



Ref. T3/1.01

DSC.1/Circ.62
27 March 2009

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

Communication received from the Government of Mexico

- 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 Mexico 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

Letter and attachment from the Director General, Merchant Marine of Mexico, dated 20 March 2009, addressed to the Head, Cargoes Section, Maritime Safety Division

Ref. No. 7.2.405.0697

Dear Sir,

I refer to the exemption from the provisions of the IMDG Code, Amendment 33-06, granted to the company named Ixtlera de Santa Caterina, S.A de C.V., in order to transport by sea as non-dangerous goods the product which it processes for the brush industry known internationally as Tampico Fibre or Ixtle de Lechuguilla.

The company in question informs us that it has encountered problems with its shipments: the letter of exemption applicable on a voluntary basis for the current year is not being accepted since, as you know, it ceased to be valid after 31 December 2008. I am therefore re-sending you the exemption letter for this company and should like to request that its validity be renewed until 31 December 2009 after which, from 1 January 2010 when Amendment 34-08 enters into force internationally, *ixtle lechuguilla-tampico fibre* will be excluded from class 4.1 of the IMDG Code.

With my gratitude for your attention to this request, and my cordial greetings

(Signed) Adolfo. X. Zagal Olivares
Director General

Mr. Irfan Rahim
Head of Cargoes Section
Maritime Safety Division
IMO

**Ministry of Communications and Transport
Coordinating Office for Ports and the Merchant Marine
Merchant Marine Directorate**

Ref. SP299

Merchant Marine Directorate of Mexico

Exemption from the provisions of the International Maritime Dangerous Goods Code (IMDG Code, Amendment 33-06) concerning the transport of Tampico Fibre, UN Classification 3360 (Fibres, Vegetable, Dry) having a density not less than 360 kg/m³.

Exemption No: S151805/07

Expiry date: 31 December 2009

This exemption authorizes Ixtlera de Santa Catarina, S.A. de C.V. to transport by sea as NON-dangerous goods the product known as **Fibra Tampico, Ixtle de Lechuguilla or Tampico Fibre, class 4.1, UN 3360**, under the following conditions:

- a) The transported shipments shall be in quantities of a density not less than 360 kg/m³.
- b) The packaging shall comply with the provisions of the IMDG Code.
- c) Other safety provisions shall be observed.
- d) A copy of this exemption shall accompany each consignment.
- e) Every crate shall carry the exemption number in a visible spot.
- f) The Merchant Marine Directorate shall be notified monthly of the quantity of product transported (ship name, shipping company, flag, port of embarkation, port of destination).

This Administration reserves the right to withdraw its permission when it deems appropriate. This exemption is valid until 31 December 2009.

Factors taken into consideration in granting this exemption

The Mexican Maritime Authority requested the twelfth session of the DSC Sub-Committee of the International Maritime Organization to exclude Tampico Fibre from classification under the IMDG Code, on the evidence of testimony from Mexican industry, gathered over many years, showing that this fibre had never caused any accident or damage. The results of laboratory tests carried out by Chilworth Technology, Southampton, UK, were also adduced; they showed that this fibre does not fall within the criteria of class 4.1 as flammable or as self-reactive solid. An additional factor was that Tampico Fibre is not considered to be dangerous goods when transported on land and incorporated into a final product.

The DSC Sub-Committee, at its twelfth session (17 to 21 September 2007), approved exemption of Tampico fibre from the IMDG Code, provided its density when transported is not less than 360 kg/m³.

Amendment 34-08 was adopted on 16 May 2008 during the eighty-fourth session of the Maritime Safety Committee held from 7 to 16 May 2008 at the headquarters of the International Maritime Organization. Its provisions may be applied on a voluntary basis from 1 January 2009, in anticipation of its official entry into force on 1 January 2010.

For the Merchant Marine Directorate

Signed) Adolfo. X. Zagal Olivares
Director General

Tampico Fibre
Ixtlera de Santa Catarina. S.A. de C.V.
Avenida Manuel Ordoñez 405 Poniente
Santa Caterina, Nuevo León, C.P. 66350
Mexico
