

CONDITIONS OF PURCHASE AND TRANSPORT  
FOR FORWARDING AGENTS OF LIQUID PRODUCTS  
H&R Group

As of 01 August, 2020

## I. Information on Use/Scope

These conditions of purchase and transport are applicable to all forwarding agents transporting liquid goods in tank trucks, tank containers or flexibags on behalf of H&R. They are also applicable to forwarding companies employed by our customers. These conditions stipulate all the requirements for a correct procedure starting with vehicle planning and logistics and covering technical requirements in order to ensure a safe and environmentally sound transportation in compliance with specifications.

These conditions of purchase and transport also apply to all sub-contractors employed by main contractors. The contractor shall ensure that the sub-contractor is aware of these requirements and obliges the sub-contractor to observe these conditions of purchase and transport.

Acknowledged by:

Hamburg,		
Place	Date	H&R Management
Place	Date	Forwarding agent

## Table of Contents

I.	Information on Use/Scope .....	1
II.	Vehicle Planning and Order Processing Requirements .....	3
1.	General requirements .....	3
III.	Technical Requirements .....	4
1.	General requirements .....	4
2.	Product specific requirements .....	5
2.1.	Loading of dangerous goods .....	5
2.2.	Loading of hot liquids .....	5
2.3.	Loading of products in tank trucks with food industry authorisation .....	6
2.4.	Loading of tank containers .....	6
2.5.	Loading of flexibags .....	6
2.5.1.	Site specific regulations Neuhof and Salzbergen for loading flexibags .....	6
2.5.2.	Site specific regulations at Neuhof plant on the slack wax/paraffin loading "loose goods" .....	6
IV.	Technical Safety Requirements for Tank Trucks .....	7
1.	General .....	7
2.	Safe loading .....	8
3.	Tyres .....	8
4.	Brakes .....	8
5.	Safety devices .....	8
5.1.	Mirrors .....	8
5.2.	Further safety devices .....	8
5.3.	Minimum lighting requirements .....	9
6.	Driver management .....	9
6.1.	Ability to work .....	9
6.2.	Qualifications and experiences .....	9
6.3.	Training .....	10
6.4.	General code of conduct for tank truck drivers .....	10
V.	Appendices .....	11

## II. Vehicle Planning and Order Processing Requirements

### 1. General requirements

- a. Our transport orders shall be confirmed in writing and may only be accepted if it can be guaranteed that at least the indicated loading quantity can be loaded. It is sufficient if the contractor returns the H&R transport order, stamped, signed and with the readable signature (in block letters).
- b. Any deviations to the orders have to be communicated immediately.
- c. A shipment tracking system shall be used to display shipment status. H&R shall be informed in writing of the delivery date and delivery times 24 hours after supply (for evaluation of delivery reliability). Alternatively, an electronic transmission of machine-readable data is also possible. Afterwards the data will be loaded into the inventory control system by H&R. The report cycles shall be agreed on with H&R.
- d. Transboundary shipment certificates (EU countries) and/or export certificates (third countries) are required for every transport outside Germany. They shall be sent to H&R together with the transport invoice. Preferably, one certificate for all orders should be sent each month in written or electronic format. Export certificates / transboundary shipment certificates shall be generated in accordance with the company details indicated on the delivery note.
- e. Any costs not included in the freight price (demurrage fees, heating costs etc.) must be sent in writing to the relevant H&R order processing employee at least 2 working days after loading at refinery site or after unloading at customers site.
- f. The receipt of accompanying documents sent / transferred by H&R to the forwarding agent / driver (eDAA, samples, export registrations, preference certificates (customs invoices), certificate of analysis, etc), must be confirmed in writing in the document "Delivery Note".
- g. The H&R order number has to necessarily be indicated on all documents. Documents that do not state this number will not be processed.
- h. For transport orders for the distributors Hansen & Rosenthal KG, Klaus Dahleke KG, H&R Wax KG and Tudapetrol KG, the contractee and invoice recipient is always Tudapetrol Mineralölerzeugnisse Nils Hansen KG, Am Sandtorkai 64, 20457 Hamburg even if other names of distributors appear on the delivery notes. All other H&R distributors are the invoice recipients for transport services.
- i. The forwarding agent shall be obliged to ensure that when collecting goods at loading sites outside H&R the order documents from these sites are not forwarded to the customer. The customer shall only receive order documentation transmitted by H&R.
- j. In case of problems/complaints that arise during unloading, H&R order processing shall be informed immediately after they have occurred, stating the reasons for them. The forwarding agent ensures that its drivers will not give any information concerning the contents in case of queries at the customer's site.



- k. Surveyors/claim agents may only be deployed in the event of complaints after consultation and approval by H&R. If this is not the case, no costs will be met irrespective of subsequent liabilities.
- l. Complaints shall be dealt with in close consultation with H&R while maintaining best possible customer satisfaction in view of the circumstances.
- m. When planning and determining collection - / delivery times, the specific loading times at the various H&R sites have to be taken into account (Appendix 1)

### III. Technical Requirements

#### 1. General requirements

- a. Tank trucks are managed by using a tank truck management software, at refinery sites by using additional mobile radio devices that are given to the drivers while registering the vehicles. Instructions on how to use these devices are provided in Appendix 10.
- b. The "Personal protective equipment (PPE)" is to be worn as soon as you leave the storage area/waiting zone. **The access to the tankers / tank containers is permitted without exception only in places where a height fall protection is installed.**
- c. All chambers and outlets must be clean, odourless, dry and free from residues. This includes the entire line system in the tank truck as well as the compressed air system and the relevant hoses.
- d. Tank trucks must be cleaned in compliance with the specifications of the EFTCO Cleaning Guidelines (Appendix 6).

Accessory parts (dummy caps, couplings, hoses, if required) and vehicle pumps used for filling/unloading the tanker must also be cleaned in the same way.

H&R recommends the use of hoses made of Nitrile Butadiene Rubber (NBR). This material ensures an optimum product compatibility with other mineral-oil-based substances (max. constant temperature +80 °C, max. short-term temperature +100 °C)

- e. The cleaning certificate must also comply with the EFTCO Cleaning Guidelines (Appendix 6) and include the predetermined cleaning codes. **The cleaning certificate must not be older than 7 working days.**
- f. When transferring products to uncleaned tank trucks, H&R shall only accept product liability if a "re-load confirmation" is generated in written form by the responsible testing laboratory/specialist department at the relevant H&R loading site. Certificates authorising several orders (e. g. in tabular form) are possible.
- g. "Re-load confirmations" issued by the customer are only accepted under the condition that H&R are exempt from product liability. In these cases, H&R will not check product compatibility.
- h. Tank trucks that have been used to transport products stated in Appendix 2 before shall not be approved for loading technical and medicinal white oils such as vaselines and paraffins as contamination with the product to be loaded cannot be excluded despite thorough cleaning. This also applies to reactive products such as inorganic and organic acids, alkalis, oxidants and organic softeners.
- i. The tank trucks are checked by H&R personnel before filling. Tank trucks that fail the inspection are rejected and have to be re-cleaned or exchanged. However, these inspections





do not relieve the forwarding agent of his responsibility for the overall state of the vehicle (e. g. safety, cleanliness, in particular the cleanliness of hidden and non-accessible areas etc.).

- j. All outlets (bottom valves, separator on outlet) are to be kept closed. The outlets should be fitted with protective caps.
- k. The hand rails shall be folded up on the request of the loading personnel before anyone enters the tank truck. It is strictly prohibited to drive tank trucks on the works site with the handrails up (risk of damage).
- l. H&R employees are solely responsible for vehicle guidance at the loading and unloading stations.
- m. The driver shall be responsible for monitoring the loading procedure and in case of top loading to load the tank truck independently (for example, inserting the filling lance). **If the handling of the loading arm system, in particular with regard to the safety devices (overflow safety devices always positioned below the dome cover opening in the tanker), and their positioning is not clearly comprehensible to the driver, the latter must immediately contact the responsible loading personnel.**
- n. During the loading procedure, the instructions from the operating personnel shall be followed. Safety instructions applicable to the loading areas shall be observed and followed.
- o. Once loading is completed, all the loading and ventilation outlets must be closed, checked for tightness and the vehicle should also be inspected for leaks.

## 2. Product specific requirements

### 2.1. Loading of dangerous goods

- a. When transporting dangerous goods, the valid ADR regulations shall be complied with (see also Appendix 7).
- b. When loading dangerous goods, it shall be ensured that the valid dangerous goods regulations are observed.

### 2.2. Loading of hot liquids

- a. When loading hot liquids (> 60 °C), the tank trucks must be fitted with an onboard heating system. The onboard heating shall be switched on before filling is started to bring warmed-up the vehicle for loading. During the entire transport, the onboard heating system ensures that the required delivery temperature is maintained. The forwarding agent is provided with necessary information on the expected loading and delivery temperatures for H&R transport orders.

Or:

the vehicle is fitted with respective connections for external heating systems (steam, electric) to provide an emergency system in the event that the onboard heating fails or for long, unscheduled waiting times.

tanker insulation:

must be at least **80 mm**

- b. The tanker must be equipped with functioning thermometers (subject to test equipment monitoring, certificates must be supplied on request).





### 2.3. Loading of products in tank trucks with food industry authorisation

In principle, we do not load any mineral-oil-based products in tank trucks with food industry authorisation unless our products also have a food industry authorisation. These include medicinal white oils and certain types of paraffins / vaselines. Moreover the regulations in the current version of the "LMTV food industry transport container ordinance; standards governing the hygienic requirements of transport containers for carrying food" also apply.

### 2.4. Loading of tank containers

- a. The requirements stipulated in Section III. also apply.
- b. The driver must be familiar with all the technical details of the tank container.
- c. Tank containers must be equipped with a hand rail and an accessible and removable platform around the dome cover. If these are not available, loading and unloading can only be performed if alternative fall protection devices are fitted at the site.

### 2.5. Loading of flexibags

- a. As the logistics involved in loading flexibags is complex, they have to be discussed in detail with the relevant H&R loading site (see Appendix 1).
- b. The floor surface of the container must be absolutely clean and free from mechanical parts (nails, splinters, etc.).
- c. The inserted flexibag must have a release valve.
- d. The flexibag must be designed to carry the expected load volume.
- e. In general new flexibags shall be used. The use of reconditioned flexibags is not permitted.
- f. The containers must be in a perfect condition and certified in compliance with CSC. A valid CSC label should be affixed clearly visible onto the container.

#### 2.5.1. Site specific regulations for Neuhof and Salzbergen for loading flexibags

- a. The appointed forwarding agent shall be responsible for monitoring the loading procedure at the site Neuhof. In general, medicinal standard white oil products may only be loaded upon agreement.
- b. The loading of flexibags is not possible at the site Salzbergen.

#### 2.5.2. Site specific regulations at Neuhof plant on the slack wax/paraffin loading "loose goods"

- a. The loading arm is inserted into the tank opening by the driver of the truck (the loading hose is attached by the driver to the TKW inlet/outlet port for VR loading).
- b. The TKW filling operator opens the corresponding switching valves and activates the start of loading by switching on the pump. The deadman switch is operated by the driver





#### IV. Technical Safety Requirements for Tank Trucks

The minimum requirements specified by H&R for road tank trucks must be observed even if they go beyond the mandatory regulations.

All tank trucks:

##### 1. General

- a. must be "maintained" and must be in a condition to withstand to a simple straightforward safety check. The check also includes testing the function of brakes and a tyre inspection (the tyres may not show any obvious signs of damage).
- b. must be fitted with three-point seat belts for drivers and co-drivers,
- c. co-drivers that are not employed by the forwarding agent and animals may not enter the works site,
- d. must be equipped with an audible reversing alarm,
- e. are equipped with an external switch for turning off the engine,
- f. have a separate bottom valve (internal safety valve) for each vehicle chamber and a separate outlet with shutoff valve to prevent leaks if the shutoff valves are damaged (also applies to multi-chamber tank containers),
- g. are clearly labelled with the chamber volume on the chambers. The outlets can be clearly assigned to the chambers either by their allocation or by additional labelling.
- h. have an exhaust system which is adequately protected to prevent direct contact with fuel from the tanks or leaks,
- i. are equipped on request with suitable connection options for limit monitoring sensors (to prevent overloading) to actively avoid overfilling the tanks,
- j. are equipped on request with suitable dead man's switches/AES (Automatic Emergency Stop),
- k. are fitted with fall protection equipment in compliance with the current version of German accident prevention regulations for vehicles, BGV D29 - Fahrzeuge (VBG 12) (Appendix 9).



## 2. Safe loading

- a. shall be loaded and operated within the permissible gross weight and in compliance with the statutory regulations governing lorries, tractor units, semitrailer trucks and trailers,
- b. shall be loaded and operated within the statutory weight restrictions for axle loads,
- c. shall be loaded and operated in compliance with construction and design specifications determined as part of the type certification,

## 3. Tyres

- a. Retreaded and regrooved tyres are permissible but have to be treated by an authorised specialist workshop in compliance with the original tyre manufacturer recommendations. Retreaded and regrooved tyres are not permitted on steering axles.
- b. shall be fitted with tyres that have a tread depth of at least 2.5 mm covering the entire width and tread of the tyre,
- c. Diagonal tyres shall not be used together with radial tyres on the same axle.
- d. Tyres repaired with curing are not permitted for use,

## 4. Brakes

- a. are equipped with a triple line system furnished with a service brake, secondary brake and a parking brake,
- b. do not have any asbestos coatings,
- c. All vehicles (tractor units, lorries or trailers) registered after 31.12.2003 must be equipped with ABS (Anti-Lock Braking System).

## 5. Safety devices

### 5.1. Mirrors

- a. are fitted with wide-angle mirrors to view both sides of the vehicle along the entire vehicle length,
- b. are equipped with mirrors that ensure vehicle detection in the blind spot zone on the co-driver's side,

### 5.2. Further safety devices

have:

- a. Laminated glass windscreens,
- b. Hands-free systems (mobile phone or mobile radio),
- c. Spray guards on the fender,
- d. Underride guards on the sides and at the rear (in compliance with StVZO §32b underride protection),
- e. Electronic or electromechanical trip odometers or other OBC equipment on each vehicle,



- f. New vehicles purchased after 31.12.2003 and with a gross weight of more than 7.5 mt must be equipped with a speed limiter which is set to ensure that the vehicle does not exceed speeds of 80 km/h or the statutory speed limit, if lower.
- g. First-aid kit in every driver's cab,
- h. Reflective, conspicuous visible strips are affixed to semitrailers or trailers,
- i. Three warning triangle holders/warning lamps,
- j. Safety rails on the top of the tank truck that are to be folded up before climbing onto the tank to prevent the driver from falling if/when he is working on the tank,
- k. A retention rack is required on large-scale tank trucks to catch small volumes, i. e. < 10 litres,
- l. Fire extinguisher (at least 12 kg, 1 x 6 kg),

### 5.3. Minimum lighting requirements

- a. Halogen headlamps
- b. Front and rear foglamps
- c. Flashing warning lamps
- d. Brake lights
- e. Sidelights on the trailers

### 6. Driver management

When selecting and training drivers, the following minimum requirements must be adhered to:

#### 6.1. Ability to work

Drivers have a medical examination when taking up employment to check they have no afflictions and/or are not under any medication that can negatively affect driving ability.

#### 6.2. Qualifications and experiences

The drivers

- a. own a valid driver's license for the vehicle they will be driving and is authorised to drive vehicles carrying special goods that are categorised under the applicable dangerous goods regulations,
- b. show credible references with experience of being a professional driver. "Good" references mean no culpable involvement in accidents and only a few minor traffic offenses (e. g. minor speeding offenses, breach of drivers working hours),
- c. were assessed by a competent inspector approved by the company and passed the "on the road" test. In this context, a certified inspector is either someone who is officially qualified and has experience in testing tank truck drivers, or, a driver who is regarded by the company or transport company as having sufficient experience to test the road-worthiness of other drivers,
- d. **should be proficient in at least one of the following languages, both written and spoken, and have basic computational skills:**



- Ø German
- Ø English
- Ø Spanish

- e. shall display defensive driving behaviour,
- f. have confirmed in written to the company agreeing to no consumption of alcohol or drugs during driving and resting periods.

### 6.3. Training

- a. The drivers have received the necessary instructions concerning company regulations, reporting and procedures in the event of emergencies.
- b. The drivers have taken part in a certified training program on **defensive and environmentally sound** driving during the last two years.

### 6.4. General code of conduct for tank truck drivers

The following conduct guidelines shall be observed at H&R loading sites and at our delivery sites of our customers:

- the safety guidelines and safety devices deployed at the various delivery and unloading sites of our customers shall be observed and/or used correctly. "Personal Protective Equipment" (PPE) shall be worn in principle (Appendix 3, 4, 5),
- friendliness and cooperation skills are self-evident,
- giving information of further details concerning the loading activities at H&R sites is prohibited even in the event of a complaint,
- environmentally correct behaviour shall be observed,
- the instructions from loading and unloading personnel shall be followed.



## V. Appendices

Available H&R Homepage; suppliers II. SUPPLEMENTARY TERMS & CONDITIONS OF CONTRACT)

Appendice	Name / Description
05.1.1.1.1	H&R Loading Times and Demurrage Regulations
05.1.1.1.2	List of Substances Prohibited from Tanker Loading
05.1.1.1.3	Loading approval for uncleaned tank trucks H&R OWS, Hamburg
05.1.1.1.4	Loading approval for uncleaned tank trucks H&R ChemPharm, Salzbergen
05.1.1.1.5	Loading approval for uncleaned tank trucks TUDAPETROL, Hamburg
05.1.1.1.6	Vehicle management at H&R work sites - Using of mobile devices
05.1.1.1.7	Check list for Transporting Dangerous Goods (not subject to change)
05.1.1.1.8	LMTV (German food industry transport ordinance, not subject to change)
05.1.1.1.9	BGV D 29 - Fahrzeuge (VBG 12) - German accident prevention regulations for vehicles ( <i>not subject to change</i> )
05.1.1.1.10	ECD Guidelines for the use of the European Clenaing Document (not subject to change)
05.1.1.1.11	EFTCO Cleaning Codes (not subject to change)
05.1.3	Safety regulations and traffic guidelines for hauliers (topic).
05.1.3.1	H&R Ölwerke Schindler, Hamburg: OWS Guidelines for freight forwarders
05.1.3.2	H&R ChemPharm, Salzbergen: CPS Guidelines for freight forwarders
05.1.3.3	Tudapetrol, Hamburg: TUD Guidelines for freight forwarders

The appendices are available for internal use in our document management system DokWeb.