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Cargo row raises ship-design issue

A Korean bulker player is in court over alleged cargo contamination.

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Stamford

The construction standards of modern bulkers are being brought into question in a court case over alleged contamination of cargo.

Japanese grain charterers are suing Korea's SK Shipping for \$6m, accusing an SK bulker master of ordering his crew to falsify logbooks to conceal allegedly unseaworthy conditions.

In a New York lawsuit against SK Shipping and related parties, agricultural-cargo interests claim they suffered \$6m worth of damage after seawater entered the holds and contaminated a cargo of grain and sorghum on the 52,000-dwt *Maritime Antalya* (built 2002), which has now been sold and renamed the *APJad*.

When the ship arrived at Niigata, Japan, on 26 March 2005, the plaintiffs allege that they were not allowed to review vessel documents or interview crew mem-

The screenshot shows the SK Shipping website interface. At the top, there is a navigation bar with links for Home, Contact Us, Site Map, Korea, and SKCOG. Below this is a search bar with fields for 'E-mail', 'Password', and 'Keyword'. The main content area features a large image of a red bulker ship. To the left of the ship, the text reads: 'Professional, competitive, dependable and dynamic, we are SK Shipping'. Below the ship image, there is a 'NEWS HIGHLIGHTS' section with two items: 'SK Shipping held a New Year's social gathering with SKSs' and 'A New 2005'.

SK SHIPPING: In legal row with Japanese grain charterers

Photo: SK website

bers. They claim they saw the logs only after obtaining a Japanese court order some weeks later. The Tsuneishi Cebu-built ship was sailing under the Panama flag and classed by Class NK at the time.

"The crew had been instructed by the vessel's master to exaggerate the weather when recording it in the vessel's logbook," alleged the charterer, Japan's National Federation of Agricultural Co-operative Associations (Zen-Noh), along with its insurer, Kyoei Fire & Marine.

The complaint in a US federal court could have implications for other owners of modern bulkers. If the case were to succeed, it would seem to imply that owners can be at fault for ordering and operating bulker newbuildings whose structure, although entirely standard, makes them especially susceptible to casualty or cargo damage.

Zen-Noh's legal complaint finds fault with the ship for a number of normal structural and other features, including having no breakwater, having a single

girder supporting weather-deck plating at the forward end of No 1 hold and having no flood alarms in the cargo holds.

New York maritime lawyer David Maloof, representing Zen-Noh, was reluctant to comment on the ongoing litigation but told TradeWinds: "I think it's fair to say that there's an issue for the whole industry here as to the way they're making ships."

He cites the 1980 *Derbyshire* sinking as "a great encapsulation of these problems about bulker construction".