

Merchant Marine Circular

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

MERCHANT MARINE CIRCULAR MMC-224

To: Shipowners/Operators, Fuel-oil Suppliers, Legal Representatives of Panamanian-Flagged Vessels, Panamanian Merchant Marine Consulates and Recognized Organizations (ROs).

Subject: Guidelines related to the Control of Fuel Oil Quality and Availability.

Reference: a) **Resolution MEPC.176(58)** – Amendments to the Annex VI of the Protocol of 1997 of the MARPOL Convention, adopted through Resolution No. 106-OMI-80-DGMM of 29 June 2010;
b) **Resolution MEPC.182(59)** – 2009 Guidelines for the Sampling of Fuel Oil for Determination of Compliance with the Revised MARPOL Annex VI, adopted through Resolution No. 107-OMI-229-DGMM of 20 February 2020;
c) **MEPC.1/Circ.795/Rev.9** – Unified Interpretations to MARPOL Annex VI (Only as a recommendation);
d) **Resolution MSC.392(95)** – Amendments to the International Convention for the Safety of Life at Sea, 1974, as amended dated 11 June 2015 adopted through Resolution No. 106-OMI-183-DGMM of 12 December 2016;
e) **Resolution MEPC.385(81)** – Amendments to the Annex of the Protocol of 1997 to Amend the International Convention for the Prevention of Pollution from Ships, 1973, as Modified by the Protocol of 1978 Relating thereto dated 22 March 2024. (Only as a recommendation)

1. Purpose:

The purpose of this circular is to inform and ensure that Panamanian-flagged ships monitor the control of the quality of fuel delivered on board ships by the bunker suppliers in accordance with Regulation 18 of Annex VI of the MARPOL Convention.

2. Scope:

- 2.1** Provisions and requirements stipulated in Regulation 18 of Annex VI of the MARPOL Convention related to the availability and quality of compliant fuel oils.

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- 2.2 For the application of the requirements for a Bunker Delivery Note (BDN), regulations 18.5 and 18.6 of Annex VI of the MARPOL Convention shall apply to ships of 400 gross tonnage or above.
- 2.3 Both this MMC and regulation 18 of Annex VI of the Convention do not apply to ships carrying coal in its solid form, nor to ships using nuclear fuels.
- 2.4 Paragraphs 5.1 (BDN), 8.1 (representative sample) and 8.2 (representative sample analysis) of regulation 18 of Annex VI of the Convention do not apply to ships using low-flashpoint fuels or a gas fuel.

3. Definitions:

- 3.1 **Fuel Oil** means any fuel delivered to and intended for use on board a ship, it is understood that Fuel Oil can be derived from petroleum refining (3.1.1 of regulation 18) or other methods as referred to in Paragraphs 3.1.2 of Regulation 18, which can be categorized as a synthetic fuel or biofuel as defined in the MEPC.1/Circ.795/Rev.9/Par.15.
- 3.2 **Low-flashpoint fuel** means gaseous or liquid fuel oil having a flashpoint lower than otherwise permitted under paragraph 2.1.1 of regulation 4 of chapter II-2 of the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended.
- 3.3 **Gas fuel** means a fuel oil with a vapour pressure exceeding 0.28 MPa absolute at a temperature of 37.8°C.
- 3.4 A **supplier's representative** is the individual from the bunker tanker who is responsible for the delivery and documentation or, in the case of deliveries direct from the shore to the ship, the person who is responsible for the delivery and documentation.
- 3.5 The **ship's representative** is the ship's master or officer in charge, who is responsible for receiving bunkers and documentation.
- 3.6 A **representative sample** is a product specimen having its physical and chemical characteristics identical to the average characteristics of the total volume being sampled.
- 3.7 The **primary sample** is the representative sample of the fuel delivered to the ship collected throughout the bunkering period obtained by the sampling equipment positioned at the bunker manifold of the receiving ship.

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3.8 A Retained sample is a representative sample in accordance with regulation 18.8.1 of Annex VI to MARPOL 73/78, of the fuel delivered to the ship derived from the primary sample.

4. Details of fuel delivered to and used onboard ships

4.1 Details of fuel oil delivered to and used on board ships shall be recorded by means of a bunker delivery note (BDN) that shall contain at least the information specified in Appendix V of Annex VI of the Convention.

4.2 Details of low-flashpoint fuel or gas fuel delivered to and used on board ships shall be recorded by means of a bunker delivery note that shall include at least the information specified in items 1 to 6 of Appendix V of Annex of the Convention.

4.3 The requirement of having a BDN onboard shall not be mandatory for ships-LNG and LPG using cargo as fuel

5. Sampling of Fuel Oil for Determination of Compliance with the Revised MARPOL Annex VI

5.1 Sampling Methods (Primary sample):

5.1.1 Manual valve-setting continuous-drip sampler or

5.1.2 Time-proportional automatic sampler; or

5.1.3 Flow-proportional automatic sampler.

5.2 Sampling equipment shall be used in accordance with the manufacturer's instructions, or guidelines, as appropriate.

5.3 The primary sample receiving container shall be attached to the sampling equipment and sealed so as to prevent tampering or contamination of the sample throughout the bunker delivery period.

5.4 For sampling location purposes, the sample of the fuel delivered to the ship shall be obtained at the receiving ship's inlet bunker manifold and shall be drawn continuously throughout the bunker delivery period.

5.5 In the case of bunker suppliers operating in the Republic of Panama, for sampling location purposes, the sample of the fuel delivered to the ship shall be obtained as stipulated in paragraph 4.4.

5.6 For guidelines regarding retained samples, please refer to paragraphs 7



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8, and 9 of the MEPC.182(59).

6 Bunker Delivery Note (BDN)

6.1 The BDN shall:

- 6.1.1** Be kept on board the ship in such a place as to be readily available for inspection at all reasonable times.
- 6.1.2** Be retained for a period of three years after the fuel oil has been delivered on board.
- 6.1.3** Be accompanied by a representative sample of the fuel oil delivered taking into account the guidelines stipulated in MEPC.182(59).
- 6.1.4** Be accompanied by a representative sample of the fuel oil delivered. The sample is to be sealed and signed by the supplier's representative and the master or officer in charge of the bunker operation on completion of bunkering operations and retained under the ship's control until the fuel oil is substantially consumed, but in any case, for a period of not less than 12 months from the time of delivery.

7 Notification of Non-Availability of Fuel Oils according to Regulation 18.2.4

7.1 In cases where ships are unable to purchase fuel oil meeting the requirements of regulations 14.1 or 14.4 of MARPOL Annex VI, an authorization letter shall be requested from the SEGUMAR Office (authorizations@segumar.com) or the nearest International SEGUMAR Office (<https://www.panamashipregistry.com/document/segumar-offices-contact-points-24-7-global-coverage/> - MMN-18/2021). The following documents shall be sent to evaluate such a request:

- 7.1.1** The standard Fuel Oil Non-availability Report (FONAR) pursuant to regulation 18.2.4 of MARPOL Annex VI, which is available in the **MMC-375/Par.10** for easy reference
- 7.1.2** Evidence of the actions taken to supply the fuel oil at the previous departure port.
- 7.1.3** Evidence that in the arrival port, the ship has purchased compliant fuel oil before departure in accordance with its voyage plan.

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8 Ship's reporting in case of fuel oil non-compliance with the provisions of Regulation 18 and 14 of Annex VI of MARPOL (Regulation 18.9.5)

8.1 In such cases where the FSI, PSCO or the Ship Owner/Operator finds non-compliant fuel oil quality has been delivered by a fuel oil suppliers that do not comply with the information stated in the bunker delivery note, an acknowledgment letter shall be requested to SEGUMAR Office (authorizations@segumar.com) or the nearest International SEGUMAR Office (<https://www.panamashipregistry.com/document/segumar-offices-contact-points-24-7-global-coverage/> - MMN-18/2021) together with the following documents:

8.1.1 Formal Letter of Protest concerning the non-compliance of fuel oil suppliers to meet the provisions stipulated in regulations 14 & 18 of Annex VI.

8.1.2 Copy of the Bunker Delivery Note.

8.1.3 Copy of the PSC Report or FSI report, if applicable.

8.1.4 Fuel Analysis Reports.

Note: Sample results from both parties (receiving ship and bunker supplier) shall be analyzed and accredited by laboratories according to Appendix VI of Annex VI of the MARPOL Convention for actions according to the Port State obligations over fuel oil suppliers.

9 Notification of Non-compliance of fuel oil quality by the Administration to the Organization (Regulation 18.9.6)

9.1 This Administration will inform the International Maritime Organization for circulation to Parties and Member States of all cases where fuel oil suppliers have failed to meet the requirements specified in regulations 14 or 18 of this Annex.

10 Application of Fuel Oil Quality requirements for Biofuel and synthetic fuels

10.1 A fuel oil that is a blend of not more than 30% by volume of biofuel or synthetic fuel shall meet the requirements of regulation 18.3.1 of MARPOL Annex VI.

10.2 A fuel oil that is a blend of more than 30% by volume of biofuel or synthetic fuel shall meet the requirements of regulation 18.3.2 of MARPOL Annex VI.



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September, 2025 – The following changes were made: a new paragraph was added in the reference section / the reference section was numbered / subparagraphs 2.3, 2.4, 3.2 and 3.3 were added in existing paragraphs 2 and 3 / a new paragraph 4 was added / paragraph 11 was deleted / the verb “should” was replaced by the verb “shall” / other minor grammatical changes were applied.

February, 2025 - An entire revision of the MMC-224 was carried out.

November 2023 - *Inclusion of purpose and scope. It was ordered the numbers in the paragraphs.*

March, 2020 - Last Modification.

February, 2020 - Modification of paragraph 2.

December, 2019 - **Added IMO Resolutions and Circulars, at reference on the title.** Changed content of the existing paragraphs, especially paragraph No. 2. Addition of new paragraphs (3 to 7.1).

June, 2011

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

SEGUMAR Panama
General Directorate of Merchant Marine
Panama Maritime Authority

Phone: (507) 501-5353 / 5350 / 5348
E-mail: segumar.headoffice@segumar.com
Website: <https://panamashipregistry.com/circulars/>