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CARRIAGE OF DANGEROUS GOODS

Guidance on the application of chapter 2.10 (Marine Pollutants) of the International Maritime Dangerous Goods (IMDG) Code (amendment 33-06)

1 The Sub-Committee on Dangerous Goods, Solid Cargoes and Containers at its twelfth session (17-21 September 2007) noting that the hazard evaluation procedure of the Globally Harmonized System for Classification and Labelling of Chemicals (GHS) is not, as yet, applicable to the criteria used for the classification of packaged dangerous goods as marine pollutants in the current version of the IMDG Code (amendment 33-06) and that the GESAMP/EHS Working Group, in its capacity as an advisory body when disagreements arise under the self-classification system has no longer a role to play, has agreed to the guidance on the application of chapter 2.10 (Marine Pollutants) of the International Maritime Dangerous Goods (IMDG) Code (amendment 33-06) as detailed in the ensuing paragraphs.

2 In reference to paragraph 2.10.2.6 of the IMDG Code (amendment 33-06), when a substance, material or article is suspected to possess properties that may meet the criteria of a marine pollutant or a severe marine pollutant according to the criteria in 2.10.4 of the IMDG Code (amendment 33-06) but is not identified in the IMDG Code, such substance, material or article may be transported as a marine pollutant or a severe marine pollutant in accordance with the provisions of the IMDG Code and, in that context, it should be noted that the responsibility for correct declaration of substance, material or article, including its declaration as marine pollutant or severe marine pollutant, rests with the shipper. In that case, relevant data to GESAMP need not be submitted.

3 In reference to paragraph 2.10.2.7 of the IMDG Code (amendment 33-06), with the approval of the competent authority, substances, materials or articles that are identified as a marine pollutant or a severe marine pollutant in the IMDG Code but which, in accordance with BLG/Circ.13 on Hazard evaluation of substances transported by ships or in accordance with data provided by the shipper, no longer meet the criteria for designation as a marine pollutant or a severe marine pollutant need not be transported in accordance with the provisions of the IMDG Code.

4 Member Governments and international organizations are invited to bring the above guidance to the attention of the all concerned.

5 This circular shall be invalid upon entry into force of amendment 34-08 of the IMDG Code.