

Merchant Marine Circular

Panama Maritime Authority
General Directorate of Merchant Marine
Control and Compliance Department

MERCHANT MARINE CIRCULAR MMC-366

To: Ship-owners/Operators, Legal Representatives of Panamanian Flagged Vessels, Panamanian Merchant Marine Consulates and Recognized Organizations (RO's).

Subject: Adoption of Amendment to MARPOL 73/78, Annex V.

Reference:

- a. Resolution No. 106-OMI-104-DGMM of 29 November 2012 adopts Resolution MEPC.201(62) dated 15 July 2011.
- b. Resolution MEPC.295(71) dated 7 July 2017 "2017 Guidelines for the implementation of MARPOL Annex V" - **(Only recommendation)**.
- c. Resolution MEPC.220(63) dated 2 March 2012 "2012 Guidelines for the Development of Garbage Management Plans" - **(Only recommendation)**.
- d. MEPC.1/Circ.809 - **(Only recommendation)**.
- e. Resolution MEPC.277(70) "HME substances and Form of Garbage Record Book" dated 28 October 2016 adopted through Resolution No. 106-OMI-195-DGMM dated 27 February 2018.
- f. Resolution MEPC.360(79) "Regional reception facilities within Arctic waters and Garbage Record Book" dated 16 December 2022.

1. Purpose

1.1 The purpose of this Merchant Marine Circular is to provide Panamanian flagged ships with general guidelines for the implementation of the Revised Annex V (Regulations for the Prevention of Pollution by Garbage from Ships) of the "International Convention for the Prevention of pollution from Ships 1973 modified by Protocol of 1978, as amended by the Resolution MEPC.201(62) and later through Resolution MEPC.277(70), and Resolution MEPC.360(79).

2. Preamble

Merchant Marine Circular

2.1 Text Under the revised MARPOL Annex V, garbage includes all kinds of food, domestic and operational waste, all plastics, cargo residues, incinerator ashes, cooking oil, fishing gear, and animal carcasses generated during the normal operation of the ship. Garbage does not include fresh fish and parts thereof generated as a result of fishing activities undertaken during the voyage, or as a result of aquaculture activities.

3. Scope

3.1 The provisions of MARPOL Annex V shall apply to all ships registered under Panama flag.

4. Prohibition to Discharge garbage at sea

4.1 MARPOL Annex V Regulation 3 prohibits the discharge into the sea of:

- 4.1.1** all garbage into the sea (except as provided otherwise in regulation 4, 5, 6 and 7 of Annex V and section 5.2 of part II-A of the Polar Code)
- 4.1.2** all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products (Except as provided in regulation 7).
- 4.1.3** cooking oil (Except as provided in regulation 7).

5. Animal carcasses

5.1 Ships carrying live animal cargo consignments are expected to have animals that die during a voyage. These mortalities are generally low and are operational issues to be controlled as part of cargo management practice considered to be generated during the normal operation of the ship and liable to be discharged of continually or periodically and therefore subject to Annex V regulations.

5.2 Animal carcasses generated during the normal operation of a ship are permitted to be discharged into the sea complying the provisions of MARPOL Annex V and taking into account the guidelines developed by the Organization.

5.3 An entry in the Garbage Record Book shall be made for each animal carcass incinerated, discharged into the sea or discharged to a reception facility. Where the discharge is to a reception facility, the receipt obtained from the facility should be attached to the Garbage Record Book. The master of the ship is expected to

Merchant Marine Circular

have responsibility for shipboard livestock operational issues, animal health and welfare, and conditions for the control and reporting of animal mortality on board and is encouraged to provide a copy of the pages of the Garbage Record Book that contain the entries for the discharges of animal carcasses into the sea to the flag State and the State from whose port the voyage originated, and other information requested.

5.4 Carcasses of animals resulting from mortalities in excess of those generated during the normal operation of a ship are not "garbage" under MARPOL Annex V and are not covered under the IMO Guidelines. "Mortalities in excess of those generated during the normal operation of a ship" refers to animal mortalities in excess of those described in paragraph 2.12.2 of the IMO Guideline MEPC 295(71). While this could be a number of animals dying at the same time or within a short period of time, the number of mortalities that exceed those generated during the normal operation of a ship will depend upon the animal species and the total number and/or species carried in the consignment.

5.5 To assist in managing the carcasses resulting from mortalities in excess situation, the Masters should contact the flag State of the ship and, where appropriate, port and/or coastal State(s), to seek guidance on the corresponding legal regimes and requirements, as well as IMO guidelines (MEPC.1/Circ.809 - Revised Guidance on the management of spoilt cargoes).

6. MARPOL Annex V - 2016 Amendments

6.1.1 Since 1 March 2018 a new format for the Garbage Record Book. The record is now split in Part I and Part II, with Part I being used to record discharges of garbage from all types of vessels and to include a new category of garbage called e-waste.

6.1.2 Vessels are to maintain an up-to-date Garbage Record Book, along with all receipts from shore reception facilities, to be retained on board for a period of two (2) years.

6.1.3 The inclusion of specific criteria for classifying solid bulk cargoes as HME, along with a requirement for shippers of all solid bulk cargoes (other than grain) to declare whether or not the cargo is classified as HME in accordance with the criteria.

Merchant Marine Circular

7. MARPOL Annex V - 2022 Amendments entry in force 1 May 2024

- 7.1.1** Garbage record books will be mandatory for ships of 100 gross tonnage and above and less than 400 gross tonnage (smaller ships).
- 7.1.2** Smaller ships will be required to keep records of their garbage handling operations, namely discharges to a reception facility ashore or to other ships, garbage incineration, permitted discharges of garbage into the sea, and accidental or other exceptional discharged or loss of garbage into the sea.

8. Garbage Record Book entries during drydock stay.

- 8.1** This Administration recommend that Garbage Record Book entries during drydock stay will be as follows:

- 8.1.1** If there is no garbage before entering to drydock, then no log is necessary to enter. However, the correspondent entries must be made when discharge ashore (to the port reception facility) if any type of garbage is retained on board; also, an entry shall be made upon leaving the dry dock. The Garbage Record Book must balance upon leaving drydock.

- 8.1.2** In those cases where the shipyard is responsible for the removal of any type of garbage during the docking stay according to the local regulations Garbage Record Book entries could be suspended during the dry-dock and the shipyard shall be requested to provide a receipt of the quantity removed of any type of garbage, receipts from the shipyard shall be maintained with Garbage Record Book. The Garbage Record Book must balance upon leaving drydock so any discharge, including receipts, must be accounted for before refloating.

- 8.1.3** On every occasion when a discharge operation is conducted by a ship personnel to a port reception facility located on the shipyard premises, an entry must be made in the Garbage Record Book, and a receipt must obtain.



Merchant Marine Circular

December , 2023 – Paragraphs renumbered and sections added. Preamble and scope amended. References added. Garbage Record Book entries during drydock stay and future entry in force of amendments 2022 added.

November, 2023 – Format circular updated.

May, 2018.

Inquiries concerning the subject of this Merchant Marine Circular or any other request should be forward to:

SEGUMAR Panama
General Directorate of Merchant Marine
Panama Maritime Authority

Phone: (507) 501-5348 / 5350

E-mail: segumar.headoffice@segumar.com

Website: <https://panamashipregistry.com/circulars/>