



Ref. T3/1.01

DSC.1/Circ.52  
18 May 2007

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

**Communication received from the Government of France**

- 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 Government of France concerning exemptions 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.

**Translation****EXEMPTION FROM THE PROVISIONS OF THE IMDG CODE****No. 07/025 of 3 May 2007 (3 pages)**

The Minister for Transport, Public Works, Tourism and the Sea,

**HAVING REGARD TO:**

The International Convention for the Safety of Life at Sea, 1974 (SOLAS 74), as amended, including the International Maritime Dangerous Goods Code (IMDG Code), in particular packing instruction P203 in chapter 4.1 of the Code in relation to refrigerated liquid helium (UN No.1963),

The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), as amended,

Law No.83-581 of 5 July 1983, as amended, concerning safety of life at sea, capacity on board ship and prevention of pollution,

Decree No.84-810 of 30 August 1984, as amended, concerning safety of life at sea, capacity on board ship and prevention of pollution,

The Order of 23 November 1987, as amended, concerning ship safety, and section 411 of the attached regulations concerning the safety of ships, in particular paragraph 1 of article 411-1.10,

Approval CA1999070002 (third revision) issued by the United States competent authority at Washington D.C. on 12 June 2006,

The opinion of the subcommittee on licences, exemptions and agreements at its meeting of 4 April 2007,

The application submitted by General Electric Healthcare Technologies on 23 March 2007,

**CONSIDERING THAT:**

The applicant wishes to have transported by sea medical equipment intended for use in magnetic resonance imaging (MRI) diagnostics which may contain up to 2,000 litres of refrigerated liquid helium (UN No.1963),

The provisions stipulated in packing instruction P203 do not address the transport of helium in such equipment,

Consequently, such transport may only be performed in the framework of an exemption,

Moreover, the packaging of helium in equipment of this kind is the subject of a licence issued by the competent authorities of the United States and that accordingly transport may be authorized, provided that those conditions, having been approved by the above-mentioned subcommittee on licences, exemptions and agreements, are respected,

At the proposal of the Director-General for the Sea and Transport,

**DECIDES AS FOLLOWS:**

**Article 1** – General Electric Health Care Technologies shall be authorized to use the packaging method described in article 2 below for carriage by sea of REFRIGERATED LIQUID HELIUM (UN No.1963, class 2.2) in an MRI device containing not more than 2,000 litres of helium, subject to the conditions stipulated in this exemption.

**Article 2** – The refrigerated liquid helium shall be contained in a pressure receptacle certified in accordance with the German regulations on pressure receptacles (Druckbeh V/TRB 200/AD-HPO (TUV)). The pressure receptacle shall be fitted inside a metal chamber under vacuum, itself located inside an MRI device constructed according to “Underwriter’s Laboratory” standard UL-2601. The MRI device shall be mounted on a wooden pallet and placed in a solid wooden crate. The weight of the MRI device shall be 3,700 kg. The maximum gross weight of the device, the wooden crate (700 kg), the helium (max. 208 kg) and the accessories contained in the MRI (1,529 kg) shall be 6,137 kg.

**Article 3** – The MRI devices shall be stowed on the deck of cargo ships or passenger ships carrying a number of passengers limited to not more than 25 or to one passenger per three metres of overall length, whichever is the greater number (Stowage category D).

**Article 4** – The serial number and date of issue of this exemption shall be shown on the shipping document. All other provisions of the IMDG Code and those of the Order of 23 November 1987 as amended shall remain applicable.

**Article 5** – Any incident or accident that may occur during transport must be notified to the Ministère des Transports, de l’Équipement, du Tourisme et de la Mer, Direction Générale de la Mer et des Transports, Mission du Transport des Matières Dangereuses.

**Article 6** – A copy of this exemption (in paper or electronic form) shall accompany each consignment sent under the conditions mentioned above so that it may be produced on request, and also kept on board by all ships required to transport the goods described herein.

**Article 7** – This authorization may not be used as proof of correct classification of transported goods, which remains the responsibility of the shipper.

**Article 8** – Prior to any shipment under this exemption, General Electric Healthcare Technologies shall notify the other competent authorities concerned. Acceptance of this exemption is subject to the discretion of those competent authorities.

**Article 9** – **This authorization shall be valid up to and including 3 May 2012.** Any failure to comply with its provisions is liable to result in its withdrawal.

**Article 10** – Any appeal against this authorization must be addressed to the competent administrative court within 2 months of the date of its notification to General Electric Healthcare Technologies.

For and with the authority of the Minister

(Signed) Daniel BURSAUX  
Director-General for the Sea and Transport

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