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IMPLEMENTATION OF MARPOL ANNEX V

Provisional classification of solid bulk cargoes under the revised MARPOL Annex V between 1 January 2013 and 31 December 2014

1 The Marine Environment Protection Committee, at its sixty-fourth session (1 to 5 October 2012), having considered the challenges associated with the classification of solid bulk cargoes and discharge of associated cargo residues in accordance with the requirements of the revised MARPOL Annex V which will enter into force on 1 January 2013; having taken into account paragraph 3.2 of the *2012 Guidelines for the implementation of MARPOL Annex V* (2012 Guidelines); and further recognizing that a transitional period for the implementation of this aspect of MARPOL Annex V would greatly facilitate maritime trade of solid bulk cargoes with minimal additional risk to the marine environment, decided that (MEPC 64/23, paragraphs 7.29 to 7.31):

- .1 for the purposes of complying with regulations 4.1.3 and 6.1.2 of the revised MARPOL Annex V, shippers of solid bulk cargoes should classify those cargoes using the seven criteria in paragraph 3.2 of the *2012 Guidelines for the implementation of MARPOL Annex V*. Shippers should notify the competent authorities of the port State of loading and unloading of the basis for the provisional classification. As stated in paragraph 3.4 of the 2012 Guidelines, solid bulk cargoes should be classified and declared by the shipper as to whether or not they are harmful to the marine environment. Such declaration as to whether or not the cargo is harmful to the marine environment should be included in the information required in section 4.2 of the International Maritime Solid Bulk Cargoes Code;
- .2 between 1 January 2013 and 31 December 2014, if adequate and reliable data on a solid bulk cargoes carcinogenicity, mutagenicity, reproductive toxicity, or specific target organ toxicity – repeated exposure are not available, shippers of solid bulk cargoes should still make every effort to ensure that their solid bulk cargoes are classified to the extent possible using the seven criteria in paragraph 3.2 of the 2012 Guidelines;
- .3 also, between 1 January 2013 and 31 December 2014, while shippers are acquiring adequate and reliable data on a solid bulk cargoes carcinogenicity, mutagenicity, reproductive toxicity or specific target organ toxicity – repeated exposure, Administrations should accept provisional classifications of solid bulk cargoes that are based on the other criteria as contained in paragraphs 3.2.1, 3.2.2 and 3.2.7 of the 2012 Guidelines:
 - data concerning acute aquatic toxicity; and/or
 - data concerning chronic aquatic toxicity; and/or

- data concerning the synthetic polymer, rubber, plastic or plastic feedstock content of the solid bulk cargoes; and

.4 as of 1 January 2015, shippers' classifications of solid bulk cargoes should be made using the seven criteria listed in paragraph 3.2 of the 2012 Guidelines.

2 Parties to MARPOL Annex V are requested to ensure the provision of adequate facilities at ports and terminals for the reception of solid bulk cargo residues including those entrained in the wash water.

3 Member Governments are invited to bring the content of this circular to the attention of those interested, including port State control authorities and coastguard and maritime surveillance services, as appropriate.
