which uses those areas of the world that are listed by the Lloyd's Joint War Committee and do not necessarily follow those accepted by the JNG.

In light of this lack of cohesion, the ITF has now decided to press for an international forum that would, like the IBF, negotiate which areas should be classed as "warlike," entitling seafarers to double pay and the opportunity to sign off without prejudice to their

employment.

The IBF had previously agreed to designate 12 miles off the Somali coast as a war-risk zone, although attacks on ships regularly take place more than 200 miles off the East African country. Earlier this year, the IBF turned down a request from the unions to designate Nigerian waters as a war-risk zone, saying its analysis of incidents did not warrant it.

After the JNG turned down the Georgian request in view of the ceasefire, ITF's general secretary David Cockcroft said, "This issue and the sheer number of conflict

zones have thrown a spotlight on how we determine these areas. The current Lloyd's war-risk zone for non-IBF-agreement ships is out of date and rarely enforced and we intend to initiate a dialogue with the wider shipping industry about the whole question of war risk."

The ITF's move comes as the Philippines is considering a ban on all of its seafarers from entering areas where they could be vulnerable to attacks. The possible ban follows the recent spate of hijackings off Somalia that has seen 54 Filipinos among those taken hostage. (Source: *Tradewinds*)

## Malaysia looks to phase out foreign crewing

According its director, Malaysia's new maritime academy in Sarawak will help end the country's dependence on foreign seafarers on nationally flagged vessels.

More importantly, it will nurture a domestic crop of maritime specialists – including captains, engineers and navigators – so it will no longer be necessary to rely on a foreign seafarers, the director of the newly established Sarawak Maritime Academy told *Fairplay*.

"Addressing the imbalance of relying too much on foreign seafarers was raised at the maritime and logistics conference on July 14 and 15, so this institute is timely," said Capt. Goh Chin Guan.

The academy complements Malaysia's current facility, Akademi Laut Maritim on the mainland, run by state-owned shipping line MISC Berhad.

But the dependence on foreign crew will not end immediately, he added, "We will only see the results over the next five or 10 years."

At present, Malaysia depends heavily on Filipino, Indian, Indonesian and Myanmar seafarers, who will continue to man Malaysian vessels in the immediate future.

According to the Malaysian Ship Ordinance 1952 (Amended) Act, seafarers benefit from tax exemption when serving on Malaysian ships.

If local seafarers are employed, those tax savings can be plowed back into the Malaysian economy, some argue.

The need for more Malaysian seafarers was highlighted at the recent maritime conference by the Maritime Institute of Malaysia's chairman Dato Seri Ahmad Ramli Nor.

He said more seafarers were needed for Malaysia to emerge "as a leading maritime nation in terms of merchant shipping capacity." He added, "Becoming a leading maritime nation not only entails training seafarers, but improving its maritime profile."

Malaysia is currently ranked No. 18 of the list of the 35 most important maritime nations by United Nations Conference on Trade and Development (UNCTAD).

One maritime ministry official agreed that Malaysia needed to train more seafarers and that it was part of a natural progression for emerging nations to aspire to build schools as part of their maritime profile.

He suggested that Malaysia's two maritime schools could also lend assistance to other nations lacking seafarers with the necessary training.

One area the new academy can potentially help ease the seafarer shortage is in the training of liquefied natural gas (LNG) crew, pointed out Bo Jow Yung, an official at Malaysia's largest LNG port in Bintulu.

"It would definitely pay dividends," he said, referring to the future needs of state-owned LNG owner and operator MISC Berhad. (Source: *Lloyd's List*)



Officers of the JSU and Dockworkers' Union participate in a protest in front of Kotoku Kaiun Co. Ltd.'s head office on Hakata Island, Ehime prefecture on July 14.

# JSU, dockers join in FOC/POC campaign

*Members, volunteers inspect 87 vessels; five sign collective agreement*

The JSU, in cooperation with the National Council of Dockworkers' Union of Japan (Zenkoku Kouwan), the Japanese Confederation of Port and Transport Workers' Union (Koun-Domei) and the seafarers' and dockers' unions in South Korea, Taiwan and Russia, carried out an FOC/POC campaign July 14-17, 2008. The campaign excluded the Kyushu region as the JSU organized strike action against the bankrupt Arimura Sangyo Co. Ltd. in Kyushu.

Union officers and volunteers inspected a total of 87 vessels during the four-day campaign. The following are the detailed results of the campaign.

A. Agreed to sign the collective agreement: Five vessels, through their companies, agreed to sign a collective agreement while four vessels are still under negotiation.

1. *M/V Glory Ocean* (Hong Kong) – Inspected by the officers of JSU Kansai regional office, the company HASCO China agreed to sign ITF HSCC CA;

2. *M/V Thor Svendborg* (Hong Kong) – The new vessel was inspected by the officers of JSU Shizouka office, the management company P&F Korea agreed to sign ITF FKSU CA;

3. *M/V NYK Terra* (Panama) –

The company of this new vessel agreed to sign ITF/JSU agreement with the JSU Kanto branch.

4. *M/V Tatiana Schulte* (Cyprus) – The German owner agreed to sign ITF Ver-Di agreement when threatened with JSU action. Crewmembers thanked the ITF for the positive result.

5. *M/V Raku Yoh* (Philippines) – The vessel's company agreed to sign an agreement with the JSU effective January 2009.

B. The JSU conducted protest actions with the cooperation of dockers unions against unfair labor practices and violation of human rights to the following:

1. Kotoku Kaiun Co. Ltd., which is located on Hakata Island in Ehime prefecture, owns 30 FOC vessels all with no ITF-approved agreements. The company commits unfair labor practices and violates human rights. The JSU organized 40 union officers and dockworkers and held a protest in front of the head office of Kotoku Kaiun on Hakata island on July 14.

2. *M/V Halcyon* (Bahamas) – owned by Kotoku Kaiun and operated by CMA CGM Co. Ltd. of France. The JSU organized 17 officers, including those from the dockworkers union to protest and stop cargo work for one hour as a protest

against the safety violations as well as unfair labor practices and violation of human rights, while the vessel was in the Port of Kobe on July 14.

3. The same vessel, *M/V Halcyon*, was boycotted and cargo operation stopped for 1 hour on July 15.

4. *M/V Magna* (Panama) – owned by Kotoku Kaiun and operated by KMTC of South Korea. The JSU organized 35 officers including those from the dockworkers union to protest and stop cargo work for 75 minutes in the Port of Yokohama on July 17, due to safety violations, unfair labor practice and violation of human rights.

5. *Marine Emblem* (Panama) – owned and operated by Kawasaki Kinkai Kisen ("K" Line) of Japan. Organized 55 officers from the JSU and the dockworkers union to protest and stop cargo work for 65 minutes at Yokohama Port on July 17. The action was to protest unfair labor practices and violation of human rights by the company.

C. Requested Port State Control inspection of five vessels: During the campaign, we requested PSC officers to inspect two vessels, *M/V Zhen Zhu Quan* (China) and *M/V Dana 8* (Cambodia), which lacked

proper life boats and water-tight hatch covers. We reported to the PSC that three vessels were conducting unfair labor practices and violating human rights: *M/V Magna*, *M/V Marine Emblem* and *M/V Sinotrans Nagoya*. However, the Japan PSC does not work for ILO Convention 147, therefore they did not investigate these three vessels. The JSU will continue to exert pressure on the Japan PSC for ILO Convention 147 – concerning unfair labor practices and violation of human rights – to be included in their investigations.

D. Overview of the campaign:

We made a social appeal by distributing reading materials, holding big rallies and conducting cargo work stoppage against the vessels of Kotoku Kaiun and "K" Line due to their unfair labor practices and violation of human rights.

Crewmembers of the vessels owned by Kotaku Kaiun are under order not to fix the broken gangway to the wharf/berth, which is unsafe or dangerous for the crew, dockworkers, agent, visitors and union officers to board the vessel.

Kotoku Kaiun and "K" Line are forcing seafarers working on their vessels to not talk to union officers and are not allowed to go ashore – clearly in violation of their human rights. (Based on the report by: Shoji Yamashita, ITF Coordinator)



# Erectile dysfunction: a hidden male problem

When a man becomes sexually aroused, increased blood flow to the genital area readies the body for intercourse. The penis becomes enlarged and erect. In men with erectile dysfunction (ED), however, this physical response doesn't happen. And this isn't just a one-time or occasional occurrence. In fact, occasional failure to become aroused or desiring sex less often than your partner is perfectly normal. Stress, fatigue and anxiety can affect the body's response to sexual stimulation. The problem occurs when this lack of response happens persistently and on a regular basis, or for more than 25 percent of the time. With ED, intercourse is difficult or impossible.

ED is not only a common problem, particularly among older men, but also it is undertreated. The Massachusetts Male Aging Study of middle-aged and older men showed 35 percent of men aged 40 to 70 years old had complete ED, which was strongly related to age, health status and emotional function. According to the American Medical Association (AMA), about 20 million American men, mostly older than 65, are affected. It is difficult to calculate an exact number because less than 10 percent seek treatment.

The following information is designed as a basic introduction to possible causes of and treatments

for ED. If you suspect a problem, talk with your doctor or other health care professional.

## Causes

Once thought to be a psychological condition, most cases of ED are now known to have a physical cause, such as a disease, an injury or a side effect from a drug. Certain medications can interfere with the nerve signals that cause an erection. Hardening of the arteries and high blood pressure can damage blood vessels and interfere with blood flow to the penis. Smoking is a major risk factor for these conditions as well as for ED. Diabetes can damage nerves and interfere with erection. Surgery for prostate cancer may cause ED. Other possible physical causes include alcoholism, liver failure, hormonal abnormalities (such as low testosterone) and neurological disorders. In most cases of ED, even when there is also a definite physical cause, men may feel anxious, guilty or depressed, which can make the problem worse.

## Treatments

The AMA estimates 95 percent of ED cases are treatable through one of the following measures.

- Drug therapy: Viagra® (sildenafil) was approved by the U.S. Food and Drug Administration in 1998. Taken an hour or so before sexual activity, it increases the concentration of a natural chemical in the penis that causes the blood vessels to dilate, which in turn increases blood flow to the penis. Unlike

the other two drugs only because its effects last for 36 hours, rather than just a few hours.

- Psychotherapy: Whether there is a physical cause or not, men may benefit from working with a therapist to learn techniques that can decrease anxiety associated with intercourse.

- Vacuum constriction device: This involves placing a plastic tube over the penis and pumping the air out of the tube, drawing blood into the penis and making it erect. An elastic band is placed around the base of

the penis to maintain the erection.

- Penile injection therapy: Medication injected directly into the side of the penis causes the blood vessels to widen and erection to occur.

- Intraurethral therapy: A soft pellet of medication is inserted into the urethra. Its absorption produces an erection.

- Surgery: Surgery may involve one of three procedures: implanting a device (prosthesis) that can cause the penis to become erect; reconstructing arteries to increase blood flow to the penis; or repairing the veins within the penis that are failing to keep sufficient blood within the organ. Artery reconstructions

**The AMA says that about 20 million men are affected, but it is difficult to calculate an exact number because less than 10 percent seek treatment.**

injection therapy (see below), it doesn't cause an automatic erection. Rather, it works in response to sexual stimulation. However, sildenafil isn't right for everyone. Men who have heart problems and take medications that help widen the coronary arteries are not good candidates because the drug combination can dangerously lower blood pressure. Some men with hormonal imbalances may be helped by testosterone shots, or skin patches.

In 2003, the FDA approved Levitra® (vardenafil) for the treatment of ED. The way it works is similar to sildenafil. The latest medication approved for erectile dysfunction is Cialis® (tadalafil). It differs from

and vein repairs have generally not given good long-term benefits.

All these treatments have different complications and side effects. As such, men should work with their doctors to determine what's right for them.

## Risk of blindness

In 2005, the Food and Drug Administration (FDA) approved updated labeling for Cialis, Levitra and Viagra to reflect a small number of reports of sudden vision loss, attributed to NAION (non arteritic ischemic optic neuropathy), a condition where blood flow is blocked to the optic nerve. The FDA advises patients to stop taking these medicines, and call a doctor or health care provider right away if they have sudden or decreased vision loss in one or both eyes. Further, patients taking or considering taking these products should inform their health care professionals if they have ever had severe loss of vision, which might reflect a prior episode of NAION. Such patients are at an increased risk of developing NAION again.

At this time, it is not possible to say if these medicines for erectile dysfunction were the cause of the loss of sight or whether the problem is related to other factors such as high blood pressure or diabetes, or to a combination of these problems. (Source: Health A-Z)

## VOICES from SEAFARERS



Crewmembers of **M/V JP GUNJO**

We would like to thank the JSU for the increase in our wages. We also suggest that the JSU negotiate for a further increase in our food allowance due to the high prices of food provision worldwide.

The regular ship visitation by JSU staff members is a welcome development as seafarers can easily inform them of their suggestions and requests to the union.

C/E Antonio Silvino P. Cannu  
**M/V BLUE LEO**



On behalf of our crew, I would like to thank the JSU union officers for the visit they paid to our ship. We request the JSU to negotiate for an increase in our food allowance, not by a lot, but enough to purchase sufficient food provisions in Japan and in other Asian ports.

Capt. Candido S. Agoncillo  
**M/V EXCELLENT ACE**



Capt. Henry R. Estabillo  
**M/V MAGIC WAVE**

The welfare items that are distributed are good examples of how the JSU is supporting the needs and welfare of their fellow members.

In addition, the news and updates regarding the maritime industry provides proof that we Filipino seafarers are not behind in terms of developments and new technologies.

The new Walk-in Exam system that was provided and funded by the JSU, as well as the new hospital and training facilities are other examples of support for not only us members, but for all seafarers.

From the bottom of our hearts we thank the JSU and hope that Filipino seafarers everywhere maintain their skills and high standards.



Crewmembers of **M/V GRACIOUS SKY**

Funding of facilities for the improvement of the training, welfare and development of the seafaring industry in the Philippines is big help from the JSU. We express our gratitude to the union!

## JOKE CORNER

### The View from Above

A young couple and a sailor who survived a shipwreck were stranded on an island. The sailor explained to the couple that the only way to attract passing ships was to signal from a high coconut tree on the beach. He climbed the tree and yelled to the couple below, "Stop making love down there!"

"What's the matter with you?" the husband asked after the sailor when he came down. "We were not making love."

"Sorry," said the sailor. "From up there, it looked like you were."

But each morning after that, the sailor climbed the tree and yelled the same thing. Finally, the husband decided to climb up to see for himself. With great difficulty, he made his way to the top and seated himself there.

Meanwhile, his wife and the sailor were embracing passionately.

"That's amazing!" the husband mused as he looked down. "It does look like they're making love!"

By ISS John Canto



# Be aware of your rights in event of maritime accidents

If your vessel is involved in a maritime accident, be aware that there are international guidelines in place to ensure that you are treated fairly if an investigation is carried out and/or if you are detained following the accident.

These are the IMO/ILO guidelines on the fair treatment of seafarers in the event of a maritime accident.

The guidelines require that seafarers be treated fairly by the port or coastal state, the

flag state, the seafarer state and shipowners.

It is important that you understand your rights under these guidelines so that if you are questioned or detained following a maritime accident, you know what to do and how to protect your interests.

If you are questioned about a maritime accident involving your vessel:

If you think it is necessary, ask for a lawyer before answering any questions or making any statements to port, coastal or

flag state investigators since these could be used against you in future criminal or other legal proceedings.

¥ Contact your company and/or union for advice and assistance.

¥ Make sure you fully understand everything that you are asked.

¥ If there is anything you do not understand, ask the authorities to stop the questioning and request the assistance of an interpreter, if necessary.

It is important to ensure that you protect your interests first. Therefore, follow the advice you receive from your company, union or lawyer, and importantly, when advised to provide information, be truthful with investigators.

Protect your interests following a maritime accident!

Read the Fair Treatment Guidelines!

Know your rights!

If in doubt, ask for advice!

## London P&I warns bin, flat racks could be dangerous

*Complications with twistlock storage due to structural failure of equipment may lead to severe injury*

The London P&I Club has warned that bins and flat racks used to stow container twistlocks on board vessels are occasionally found to be in unsafe condition because of corrosion or physical damage. It says that the structural failure of this equipment, when it is lifted could cause severe injury.

In the latest issue of its *StopLoss Bulletin*, the Club notes, "Standard container operation in many terminals involves the ship's semi- or fully automatic twistlocks being fitted to or removed from containers

by stevedores on the quayside. These twistlocks are often stored in steel 'gear bins' which are themselves stowed on flat racks that are lifted off and on the ship by shore cranes."

It notes: "The flat racks are landed ashore just before discharge commences and the bins are filled with the twistlocks removed from the containers as they are discharged. As containers are loaded, twistlocks are then removed from the bins and fitted into those containers. On completion of cargo work, the bins, which will contain any unused twistlocks, are placed back on the flat racks and then lifted on board, where they are routinely stowed on top of stacks in positions that are inaccessible to the crew."

In one recent incident, the Club said, "a port safety officer allowed flat racks to be returned onboard only on condition that the bins were first emptied of twistlocks. In some cases it is thought

the equipment falls outside the inspection regimes of the flag state, class or port state control and, due to its often remote stowage position, an 'Out of Sight Out of Mind' philosophy can develop on board.

Accordingly, owners should ensure that the equipment is incorporated into a planned maintenance system and, if necessary, be the subject of regular third-party inspections." (Source: *Maritime Global Net*)

## EU Customs guidelines for cigarette storage being checked

In Issue 49 of the London P&I Club's *StopLoss Bulletin*, seafarers were warned about the problems that can arise when seafarers purchase large numbers of cigarettes in Northern European ports.

Seafarers ordering duty-free cigarettes from ship chandlers in North European ports, particularly in Belgium, Holland and Germany, should be aware that copies of such orders are provided to the local customs authority and that information is shared between the countries.

As a result, there have been recent cases where the customs authority in Belgium has boarded a ship shortly after a substantial order for cigarettes has been delivered in

Holland or Germany, and established that the crew were unable to account for a significant number of cartons.

If the authority has grounds to believe that the crew has resold the cigarettes, they can seek not only to impose substantial fines but also to press criminal charges.

The common rules stipulate that, on delivery to the ship, duty-free cigarettes must be placed in the bonded store and can only be consumed after the ship has cleared territorial waters.

In some cases, modest fines have been imposed even when all of the cigarettes could be accounted for, but they had not been placed in the bonded store. (Source: *Shiptalk*)

## New patrols in Gulf of Aden

*Vessels, aircraft used to deter pirate attacks*

WARSHIPS and aircraft from the Combined Maritime Forces will now patrol the Gulf of Aden in an attempt to strengthen the deterrent to pirate attacks. NAVCENT, the U.S. command in the Persian Gulf, has directed that a Maritime Security Patrol Area be established. Vessels and aircraft in the new MSPA will work under the command of Coalition Task Force 150, headed by Commodore Bob Davidson of the Canadian Forces Maritime Command.

Speaking to *Fairplay*, Davidson revealed that he would add new assets to the MSPA, although he withheld details for security reasons.

The new security zone will

roughly encompass an area from the Bab Al Mandab, to an area ending roughly where the Yemen and Somali coasts meet the Arabian Sea.

NAVCENT has also suggested that shipping lines use a designated "corridor" to transit the Gulf of Aden. Waypoints for the corridor are as follows: 12 15N 045E, 12 35N 045E, 13 35N 049E, 13 40N 049E, 14 10N 050E, 14 15N 050E, 14 35N 053E, 14 45N 053E.

Davidson himself, who has refused to guarantee security for shipping in the corridor, has already pointed out shortcomings in the new security zone and corridor.

## Warning: hazards of fumigation revealed

*The improper use of fumigation can lead to unexpected hazards, so it is important to take the necessary precautions. Case in point:*

The ship was loading a bulk cargo of palm kernel expeller, a non-hazardous seed cake. Before the cargo hold hatch covers were closed, a fumigation contractor added fumigant to each hold at a rate of two grams of phosphine per cubic meter of cargo. It was raining, so the contractor advised the master that the fumigant should not be placed in the cargo holds.

He outlined how the moisture from the rain could cause the fumigant to react more quickly, possibly causing it to ignite. However, the master instructed the contractor to carry out the task immediately so that the ship's departure was not delayed.

The next day, the crew observed black smoke coming from one of the cargo holds. When the hold was opened, the two small areas of the cargo had been affected. Both of the affected areas had burnt in a circular pattern that was centered on the location of a fumigation sock. The contractor had provided the master with documentation of safety precautions to be followed during the voyage and when the cargo holds were to be ventilated.

However, the contractor did not supply information regarding all of the hazards associated with the use of the fumigant, or instructions outlining the correct method for its application. Even then the master should have heeded the contractor's advice – in this case that the fumigant should not be placed in the cargo holds while it was raining. (Source: *UK P&I Club*)

## California passes strict shipping pollution legislation

*Vessels banned from using 'dirtier' bunker fuel within 24 miles of the coast*

Californian environmental regulators have approved stringent guidelines aimed at forcing ocean-going vessels visiting the state's ports to use cleaner fuel, according to a statement by the California Air Resources Board (CARB).

The new rules would force vessels such as cruiseliners, oil tankers, and containerships passing within 24 nautical miles of the state's coastline to operate on low-sulfur diesel, rather than the dirtier bunker fuel.

CARB said the new regulations were the world's toughest maritime pollution laws and would reduce

cancer rates and premature deaths associated with pollution near seaports and trade corridors along California's coast. Around 2,000 ocean-going vessels that visit California ports were likely to be affected by the new regulation, which takes effect from 2009.

"This regulation will save lives," said CARB's board chairman Mary Nichols. "At ports and all along the California coast we will see cleaner air and better health."

The board said the rule would prevent an estimated 3,600 premature deaths between 2009 and 2015,

*We distinguish the excellent man from the common man by saying that the former is the one who makes great demands upon himself, and the latter who makes no demands on himself.*

– Jose Ortega y Gasset –  
1883-1955  
Spanish philosopher

while a cancer risk associated with emissions from the vessels would be reduced by over 80 percent.

Environmentalists praised the rules. "It is a huge victory for clean air and public health," said Candice Kim of the Coalition for Clean Air in a statement. "Ten Californians die every day due to air pollution from ports and freight transportation."

The new rules would be phased in over two stages between 2009 and 2012 and would apply to both U.S.-flagged and foreign-flagged vessels. According to reports, shipping companies are opposed to the new limits and are expected to attempt to overturn the California regulations in court. (Source: *AFP*)

**ALL JAPAN SEAMEN'S UNION**  
15-26, Roppongi 7-Chome,  
Minato-Ku, Tokyo 106-0032

**Tel.:** (03) 5410-8320  
**Fax:** (03) 5410-8336  
**E-mail:** iss@jsu.jp  
**Internet:** <http://www.jsu.or.jp>

**Publisher: Takashi Miyake**

Send inquiries to the attention  
of Mr. Masanobu Makizoe,  
Director, Foreign Trades Dept.