



GRAIN TRADE AUSTRALIA

GRAIN TRADE AUSTRALIA LIMITED

GRAIN TRANSPORT CODE OF PRACTICE

1. Introduction

The Australian grain industry is heavily reliant on land transport for its viability. Transport is a critical component of the grain supply chain. Getting grain to market quickly and safely, whether this be local storage, grain processor, packing facility or export terminal, is in the interests of farmers, grain users, grain handlers and grain transporters.

The process of road transport reform across Australia has introduced laws that impose duties and responsibilities on all parties in the road transport chain to take reasonable steps to prevent non-compliance with the heavy vehicle laws. This includes those consigning, loading, packing and receiving goods that are transported by heavy vehicles. The purpose of these laws is to raise industry standards and thus reduce the possibility of breaches of the law occurring.

GTA have developed the Grain Transport Code of Practice (Transport Code) as an important tool to assist participants transport grain to their designated markets quickly, safely and within the relevant laws. It is critical that the Transport Code address the transport task in a holistic sense covering all parties' responsibilities to ensure success.

2. Code Framework

The Transport Code is an industry code.

The use of the Transport Code can be made binding between agreeable parties using the GTA Bulk Freight of Goods Contract.

The Australian Grain Industry Code of Practice requires transport operators to adhere to this Transport Code or other industry approved transport codes. Transport operators who are accredited under the following accreditation schemes are deemed to be compliant with the requirements of this Code:

Scheme	Operated by
TruckSafe	Australian Trucking Association
National Heavy Vehicle Accreditation Scheme	National Heavy Vehicle Regulator

3. Aim and Scope

This Transport Code is designed for industry participants in managing various aspects of the road transportation of grain.

- a) This Transport Code is intended to;
- Outline minimum requirements that industry must comply with when transporting grain
 - Encourage good and safe practices when transporting grain
 - Ensure the appropriate cleanliness of transport vehicles and the hygienic and safe transportation of grain
 - Assist industry participants in the management of statutory responsibilities and compliance with Applicable Laws, in particular road transport chain of responsibilities in relation to fatigue and mass management. More specific guidance can be provided by reference to:
 - National Heavy Vehicle Accreditation Scheme; and
 - Relevant state based Harvest Management Schemes.

- Promote a cooperative approach by all responsible parties in their dealing with all bulk transport issues.
 - Clarify arrangements relating to contamination and rejection.
 - Provide a standard of industry professionalism:
 - within the grain industry; and
 - for transport operators servicing the grain industry.
- b) Application of this Transport Code;
- This Code applies to all bulk grain (refer definition) carried by road transport in Australia.
 - Participants referencing this Transport Code in any commercial dealings must be able to demonstrate adherence to the Code through records and audits.
- c) The list of bulk goods that this Transport Code will apply to is not exhaustive but includes: -
- All crops, e.g. cereal grain, pulses and oilseeds.
 - Animal feed materials, ingredients, feed additives.
 - Any other bulk materials agreed to by parties.
- d) For the purposes of this Transport Code the following definitions shall apply: -
- **“Applicable law”** means the Heavy Vehicle National Law (HVNL) and Regulations in Queensland, New South Wales, Australian Capital Territory, Victoria, South Australia and Tasmania. The Northern Territory when enacted). Western Australia laws to apply. Other Laws may also apply.
 - **“Audit”** shall mean a wide ranging examination of an organisations adherence to this Transport Code.
 - **“Carrier”** shall mean the operator of any vehicle used under this Transport Code. Includes any subcontractors.
 - **“Contamination”** shall mean the presence of any foreign material (including chemical residues) that may alter the status of the grain to be transported.
 - **“Contractor Declaration”** shall mean a declaration signed by a contractor, subcontractor or other party attesting to the conditions as outlined in this Transport Code.
 - **“Driver”** shall mean the person driving the vehicle.
 - **“Facilities/Premises”** shall mean those locations where the grain is loaded or unloaded as applicable.
 - **“Grain”** shall include any of the commodities listed under 3c above.
 - **“Records required”** shall mean that suitable records are to be maintained to show compliance with the terms and conditions of this Transport Code.
 - **“Road transport company”** shall mean the transport company engaged to transport the grain.
 - **“Services”** shall mean those contractual arrangements outlined between two or more parties, relating to grain transport.
 - **“Subcontractor”** shall mean a carrier that is engaged by the road transport company to transport the grain. Includes an owner driver.
 - **“Suitable person for audit”** shall mean a person that has minimum five years in audit experience, and/or successfully completed a recognised audit course, and/or certifies their maintenance of knowledge and/or participates in at least one audit per year.
 - **“Supplier”** shall mean the party providing the grain to be transported under this Transport Code.
 - **“The consignor”** shall mean the company for whom the grain is being transported.
 - **“Vehicle”** shall include prime movers, trailers or other containers used to transport bulk grain.

4. General Carrier Standards

- a) All parties must exercise due care and diligence in the transport of the grain and ensure that they adhere to all current legislation, relevant industry codes of practice (in addition to this Transport Code) including any amendments that are relevant to such transport.
- b) The carrier must maintain the vehicle in a mechanically sound, and suitably clean condition, fit for the purpose of providing the services, with particular requirements as outlined under Section 7.
- c) All parties will comply at all times in the performance of services with all Applicable laws (Federal and State) which are applicable to the services, including but not limited to Applicable laws dealing with;

- Registration of the vehicle and compulsory third party insurance.
- Heavy vehicle safety, mass and load regulations, including lawful use of particular roads and routes.
- Environmental requirements, emission controls and noise standards.
- Mandatory Australian design standards.
- Road safety and traffic management laws.
- Occupational/Workplace Health and Safety.
- Dangerous goods including any signage and compulsory insurance requirements.
- Chain of responsibility.
- Food transport and hygiene.
- Security and anti-terrorism laws, including port identification requirements.
- Driving hours and fatigue management.

Where such Applicable laws exist, they take precedence to any and all clauses in this Code.

- d) All parties must adhere to working at heights laws. All bulk tipping vehicles and trailers must be fitted with a tarpaulin system that can be operated from ground level or from a safe low-level platform.

5. Safety

- a) Carriers must hold the licenses and comply with any codes or licenses required for the performance of services, including but not limited to:
- Operating the vehicle or vehicles or other machinery or equipment supplied or operated by the carrier.
 - Carrying particular kinds of goods, including dangerous goods.
 - Entry to facilities/premises for the purposes of loading and/or unloading grain.
 - Operating the vehicle supplied to carry the specified capacity of the vehicle on the routes that will be used.
- b) Fatigue management
- All parties will comply with all “Applicable laws” concerning fatigue, fatigue management, rest breaks and record keeping required. (Refer to Section 10 Fatigue Management).
- c) Safe Loading & Unloading
- All parties will ensure the safe and proper loading and unloading of the vehicle, including the securing and appropriate weather protection of the load. (Refer to Section 9 Collection and Delivery of Loads)
 - All parties will be responsible so far as is practical for checking that pre-loaded vehicles were loaded in a safe and satisfactory manner.
- d) Induction Processes
- The carrier will satisfactorily complete any site induction process required as a condition of entry to the Facilities/premises.
 - Work facilities will provide such training where appropriate and ensure documentation is available to assist carriers with achieving compliance.
- e) Safety Equipment
- All parties will supply and wear appropriate standard safety equipment.
 - Drivers must be in control of their vehicles at all times during loading and unloading.
 - All parties must conduct themselves and operate their vehicles in a safe and reasonable manner at all times.
 - All parties shall only smoke in designated areas.
 - Drivers must obtain approval from Facilities/premises they visit before they carry out any form of maintenance or repair work on vehicles whilst on those Facilities/premises.
 - All parties must ensure that full safety precautions applying at the point of loading or unloading appropriate to the vehicle and its load, are taken during loading and unloading for the protection of the driver, employees, third parties and plant and equipment.
- f) Control of Hazards
- All parties must demonstrate knowledge of the risks to human and animal health of the grain that they carry. This shall include but not be limited to;
 - (i) Contamination from previous loads (refer Section 7 prior load requirements) and between grains where multi-compartment bulk vehicles are used.
 - (ii) Protection of grain from the elements during loading, transport and unloading.

(iii) Security and protection of the load.

- Where carriers are asked to transport goods or materials with which they are not familiar, they must obtain from the Consignor, and the Consignor is obliged to supply, written details for food safety and Health and Safety purposes.

6. Insurance

All parties must hold the relevant up-to-date and current insurance cover applicable to their roles and responsibilities.

7. Cleanliness

The following is the agreed minimum standard of hygiene that the carrier must comply with:

- When conducting any cleaning, always wear appropriate personal protective equipment (PPE).
 - Following any cleaning, a record of the method of cleaning must be kept (**Record Required**).
 - Vehicles, equipment and load carrying areas must be inspected before loading and if necessary, cleaned and dried to remove any applicable residue accumulations or foreign material that may lead to contamination of the grain to be loaded (**Record Required**).
 - Cleaning must be done in consideration of the applicable standards relating to the grain to be loaded. Where live stored grain insects are detected, this includes removal and treatment to disinfest the transport unit.
 - As part of the commitment to this Transport Code it is the carrier's responsibility to ensure that if the load carrying area requires painting, then food grade paint is used. Note: the paint must not discolour or taint the grain to be transported in any way.
 - The exterior of a vehicle must be presented in a clean condition prior to loading grain. Where contaminants are found that may subsequently contaminate the grain to be loaded, these must be removed using approved and appropriate means (e.g., live stored grain insects removed and appropriate disinfection occurs).
 - Prior to leaving a Facility/Premise where the grain was loaded, the exterior of a vehicle must be suitably cleaned of spilt grain and all relevant biosecurity requirements of that Facility/Premise complied with (**Record Required**).
 - When maintenance is carried out on the load carrying areas, a record of post maintenance cleaning must be kept (**Record Required**).
 - No vehicle that has carried material shown in the Class 1 Exclusion List shall be presented for the cartage of grain.
 - All vehicles and drivers must comply with Class 2 and Class 3 Product cleaning requirements and a record must be retained by the carrier of the prior loads and cleaning methods. (**Record Required**)
- a) The method of cleaning must be appropriate for the grain to be transported, and comply with the Class 2 and Class 3 cleaning requirements outlined in Appendix 1 of this Transport Code. The goal of cleaning is to remove any Contaminants (e.g. residual dust or chemicals) and to ensure the integrity of the grain to be loaded is not compromised. The main methods of doing so include:
- Sweeping or using compressed air followed by steam/sanitizing/washing.
 - Compressed air by itself may also be effective depending on the type of Contamination.

Note that sweeping with a broom only is unlikely to adequately remove contaminants such as dust, live stored grain insects and chemicals.

8. Sub-Contractors

- a) Where a subcontractor is employed by the Road Transport Company to undertake services as defined in this Transport Code, the Road Transport Company must ensure that the subcontractor is likewise bound by this Transport Code through a signed Contractor Declaration. (**Record Required**).
- b) Road Transport Companies must keep a list of their approved transport sub-contractors and maintain relevant records (**Record Required**).

9. Loading, Delivery and Unloading of Loads

- a) If either party cannot meet agreed loading, delivery or unloading arrangements, the delaying party must advise the other party promptly. If dispatch and receival facilities cannot provide loading or unloading capability within a two hour time frame then appropriate rest procedures to manage fatigue must be instituted. Refer to Section 10.
- b) Suppliers must present the grain to be loaded in a timely, efficient and safe manner at the point of loading.
- c) In case of any difficulties or doubts about the grain quantity or condition that cannot be resolved at the loading point, the driver must notify the consignor and the Carrier before loading and seek further instructions.
- d) If any incident or event occurs during loading, delivery or unloading that could result in contamination or loss of the goods, the circumstances must be reported to the consignor, and unloading must not proceed until clearance has been given by the consignor **(Records Required)**.
- e) All parties will ensure the safe and proper loading and unloading of the vehicle.
- f) At loading, the driver will check height levels of the load in the truck through safe and appropriate means, according to Appropriate laws at the Facilities/Premises.
- g) At loading, the driver will ensure the securing and appropriate weather protection of the load.
- h) At loading, the driver will provide evidence of the vehicle's three previous loads/cleaning records if required by a party(s) to the contract.
- i) On arrival at the destination drivers must: -
 - Report to the weighbridge or other site-designated point, hand over the delivery note for the load and any evidence of the vehicle's three previous loads/cleaning records if required by the receiver.
 - Under no circumstances discharge their load before the documentation has been checked, sampling completed and the vehicle weighed (where appropriate).
 - Obtain instructions identifying where to unload. Drivers should only discharge bulk product into the intake pit or other area, as instructed by intake staff, and should ensure that they leave the intake area in an acceptable state.
 - On arrival of a vehicle on site, receival facilities must ensure drivers are aware of the expected loading or unloading time. On site means when a vehicle joins a queue either inside or outside the facility.
- j) If drivers are unsure about what grain to load/where to unload and cannot obtain advice at the loading point/destination, they must contact the supplier/consignor and not commence loading/unloading until they have had instructions that identify the correct facility to load from/into which to unload, respectively.
- k) When delivering to a farm, drivers should obtain the signature of the farmer, or other appropriate person, on the receipt note/delivery ticket. Where no signature is obtainable, drivers must sign themselves stating the time and date of discharge/unloading and state that the farmer or other farm employee was not available. **(Records Required)**
- l) Drivers must attend their vehicles whilst loading and unloading.
- m) All grain should be removed from the vehicle after unloading, to the appropriate level of cleanliness.
- n) Receiving facility is responsible for providing a means for cleanout and disposal of residues at the drop off point. Sweepings, washings and similar residues from vehicle bodies should be disposed of in a point designated and provided by the receival facility.
- o) If any grain is spilled during unloading the approximate quantity of the spillage must be noted by the Driver. This estimated quantity should be noted both on the receipt note to be returned to the consignor and on the delivery document left with the recipient. **(Records Required)**
- p) If any grain cannot be unloaded and is redirected, the Driver must record the destination of the grain. **(Records Required)**
- q) Where a load is rejected, the buyer and the seller of the grain must adhere to GTA Trade Rule 15 which details relevant procedures. Refer Appendix 2 or go to www.graintrade.org.au/trade_rules
- r) Where the grain is weighed at either the loading or unloading Facilities/premises, the Driver must:
 - Ensure that the gross, tare and net weights or other measurements / calculations agree with the amount ordered or delivered.
 - Draw the attention of the weighbridge operator to the presence of any passengers.
 - Follow instructions.
 - Tare vehicle before loading or leaving.
 - Sign weighbridge tickets.
 - Adhere to Heavy Vehicle National Law where applicable or state based legislation and Harvest Management Schemes (where applicable).

10. Fatigue Management

- a) The required outcome from fatigue management scheduling practices is to ensure the grain dispatch and receipt Facilities/premises are operated in a way where driver's safety is not jeopardised or compromised. To achieve this, grain receipt locations must have;
 - Procedures that allow drivers to utilise amenities or take rest and still maintain queuing positions.
 - Appropriate amenities available on site or in close proximity that allow drivers access to satisfactory food, water and shelter. Larger sites that operate on a 24/7 basis should allow driver access to toilets, change rooms, drinking water and appropriate shelter on site.
 - Clear documented systems and procedures that recognise and assist managing driver safety fatigue. This is particularly important where throughput times are longer than 2 hours from the time of joining queues to final discharge of the load.
- b) The Driver must;
 - Adhere to Heavy Vehicle National Law where applicable or state based legislation and Harvest Management Schemes (where applicable).

11. Mass Management

- a) Loading and unloading Facilities/premises must have systems and procedures in place to ensure accurate mass management. These procedures must be on display and visible to drivers. These procedures should include outlining processes for the accurate weighing of vehicles. This will include procedures to deal with reporting of overweight loads.
- b) Chain of Responsibility legislation has been approved by all states and territories. Drivers must be aware of state based Harvest Management Systems and legislation that allows varying mass management weights to apply.
- c) All parties should be made aware of applicable procedures that will occur when overloaded vehicles are presented for unloading.
- d) All Facilities/premises are responsible to ensure they have procedures in place to manage overloaded vehicles and meet the requirements of the Chain of Responsibility legislation.
- e) All vehicle weights and registrations will be recorded at the weighing point. These records will be forwarded or made available to State road transport authorities as required.

12. Records

- a) Some clauses in this Transport Code are marked **(Records required)**. Participants using the Transport Code are required to keep and maintain records for these actions to demonstrate adherence to this Transport Code.

The following includes some records that must be kept;

- All loads carried by vehicles (e.g. collection/delivery tickets, load sheets etc)
 - All cleaning operations
 - Inventory of all vehicles and trailers
 - List of approved Subcontractors
 - Audit records of sub-contractors
 - Staff training/instruction/Qualifications
 - Insurance documents
 - Operators licence – if applicable
 - Container weight declaration – if applicable
 - Complaints
 - Others as documented in this Transport Code
- b) Internally produced records must be signed.
 - c) Records must be legible and kept in suitable conditions that allow ready retrieval and prevent deterioration.

Records must be kept for a minimum of three years in accordance with the applicable law

13. Personnel and Training

- a) All personnel must have the appropriate training, experience and/or qualifications for the work they undertake.

- b) The Carrier must identify training needs and ensure that training provided includes a full understanding of the purpose and requirements of:
 - This Transport Code
 - Company instructions, as well as other codes of practice where they apply
 - Food and feed safety and hygiene
 - The importance of accurate record keeping
- c) The Carrier must provide regular training to ensure that staff remain updated in these subjects. **(Records required)**
- d) The Carrier must ensure that drivers hold a valid driving licence for the class of vehicles they drive. **(Records required)**

14. Procedures and Instructions

- a) A designated person must have responsibility for the implementation of the requirements of this Transport Code.
- b) The designated person must ensure that all staff covered by the scope of this Transport Code are provided with written instructions that confirm their duties and the procedures. Procedures must be periodically reviewed, amended where necessary and re-issued to ensure that they remain current and effective.

15. Complaints

- a) There must be a formal system for registering and processing complaints relating to carrier activities. Complaints must be assessed and corrective action taken where necessary.
- b) Where the GTA Bulk Freight of Goods Contract is used, or any other contract citing the GTA Trade Rules and GTA Dispute Resolution Rules as the mechanism for resolving contractual disputes, the GTA Dispute Resolution process will be available to the Parties.

Appendix 1 – Prohibited Prior Loads and Cleaning Requirements based on Prior Loads

Class 1 Products

The following materials must not have been carried in vehicles used for the transportation of goods covered by this Transport Code. Transporters must be prepared to give an undertaking to this effect if required.

- Toxic and corrosive materials (including asbestos) and any packaging used for these materials, radioactive materials, animal/poultry wastes (including manures/litter) and soil containing animal manure (peat)
- Unprocessed animal matter, wet offal, animal manure or dead stock
- Mammalian protein, e.g. meat & bone meal, meat meal, cull cake and other mammalian based products
- Metal flakes or metal product
- Glass
- Sludge from sewage plants treating waste waters (biosolids)
- Solid urban waste, such as household waste
- Materials contaminated with salmonella or other pathogens
- Untreated waste from eating places
- Other materials as determined by the parties

Class 2 Products

Cleaning required—All physical and chemical remnants removed (High Pressure Water Wash with Sanitizer and/or Steam). Product:

- Asphalt (fresh) and asphalt rubble
- Milk & milk products, gelatine, amino acids, dicalcium phosphate, dried plasma and any other blood products
- Tallows
- Mineral clays which have been used for detoxification purposes
- Coal and coal products
- Composts (including green plant material)
- Treated Bulk Grains (e.g. Pickled Grain)
- Treated Fertilisers (e.g. Intake etc)
- Treated Wood Products
- Medicated Stock Feeds
- Insect Infested Grain Products
- Hides treated with tanning substances and associated waste

Class 3 Products

Cleaning required – All physical remnants removed (Blown out, Swept or Washed as required). Product:

- Untreated Bulk Grains (e.g. when changing grain types)
- Untreated Fertilisers (e.g. Super phosphates etc)
- Inert Mineral Material (e.g. road base, sand, lime, gypsum etc)
- Untreated Wood Chips
- Salt

If at any stage the Transport Company is not sure which category a product that is going to be carted or that has been carted fits, it is their responsibility to contact the consignor prior to loading the product so that the correct cleaning method can be used.

Appendix 2 – GTA Trade Rule 15

Rule 15.0 REJECTION

For the purpose of this Rule, if goods are of a superior or equal quality to the contract specifications, the Buyer shall not be entitled to reject the goods, provided that the goods otherwise comply with the contract specifications.

Rule 15.1 Rejection - Quality Outside of Contract Terms

Unless otherwise agreed, goods sold on description or sample may be rejected on account of not being in accordance with description or sample, as provided under this Rule.

Rule 15.2 Destination Quality

- 1) The Buyer shall examine consignments on Arrival to ascertain by inspection or other expeditious means the quality and condition of the consignment and shall immediately advise the Seller if any consignment is not of the contractual grade or quality.
- 2) Written notification shall also be given no later than 12 noon on the Business Day following the Arrival of the goods.
- 3) This notice shall describe the actual quality of the grain and state that the Buyer rejects the consignment.
- 4) Subject to Rule 15.2.5, the Seller's liability ceases if notification of rejection has not been made in accordance with Rule 15.2.2 [Destination Quality].
- 5) Rule 15.2.4 does not prevent a Buyer from claiming in respect of defect in quality or condition of grain which could not have been detected by inspection or other expeditious means.
- 6) The Seller shall deliver and the Buyer must accept substituted deliveries for rejected goods, provided that the substituted goods arrive within the contract time or within five [5] Business Days next following the date of rejection. Where delivery is Immediate Delivery, substituted goods must arrive within three [3] Business Days.
- 7) If the Seller elects to arrange for disposal of the goods, the Buyer shall upon the Seller's request, unload, recondition and salvage the goods to the Seller's best advantage. Any reasonable expense shall be at the cost of the Seller.
- 8) If the Buyer is unable to handle the shipment as requested, it shall be the Buyer's duty to notify the Seller of this fact at the time the Buyer notifies the Seller of shipment's condition and the Seller shall dispose of the shipment.

Rule 15.3 Origin Quality

Grain that is sold for delivery, origin inspection, shall be covered by an inspection certificate of the quality contracted.

Appendix 3 - References

Australian Grain Industry Code of Practice for the Management of Grain along the Supply Chain

http://www.graintrade.org.au/sites/default/files/file/Location%20Differentials/GTA_103199_CODE_BRO_WEB.pdf

Farm Biosecurity Manual for the Grains Industry

<http://farmbiosecurity.com.au/wp-content/uploads/2012/11/Farm-Biosecurity-Manual-for-the-Grains-Industry1.pdf>

Heavy Vehicle National Law (HVNL) and Regulations (for Queensland, New South Wales, Australian Capital Territory, Victoria, South Australia and Tasmania)

<https://www.nhvr.gov.au/law-policies/heavy-vehicle-national-law-hvnl>

Western Australia – Heavy Vehicle Law and Regulations

<https://www.mainroads.wa.gov.au/usingroads/heavyvehicles/Pages/HeavyVehiclesHome.aspx>

Northern Territory – Heavy Vehicle Law and Regulations

<http://www.transport.nt.gov.au/mvr/heavy-vehicles>

Road Safety Remuneration Order

<http://www.rsrt.gov.au/>

Also refer to the Harvest Management Scheme for each State and Territory