



Ref. T3/1.01

DSC.1/Circ.50
12 December 2006

**EXEMPTIONS GRANTED FROM THE PROVISIONS OF THE INTERNATIONAL
MARITIME DANGEROUS GOODS (IMDG) CODE**

Communication received from the Republic of Poland

- 1 The Maritime Safety Committee, at its seventy-seventh session (28 May to 6 June 2003), agreed that the unified interpretation set forth in the annex to MSC/Circ.1075 contained appropriate guidance for the competent authorities acting in accordance with chapter 7.9 of the IMDG Code when granting exemptions not specifically covered under the approvals, permits, certificates and other authorizations already provided for by the provisions of chapter 7.9.
- 2 A communication has been received from the Republic of Poland concerning an exemption authorized under the provisions of part A, paragraph 1 of MSC/Circ.1075.
- 3 In accordance with the provisions of part A, paragraph 3.1 of MSC/Circ.1075, the above-mentioned communication is circulated to SOLAS Contracting Governments for their information and appropriate action, if any.



Warsaw, 27 November 2006 r.

**REPUBLIC OF POLAND
MINISTRY
OF MARITIME ECONOMY**

MARITIME SAFETY DEPARTMENT

BMSz -03.-2006
D 663822

ADOB Przedsiębiorstwo
Produkcyjno-Consultingowe
Ul. Warszawska 43
61-028 Poznań

REPUBLIC OF POLAND
MARINE COMPETENT AUTHORITY EXEMPTION

**EXEMPTION FROM THE PROVISIONS OF THE INTERNATIONAL MARITIME
DANGEROUS GOODS (IMDG) CODE ISSUED UNDER CHAPTER 7.9 OF THE IMDG
CODE**

Exemption number: E001/06

Date of Expiry: 31 December 2008

Decision

The Ministry of Maritime Economy of the Republic of Poland hereby approves and allows the "ADOB Przedsiębiorstwo Produkcyjno-Consultingowe" to apply the requirements of special provision 332 when carrying by sea Magnesium Nitrate Hexahydrate (UN 1474), provided that:

- Prior to any shipment covered by the exemption, the recipient of the exemption shall notify other competent authorities concerned;
- A copy of the exemption shall accompany each consignment when offered to the carrier for transport under the terms of the exemption;
- A copy of the exemption shall be maintained on board each ship transporting dangerous goods in accordance with the exemption;
- Any incident which occurs after goods have been offered for carriage by sea resulting in loss or potential loss of containment of the cargo, loss overboard, or other situation with possible or actual increased hazard to the ship or its personnel, shall be reported to this office without delay, detailing the circumstances (the attention of the carrier and the consignee is drawn to this requirement).

- The Ministry may withdraw this exemption for failure to observe any of the above conditions, or for any reason which the Ministry judges sufficient.
- Any renewal of this exemption must be accompanied by a list of any incidents that may have occurred. A nil return is required.

Reason for decision

According to the IMDG Code the Magnesium Nitrate is classified as substance of class 5.1.

Taking into account that:

1. The results of the investigation carried out by the two independent laboratories (Stressau Laboratory, Inc., USA, and TNO Prins Maurits Laboratory, The Netherland) which concluded that the investigated samples of the Magnesium Nitrate Hexahydrate do not have oxidizing properties in the sense of criteria specified in the United Nations Recommendations on the Transport of Dangerous Goods. Hence, for transport purposes class 5.1 is not applicable.
2. The UN Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized system of Classification and Labeling of Chemicals agreed to introduce to the UN Model Regulations on Transport of Dangerous Goods a new special provision SP332 applicable to UN No.1474, to read as follows: "Magnesium nitrate hexahydrate is not subject to these Regulations".
3. The IMO Sub-Committee on Dangerous Goods, Solid Cargoes and Containers agreed that this provision should be included in the amendment ~~22-06~~ of the IMDG Code, which is scheduled to enter into force on 1 January 2010. **34.08**

34.08
Awaiting the amendment ~~22-06~~ of the IMDG Code to enter into force, the Ministry of Maritime Economy of the Republic of Poland issued this letter of exemption from the provisions of the IMDG Code in accordance with Chapter 7.9 of the IMDG Code.

Signed



Janina Mentrak
Director

