


# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	2003/0056(COD) Procedure lapsed or withdrawn
Multimodal transport: intermodal loading units, transferred containers or swap bodies	
Subject 3.20.07 Combined transport, multimodal transport	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>RETT</b> Regional Policy, Transport and Tourism		24/04/2003
		PSE <a href="#">STOCKMANN Ulrich</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>ITRE</b> Industry, External Trade, Research, Energy	The committee decided not to give an opinion.	
Council of the European Union European Commission	Commission DG Energy and Transport	Commissioner TAJANI Antonio	

Key events			
07/04/2003	Legislative proposal published	<a href="#">COM(2003)0155</a>	Summary
10/04/2003	Committee referral announced in Parliament, 1st reading		
21/01/2004	Vote in committee, 1st reading		Summary
21/01/2004	Committee report tabled for plenary, 1st reading	<a href="#">A5-0016/2004</a>	
11/02/2004	Debate in Parliament		
12/02/2004	Decision by Parliament, 1st reading	<a href="#">T5-0093/2004</a>	Summary
30/04/2004	Modified legislative proposal published	<a href="#">COM(2004)0361</a>	Summary
11/12/2006	Resolution/conclusions adopted by Council		
25/03/2009	Proposal withdrawn by Commission		
25/03/2009	Additional information		Summary

Technical information	
Procedure reference	2003/0056(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 071-p1; EC Treaty (after Amsterdam) EC 080-p2
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	RETT/5/19430

Documentation gateway					
Legislative proposal		<a href="#">COM(2003)0155</a>	07/04/2003	EC	Summary
Economic and Social Committee: opinion, report		<a href="#">CES1398/2003</a> <a href="#">OJ C 032 05.02.2004, p. 0067-0078</a>	29/10/2003	ESC	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0016/2004</a>	21/01/2004	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0093/2004</a> OJ C 097 22.04.2004, p. 0576-0612 E	12/02/2004	EP	Summary
Modified legislative proposal		<a href="#">COM(2004)0361</a>	30/04/2004	EC	Summary
Document attached to the procedure		<a href="#">COM(2006)0380</a>	13/07/2006	EC	Summary
Document attached to the procedure		<a href="#">SEC(2006)0922</a>	13/07/2006	EC	
Document attached to the procedure		<a href="#">SEC(2006)0923</a>	13/07/2006	EC	

Additional information	
European Commission	<a href="#">EUR-Lex</a>

## Multimodal transport: intermodal loading units, transferred containers or swap bodies

**PURPOSE** : to present a proposal for a Directive on Intermodal Loading Units (ILU). **CONTENT** : the current diversity of ILUs, particularly the diversity of their handling and securing devices, hampers the efficiency of transshipment operations. Each ILU has to be examined to determine the handling technique and to adjust or modify the handling equipment. The same goes for the devices for securing them on to the vehicles or ships which transport them. Transshipments therefore become complicated and slow, and incur unnecessary costs. To solve this problem the handling and securing of devices of ILUs need to be made more uniform. The proposed directive on Intermodal Loading Units aims to achieve the following: - standardised, safer, more efficient and stackable equipment will enable easier transfer of freight from one mode of transport to another; - the Directive will enable all Intermodal Loading Units (ILU) circulating in Europe to be maintained and be subject to the periodic checks foreseen also for international traffic in the Convention for safe containers; - harmonisation of aspects of new Intermodal Loading Units after the definition of applicable standards by the European Committee for Standardisation. In particular, maintenance and handling of Intermodal Loading Units will be easier, allowing for substantial productivity gains; - finally, the Directive will enable greater security for new intermodal loading units through requirements for use of state-of-the-art alarms (for instance electronic seals) to counter break-in. - the creation of European intermodal loading units (EILU), a unit optimised for the transport of palettes, the most usual condition for goods using Intermodal Loading Units The European intermodal loading units combines the advantages of swap bodies (especially their larger size, offering a greater capacity) and containers (especially their greater strength and the possibilities to stack them). At this stage, the use of the last will not be made obligatory. The Intermodal Loading Units and European intermodal loading units will have to meet specific requirements, and the European Committee for Standardisation will be mandated to elaborate the standards necessary. These mandatory standards will then be adopted by a Regulatory Committee. The following items will then be able to circulate in the EU: - ISO standard containers respecting the maximum dimensions authorised by Directive 96/53; - the ILUs still in service at the date of introducing the standards; - the new ILUs and EILUs, developed to facilitate the transshipments between road, rail waterways and short sea shipping. Finally, the units covered by the directive must have a CE marking indicating that they conform to the requirements of the Directive. The symbols relating to the harmonised characteristics of the ILUs are separate from those indicating that the unit is a standardised EILU. Each intermodal loading unit must indicate that it has passed its previous periodic inspection. In the case of units that are less than five years old, that they have not yet needed to undergo such an inspection, and showing the date for the next inspection.?

## Multimodal transport: intermodal loading units, transferred containers or swap bodies

---

The committee adopted the report by Ulrich STOCKMANN (PES, D) broadly approving the proposal, subject to a few amendments (codecision procedure, 1st reading): - third country containers that comply with the inspection requirements of the CSC should not be subjected to further controls on arriving in Europe; - there must be no conflict between the ISO standards and the requirements set out in the directive; - if a certain authority issues the CE marking or the indication of periodic inspection, and the loading unit proves not to be in conformity, Member States may withdraw authorisation for that authority to carry out conformity assessment and regular inspection procedures; - inspections should be carried out at intervals not exceeding 30 months (rather than 24 months as proposed), in order to bring inspection requirements into line with the international convention; - Member States should work towards full harmonisation of the penalties applicable in case of infringement of the directive.?

## Multimodal transport: intermodal loading units, transferred containers or swap bodies

---

The European Parliament adopted a resolution drafted by Ulrich STOCKMANN (PES, D) approving the proposal subject to some amendments. (Please see the summary of 21/01/04.) Parliament stipulated that the Directive should not affect the use, control and maintenance of intermodal loading units subject to the International Convention for Safe Containers (CSC). A Member State may take measures to limit or prohibit the placing on the market and use of intermodal loading units when units which have the CE marking, the symbol referring to the reassessment of these units or the symbol relating to the periodic inspection do not conform. ?

## Multimodal transport: intermodal loading units, transferred containers or swap bodies

---

On the basis of Parliament's amendments, the Commission proposes to introduce some new elements to its original text. The Commission has accepted 11 amendments: - The Commission is prepared to incorporate those amendments aiming at improving and clarifying the current text of its proposal. These amendments add technical clarifications or improve the logic and structure of the text. It is clarified that containers subject to the Convention for Safe Containers (CSC) are not obliged to undergo European certification, maintenance and periodic inspection obligations. This would impair trade and transport and this reflects the intention of the Commission. In consequence, containers complying with the requirements of the CSC can circulate freely in Europe. However, since the Directive provides for the possibility of withdrawing loading units from the market when they present a risk, the wording has been softened. Inspection intervals are aligned with the ones prescribed by the CSC. - A series of amendments is in line with the principle of a avoidance of conflict between European and global standards. However, the wording has been softened in order not to subject European interests at any cost to current ISO standards, which may be technically sub-optimal or unsuitable. Non-stackable swap bodies will still continue to be used and transhipped. Another amendment intends to ensure that the use of the European intermodal loading unit will not carry with it expensive adaptation of existing container ships. The Commission has redrafted the text in order not to limit the standardisation mandate to an undue extent. Parliament has inserted an amendment that will increase the carrying capacity of the European intermodal loading unit and is therefore acceptable in principle. However, the reference to the ISO standard is inappropriate, given that the European standardisation bodies will define this standard, and not ISO. Finally, the Commission accepts the amendments concerning the harmonisation of penalties applicable in case of infringements of the national provisions adopted pursuant to this Directive. This amendment would avoid distortions of competition between operators resulting from varying penalties according to Member States.?

## Multimodal transport: intermodal loading units, transferred containers or swap bodies

---

The 2003 'Programme for the Promotion of Short Sea Shipping' sets out 14 actions. The Programme's objectives are to improve the efficiency of short sea shipping and to promote its overall development. The Programme is divided into legislative, technical and operational actions. This mid-term review evaluates the progress achieved on these actions to date and analyses what would be the best way to move the process forward.

Short sea shipping has maintained its position as the only mode of transport capable of challenging the fast growth of road transport. Statistics bear this out. Between 1995 and 2004, the tonne-kilometre performance of short sea shipping in the EU-25 grew by 32%. Road performance grew by 35%. Short sea shipping performs 39% of all tonne-kilometres in the EU-25, compared to 44% for road. The corresponding shares for the EU-15 are 42% for short sea shipping and 44% for road. Available data indicates that the fastest growing segment of short sea shipping has continued to be containerised cargo with an average yearly growth of 8.8% since 2000. Nevertheless a number of obstacles remain to the development of short sea shipping. Short sea shipping is:

- Yet to reach an optimal level of integration in the multimodal door-to-door supply chain.
- Involves complex administrative procedures.
- Requires higher port efficiency and good hinterland accessibility.

The mid-term review finds that the Programme for the Promotion of Short Sea Shipping has shown its merits, strengthened the position of the mode in co-modality and is more than half-way complete. Moreover, the Programme's Actions seem to have addressed the main problems facing short sea shipping as a whole.

For example, three action sheets, as presented in the 2003 Promotion Programme, are nearing completion. They are: IMO FAL, Motorways of the Sea and the Short-sea Customs Guide. New targets and with new deadlines have been set for the first two and the third one has been merged with other ongoing actions.

In certain cases there is a need to target the action more precisely than has previously been the case - such as improved integration of short sea shipping in the logistics supply chain. Further, new targets could be added such as extending the scope of the Short Sea Promotion

Centres to cover inland supply chains. Separate efforts will also need to be made in the ports sector in order to make short sea shipping even more efficient and competitive in the logistics chain than it is today.

On a final point, the 14 actions introduced in the Promotion Programme seem to have been the right ones. Work on all of them therefore, whether ongoing, new or re-targeted, will continue.

## Multimodal transport: intermodal loading units, transferred containers or swap bodies

---

As announced in Official Journal C 71 of 25 March 2009, the Commission decided to withdraw this proposal, which had become obsolete.