



# Statement FNV Bondgenoten toxic gas containers *Giftige gassen in zeecontainers*





# Health risks unacceptable

## Ban on gas in containers

FNV Bondgenoten is demanding a ban on the fumigation of import containers with immediate effect. Until the ban comes into force, every container must be checked as standard and fumigated containers must at least be degassed. The health risks for workers due to exposure to toxic gases are unacceptable. The government is failing to take action, however, and yet there are plenty of alternatives that make the use of these toxic pesticides unnecessary. This situation is unacceptable.

Every year, millions of containers in transit arrive at European ports, with some 10 million in the Netherlands alone. At least 20% of these contain highly toxic gases. Large numbers of workers come into contact, directly or indirectly, with the sea containers as well as with the imported goods, which exposes them to considerable health risks. The most dramatic aspect is that workers are usually not even aware of the risks they are running.

### Fumigation not necessary

In March 2005, the European directive of the Food and Agriculture Organization of the United Nations (FAO) was put into force with the aim of stopping tropical vermin from entering Europe. Since then, imported wooden packaging has had to be free from vermin. In order to achieve this, all kinds of toxic substances, such as methyl bromide, are used. In particular, stevedores in Asia, Africa and South America treat their cargo with toxic gases on a large scale. Yet there is actually no need to treat cargo with pesticides, because there are plenty of alternative packing materials that render fumigation unnecessary. However, the shipper regards it as a simple, cheap and effective treatment process. Moreover, European and national governments refuse to ban fumigation of containers.

Containers with high concentrations of toxic substances arrive in Europe. In 95% of all cases they have not been labelled with mandatory safety stickers, while the transport documents fail to mention toxic gases. As a result, drivers and workers in storage units, distribution centres, warehouses and retail chains are involuntarily exposed to residual gases and goods that need to be 'aired'.

### Non-compliance with safety regulations

The Dutch Ministry of Social Affairs and Employment requires employers to check every high-risk container

for gases, which means containers from Asia, Africa and South America. In practice little is done. The upshot is that workers are being exposed to toxic gases, with all that this entails. Employers are violating the safety regulations. It should be clear where the container comes from, whether it has been fumigated and, if so, which substances were used. Only if a container has been declared safe and free of gas should workers be allowed to handle its contents. Unfortunately, FNV Bondgenoten has heard of too many examples of gas-free declarations that subsequently proved to be downright unreliable.

The only adequate solution would be to stop using gases, which the Dutch Working Conditions Act even stipulates. In fact, the employer must always be the first person to assess whether prevention at source is possible when addressing risks. In other words, employers are obliged to protect their employees against risks by addressing the cause or removing the source (in this case gas). By shoving this topic onto employers and employees - who have no say in what happens in other countries - prevention at source can be very difficult. FNV Bondgenoten feels that the European legislator must assume responsibility in this respect. If adequate prevention at source can be achieved by means of targeted legislation, such legislation should be developed and put into force. By issuing a ban on gas the government can put a stop to the use of toxic gases in containers. Supplementary legislation is of vital importance in this respect. Only a European-wide ban on the fumigation of containers and strict checks on compliance will guarantee safety.

### Risks ignored

During the summer of last year, there was huge consumer concern when products from Africa, Asia and South America were found to contain residual gas, gases that remained behind in the products after containers had been treated (fumigated). Retail chains were quick to recall their products. The dangers for consumers are clear. However, to date the risks for workers who come into contact with toxic pesticides in fumigated containers and their cargo have been ignored. Yet large numbers of workers in ports, the transport sector, distribution centres, warehouses and retail chains are involved. Because these gases are often odourless and invisible, workers are unaware of the dangers. In fact, they could be regarded as a threat to their lives.



To give an example, at the end of last year, five employees of glass wholesaler Van Noordenne in the Dutch town of Hardinxveld-Giessendam became unwell after breathing in chemical pesticides. This happened while they were unloading a container from China that had been fumigated with methyl bromide. Workers in the port of Rotterdam had failed to degas the container. Later, the first-aiders who had treated the victims also suffered from medical complaints. A high concentration of this gas could have been lethal. In this instance the men lost consciousness and had to be put on a respirator. Two of them were kept in an artificial coma long term and still suffer from neurological problems, which make it impossible for them to function normally.

### Physical consequences

In the absence of any Dutch research into the link between exposure to gas from containers and the consequences, FNV Bondgenoten has resorted to research conducted in Germany. In several studies, Xaver Baur, a German scientist connected to the Institute of Occupational Medicine in Hamburg, describes in detail the possible physical consequences for workers who have come into contact with harmful gases such as methyl bromide, which originated from import containers. These include not only headaches, shortness of breath, tightness of the chest, loss of the sense of smell and taste and disorders of the motor system, but also heart complaints and other life-threatening problems. And these are often irreversible consequences. Only a ban on fumigated containers can prevent an increase in the number and severity of complaints.

### Actions

FNV Bondgenoten has tried for some considerable time to draw attention to the dangerous situations to which workers are exposed. A campaign in the final week of September 2008, during which FNV Bondgenoten made both employers and employees face the facts of the unacceptable risks of fumigated containers, temporarily put this item back on the political agenda. The stickers with skulls that were attached to containers attracted the attention of the media. Even more important was the information provided to drivers and to workers in storage units, distribution centres and warehouses in the form of flyers. They

were advised not to open any containers that failed to meet all safety regulations. After all, they are the ones who run a significant risk. Because the gas is often odourless and invisible, the entire chain of all kinds of workers who come into contact with it is unaware of exposure.

It is usually difficult to establish a causal link between work activities and health complaints. As a result, it is virtually impossible to hold anybody responsible and to claim compensation when someone's health has been affected. Not to mention the large number of foreign flexible workers in distribution centres and warehouses who have little, if any, status.

During the campaign, reports were received of workers who had become unwell after opening a container. A cargo of milk powder was also found to contain life-threatening gases. Containers covered by so-called gas-free declarations turned out to contain gas after all. And a number of employers admitted not to comply with safety regulations for cost reasons and due to lack of time.

These are just a few of the facts that emerged during the campaign week and are only the tip of the iceberg.

### Intervention necessary

FNV Bondgenoten has taken the first steps to build an international network. FNV Bondgenoten aims to expand this network as large as possible. Workers are running an unacceptable risk. Over the past few years the supply of containers from Asia has increased massively and the upward trend will continue in the next few years. As a result, the risks will also gradually increase. Only a legal ban on the fumigation of containers can protect workers and consumers against the risk of large-scale health problems. Synthetic packing materials offer a good alternative to the use of pesticides. Moreover, tough sanctions will be required, such as refusal of cargoes that have been treated with toxic substances. The promise made by the Dutch Minister of Housing, Spatial Planning and the Environment, Ms Jacqueline Cramer, to check one thousand of containers in transit annually is totally inadequate. It is merely a stopgap measure. The risks are too high and the government is now playing with fire.

