

COMDTINST 16711.12A

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COMMANDANT INSTRUCTION 16711.12A

Subj: THE MERCHANT SHIPPING (MINIMUM STANDARDS) CONVENTION, 1976  
(ILO 147) AND PORT STATE CONTROL (PSC)

Ref: (a) Inspection of Labor Conditions on Board Ship Guide-lines for Procedure

1. PURPOSE. This Instruction establishes policy guidance for applying the authority of The Ports and Waterways Safety Act (PWSA) (33 USC 1223) to deficiencies discovered under the Convention Concerning Minimum Standards in Merchant Ships, referred to as the Merchant Shipping (Minimum Standards) Convention, 1976 (ILO Convention No. 147). This Instruction specifies the Coast Guard's responsibilities, and identifies other Federal agencies which have concurrent or oversight responsibilities under this Convention. This instruction does not limit any authority the U.S. may have over foreign ships operating in waters subject to U.S. jurisdiction.
2. ACTION. Area and District Commanders, Commanders of Maintenance and Logistics Command, and Unit Commanding Officers shall take appropriate action to ensure compliance with this instruction.
3. DIRECTIVES AFFECTED COMMANDANT INSTRUCTION 16711.12 is canceled.
4. BACKGROUND
  - a. On October 13, 1976, at the 62nd session of the International Labor Conference in Geneva, the ILO adopted the ILO Convention No. 147. The purpose of ILO Convention No. 147, in general, is to improve employment conditions in merchant ships and to expand the ability of port states which are party to the Convention to take steps to protect the health and safety of seamen manning merchant vessels calling in those states.
  - b. ILO Convention No. 147 prescribes a set of standards relating to safety, social security, and shipboard conditions of employment and living arrangements to be observed in merchant shipping registered under any signatory flag state. It does this by making reference to a number of other ILO Conventions which are listed as an Appendix to ILO Convention No. 147. These other Conventions cover minimum age, medical examination, articles of agreement, officer's competency certificates, food and catering on board ship, crew accommodations, prevention of occupational accidents, sickness or injury benefits, and repatriation. ILO Convention No. 147 also references previous Conventions concerning the freedom of association and the protection of the right to organize and collectively bargain, and to standards of hours of work and manning to ensure safety of human life aboard ship. Under Article 2(a) of the Convention, signatory states may meet the Convention's standards by having implementing laws substantially equivalent to the Convention.
  - c. The U.S. deposited its instrument of ratification with the Director General of

the ILO in June 1988, whereupon it entered into force in the U.S. in June 1989. A copy of ILO convention No. 147 is provided as enclosure (1).

## 5. DISCUSSION.

- a. The various Articles of ILO Convention No. 147 specify applicability, and establish duties and obligations of the contracting parties. Article 1 makes ILO Convention No. 147 applicable to every seagoing ship, whether publicly or privately owned, which engages in the transport of cargo or passengers for the purpose of trade or is employed for any other commercial purpose, except: ships propelled primarily by sail, whether or not they are fitted with auxiliary engines; ships engaged in fishing or whaling or in similar pursuits; or small vessels, and vessels such as oil rigs and drilling platforms when not engaged in navigation.
- b. Our instrument of ratification included several understandings concerning the applicability of this treaty. The U.S. stated that its obligations under Article 1 do not extend to uninspected ships, including towboats of less than 300 tons. The U.S. further understood that fish processing vessels of not more than 5000 tons and fish tender vessels of not more than 500 tons are considered ships engaged in fishing or in whaling or in similar pursuits and therefore not subject to ILO 147.
- c. Substantive obligations are established in Article 2, which requires that ratifying States undertake to have laws or regulations for the ships registered in their territory which are "substantially equivalent" to those of the fifteen Conventions or Articles of the Conventions referred to in the Appendix to ILO Convention No. 147. The U.S. has ratified three of the fifteen Conventions cited in the Appendix. These are: the Minimum Age (Sea) Convention (Revised) 1936 (No. 58); the Shipowner's Liability (Sick and Injured Seamen) Convention, 1936 (No. 55); and, the Officer's Competency Certificates Convention, 1936, (No. 53). The U.S. has laws bringing into force the Conventions which it has ratified.
- d. In addition, the U.S. has a variety of domestic laws and regulations which are regarded as being "substantially equivalent" to the conditions sought by the remaining twelve Conventions. Our instrument of ratification included an understanding that the term "substantially equivalent" as it appears in Article 2(a) requires the ratifying state to take account of the general goal of the instruments in the Appendix, but does not require it to adhere to the precise terms of the instruments. This means that national laws and regulations may be different in detail, if the ratifying state has satisfied itself that the general goals of the instruments in the Appendix are respected. Thus no specific implementing legislation was necessary to bring the U.S. into conformity with the requirements of Article 2.
- e. Article 4 provides for PSC actions. A member state, in whose ports a ship calls in the normal course of its business or for operational reasons, which receives a complaint or obtains evidence that the ship does not conform to the standards of ILO Convention No. 147, may take measures necessary to rectify any conditions on board which are clearly hazardous to safety or health. Member states may also make a report of the conditions found to the

government of the country which has registered the ship, and to the Director General of the International Labor Office. Article 4 also requires notification of the nearest maritime, consular, or diplomatic representative of the vessel's flag state when measures are taken to rectify conditions on board which are clearly hazardous to safety or health, and prohibits unreasonably detaining or delaying the ship.

## 6. APPLICATION

- a. Under generally recognized principles of international law, parties to a treaty are required to carry out the duties and obligations specified by the terms of that treaty. By depositing its instrument of ratification, the U.S. acknowledged certain international duties and responsibilities under ILO Convention No. 147. For example, by virtue of our own existing national laws and regulations, the U.S. has satisfied the requirements of Article 2. We have established safety standards, social security measures, shipboard conditions of employment and living arrangements, and inspection procedures for U.S. registered vessels which are "substantially equivalent" to the Conventions listed in the Appendix to ILO Convention No. 147.
- b. The U.S. assumed other international obligations upon ratifying this Convention. Article 1 was specifically drafted to make the general scope of this Convention applicable to "every seagoing ship." Article 4 provides for PSC action against any foreign flag ship which does not conform to the standards of this Convention. Again, under generally recognized principles of international law, terms of a treaty are only binding upon the nations which are party to it. A treaty cannot establish obligations or requirements for nations which are not member parties. This is affirmed in Article 6, which states that the Convention shall be binding only upon those Members of the ILO whose ratifications have been registered with the Director General.
- c. Nonetheless, implicit in this Convention is the desire to bring about international compliance with its general scope and intent through the impetus of PSC. Recent international developments indicate this desire is being realized. The PSC Committee adopted amendments to the Paris MOU, effective on February 5, 1992, which made the substantive provisions of ILO Convention No. 147 applicable to Paris MOU members. The Asia-Pacific Agreement on PSC, signed in Tokyo on December 2, 1993, included ILO Convention No. 147 as one of its relevant instruments.
- d. However, while Article 4 prescribes port state control, intervention under this treaty can only take place using existing U.S. laws. The PWSA, 33 USC Chapter 25 allows the Captain of the Port (COTP) to detain a vessel if it is not in compliance with an applicable treaty, provided the vessel poses a serious threat to the port. This authority may be used to detain any vessel registered by flag administrations which are also party to ILO Convention No. 147. The general goals of ILO 147 may be used as a reference to measure the threat to the port. A current list of member nations is provided in enclosure (2). The PWSA may also be used to detain vessels of non-party states as long as the deficiencies are serious enough to pose a threat to navigation, vessel safety, and the environment. Vessels registered to non-

party states may be the subject of port state control, but not by the standards of ILO 147.

## 7. IMPLEMENTATION

- a. Existing U.S. laws and regulations adequately address the requirements of ILO Convention No. 147 for U.S. registered vessels. No new laws, regulations or inspections are necessary to fulfill our treaty obligations insofar as our national fleet is concerned.
- b. The U.S. Coast Guard and U.S. Department of Labor (DOL) have joint enforcement responsibilities relative to the various standards of this Convention. The U.S. Department of Health and Human Services (HHS), and its operating agencies, the Centers for Disease Control (CDC), Food and Drug Administration (FDA), and Public Health Service (PHS), may provide technical assistance in the investigation of certain matters covered by the Convention.
  - (1) The Coast Guard will investigate complaints and associated evidence of deficiencies relating to:
    - (a) Minimum age requirements;
    - (b) Medical examinations of the crew;
    - (c) Accident prevention and occupational safety and health;
    - (d) Crew accommodations;
    - (e) Hospital space;
    - (f) Food and catering; and,
    - (g) Minimum manning standards and certification. (Considering relevant Port State Guidance relating to SOLAS and STCW.)
  - (2) The following types of deficiencies should be forwarded to the DOL for appropriate action:
    - (a) Seamans' articles of agreement;
    - (b) Liability for sick or injured seamen;
    - (c) Repatriation of seamen;
    - (d) Freedom of association
    - (e) Protection of the right to organize; and,
    - (f) Collective bargaining.
  - (3) The HHS should be consulted for assistance when investigating deficiencies relative to:
    - (a) Occupational safety and health; and,
    - (b) Food and catering.

## 8. ENFORCEMENT PROCEDURES

- a. Foreign flag vessels shall be examined for compliance with the items listed in paragraph 6.b.(1) in conjunction with the boardings conducted under our PSC Initiative, or upon receipt of a complaint made by a competent source. A competent source is a crew member, professional body, association, or trade union, or generally anyone with an interest in the ship's safety, including safety and health hazards to the crew.
- b. The International Labor Office has published a booklet, *Inspection of Labour Conditions on Board ship: Guidelines for Procedure*, reference (a). The guidelines can help boarding officers understand relevant international labor standards. Specifically, the guidelines summarize basic minimum requirements and discuss effective control procedures for foreign flag ships. The guidelines provided in this publication, as modified by the additional policy set forth below, may be referenced when examining foreign vessels for compliance with the areas covered by ILO Convention No. 147. Boarding officers should be aware that in specific instances, requirements for party ships may be different from, though substantially equivalent to, standards discussed in the ILO guide.
- c. As discussed in subparagraph (e) below, PSC action is authorized when conditions are discovered on the vessel which are "clearly hazardous to safety or health." The term "clearly hazardous to safety or health" means a condition which if left uncorrected, presents a demonstrable and immediate danger to the safety or health of the vessel's crew and/or passengers, or imperils the safety of the port due to its adverse effects on the vessel's crew and/or passengers. For example, a dangerous lack of protective guards on machinery, severely deteriorated ladders, stairs or railings, inadequate first aid equipment, inoperable toilet facilities, infestation of the food supply by vermin or rodents, or contamination of the potable water supply may constitute demonstrable and immediate dangers to personnel safety and health. Unsanitary conditions which could render the crew unfit to safely operate the vessel, pollute the marine environment, or pose a risk of communicable disease being transmitted ashore, may constitute conditions which imperil the safety of the port.
- d. When control action is to be based upon the presence of unsanitary conditions such as food or water contamination, it is necessary to substantiate the specific condition through a detailed sanitation analysis. In such cases, Officers-in-Charge, Marine Inspection Officers (OCMI's) and/or COTPs should notify the FDA, PHS, and/or the CDC. These agencies are equipped to conduct the technical sanitation analysis necessary to provide the substantive, conclusive, and probative data required to support a control action based upon this type of safety or health danger. A list of addresses and contact numbers for these agencies is provided as enclosure (3).
- e. The following control action applies to vessels whose flag administrations are party to ILO Convention No. 147:
  - (1) When conditions which are clearly hazardous to safety or health are discovered, and for which no other applicable international maritime

safety treaty (i.e., SOLAS, MARPOL, etc.) establishes a regulatory requirement, OCMI's and/or COTPs are authorized to intervene using the PWSA in order to rectify those conditions. In these instances, the authority for detaining the ship to rectify hazardous shipboard conditions is 33 USC 1223(b) of the PWSA. As such, interventions for ship-board conditions which are "clearly hazardous to safety or health" must also be related to navigation, vessel safety, and the protection of the marine environment, that is, related to the goals of the PWSA. Interventions conducted under the PWSA, relating to deficiencies listed in paragraph 6.b.1., of this COMDTINST, shall be reported to Commandant (G-MOC) on the Vessel Intervention Report form, citing the PWSA as the intervening authority in accordance with current guidance for reporting interventions. OCMI's/COTPs shall notify the nearest maritime, consular, or diplomatic representative of the vessel's flag state of the intervention and should try to have a consular or diplomatic representative of the flag state present.

- (2) Conditions which are not clearly hazardous to safety or health, but nevertheless constitute noncompliance with the standards of the Convention, shall be brought to the attention of the vessel's master for correction. Control action is not authorized in this case. The conditions shall be documented in the boarding report and copy of the pertinent parts of the report forwarded to Commandant (G-MOC).

f. The following control action applies to vessels whose flag administrations are not party to ILO Convention No. 147:

- (1) When conditions which are clearly hazardous to safety or health are discovered, and for which no other applicable international maritime safety treaty (i.e. SOLAS, MARPOL, etc.) establishes a regulatory requirement, and such conditions can reasonably be construed as imperiling the safety of the port, COTPs may take control action to rectify the condition under the authority of the PWSA 33 USC 1223(b)(3). Detention orders on non-party flag vessels which do not comply with the safety or health matters addressed in ILO Convention No. 147 shall be reported to Commandant (G-MOC) on the Vessel Intervention Report form in accordance with current guidance for reporting interventions.

g. A summary of control actions for ILO 147 related deficiencies has been provided as enclosure (4).

## 9. RESPONSIBILITIES

a. Commandant (G-MOC) will:

- (1) Establish and maintain liaison with the DOL's representative for ILO Convention No. 147.
- (2) Forward all labor related complaints to DOL for appropriate action.
- (3) Forward complaints related to the items listed in paragraph 6.b.(1) to the appropriate MIO/MSO for investigation.

- (4) Make a notation in the Marine Safety Information System Port Safety Notice Log (PSVP) to alert COTPs about potential ILO Convention No. 147 violations on vessels scheduled to make U.S. port calls.
- (5) Provide information concerning ILO Convention No. 147 deficiencies and PSC actions to the DOL for submission to the Director-General of the ILO.
- (6) Update the field concerning changes in the parties to ILO Convention No. 147 and the additional Conventions cited in the Appendix.

b. District Commanders shall:

- (1) Oversee application of PWSA authority to rectify deficiencies under ILO 147 by the units under their command to ensure consistency in the application of this instruction.

c. OCMI and COTPs shall:

- (1) Ensure that all foreign vessel boarding officers in their command are familiar with this Instruction and the enclosures provided herewith.
- (2) Make a good faith effort to verify the validity of complaints received from a competent source when they allege violations of the items specified in paragraph 6.b.(1), and conduct investigations in response to valid complaints.
- (3) Respect complainants' desire for anonymity and conduct investigations accordingly.
- (4) Be alert to the possibility that the root cause of complaints may be attributable to wage or labor conflicts rather than health and occupational safety concerns; refer matters pertaining to the former to Commandant (G-MOC) for forwarding to the appropriate agency.
- (5) Examine foreign vessels for compliance with the ILO Convention No. 147 items discussed in paragraph 6.b.(1) during PSC boarding activity and indicate the results of the examination in the boarding report.
- (6) Follow the examination, control and reporting guidance specified in paragraph 7 of this Instruction.
- (7) Provide assistance to personnel from other relevant Federal agencies who are investigating cases of non compliance with the standards specified in ILO Convention No. 147.

J.C. Card  
Rear Admiral, U.S. Coast Guard  
Chief, Marine Safety and Environmental Protection

- Encl:
- (1) ILO Convention No. 147
  - (2) List of nations party to ILO Convention No. 147
  - (3) Contact addresses and phone numbers for CDC, PHS, and FDA offices
  - (4) Coast Guard Control Action Policy - Summary

Convention No. 147. Merchant Shipping (Minimum Standards)  
Convention, 1976

CONVENTION CONCERNING MINIMUM STANDARDS IN  
MERCHANT SHIPS

Date of entry into force: 29 November 1981

Article 1

1. Except as otherwise provided in this Article, this Convention applies to every sea-going ship, whether publicly or privately owned, which is engaged in the transport of cargo or passengers for the purpose of trade or is employed for any other commercial purpose.

2. National laws or regulations shall determine when ships are to be regarded as sea-going ships for the purpose of this.

3. This Convention applies to sea-going tugs.

4. This Convention does not apply to -

- (a) ships primarily propelled by sail, whether or not they are fitted with auxiliary engines;
- (b) ships engaged in fishing or in whaling or in similar pursuit;
- (c) small vessels and vessels such as oil rigs and drilling platforms when not engaged in navigation, the decision as to which vessels are covered by this subparagraph to be taken by the competent authority in each country in consultation with the most representative organizations of shipowners and seafarers.

5. Nothing in this Convention shall be deemed to extend the scope of the Convention shall be deemed to extend the scope of the Conventions referred to in the Appendix to this Convention or of the provisions contained therein.

Article 2

Each Member which ratifies this Convention undertakes -

(a) to have laws or regulations laying down, for ships registered in its territory-

(I) Safety standards, including standards of competency, hours of work and manning, so as to ensure the safety of life on board ship;

(ii) appropriate social security measures; and

(iii) shipboard conditions of employment and shipboard living arrangements, in so far as these, in the opinion of the Member, are not covered by collective agreements or laid down by competent courts in a manner equally binding on the shipowners and seafarers concerned;

and to satisfy itself that the provisions of such laws and regulations are substantially equivalent to the Conventions or Articles of Conventions referred to in the Appendix to this Convention, in so far as the Member is not otherwise bound to give effect to the Conventions in question;

(b) to exercise effective jurisdiction or control over ships which are registered in its territory in respect of -

(i) safety standards, including standards of competency, hours of work and manning, prescribed by national laws or regulations;

(ii) social security measures prescribed by national laws or regulations;

(iii) shipboard conditions of employment and shipboard living arrangements prescribed by national laws or regulations, or laid down by competent courts in a manner equally binding on the shipowners and seafarers concerned;

(c) to satisfy itself that measures for the effective control of other shipboard conditions of employment and living arrangements, where it has no effective jurisdiction, are agreed between shipowners or their organizations and seafarers' organizations constituted in accordance with the substantive provisions of the Freedom of Association and Protection of the Right to Organize and Collective Bargaining Convention, 1949;

(d) to ensure that -

(i) adequate procedures - subject to over-all supervision by the competent authority, after tripartite consultation amongst that authority and the representative organizations of shipowners and seafarer on ships registered in its territory and for the investigation of complaints arising in that connection;

(ii) adequate procedures - subject to over-all supervision by the competent authority, after tripartite consultation amongst that authority and the representative organizations of shipowners and seafarer where appropriate - exist for the investigation of any complaint made in connection with and, if possible, at the time of the engagement in its territory of seafarers of its own nationality on ships registered in a foreign country, and that such complaint as well as any complaint made in connection with and, if possible, at the time of the engagement in its territory of foreign seafarers on ships registered in a foreign country, is promptly reported by its competent authority to the competent authority of the country in which the ship is registered, with a copy to the Director-General of the International Labour Office;

(e) to ensure that seafarers employed on ships registered in its territory are properly qualified or trained for the duties for which they are engaged, due regard being had to the Vocational training (Seafarers) Recommendations, 1970;

(f) to verify by inspection or other appropriate means that ships registered in its territory comply with applicable international labour Conventions in force which it has ratified, with the laws and regulations required by subparagraph (a) of this Article and, as may be appropriate under national law, with applicable collective agreements;

(g) to hold an official inquiry into any serious marine casualty involving ships registered in its territory, particularly those involving injury and/or loss of life, the final report of such inquiry normally to be made public.

### Article 3

Any member which has ratified this Convention shall, in so far as practicable, advise its nationals on the possible problems of signing on a ship registered in a State which has not ratified the Convention, until it is satisfied that standards equivalent to those fixed by this Convention are being applied. Measures taken by the ratifying State to this effect shall not be in contradiction with the principle of free movement of workers stipulated by the treaties to which the two States concerned may be parties.

### Article 4

1. If a Member which has ratified this Convention and in whose port a ship calls in the normal course of its business or for operational reasons receives a complaint or obtains evidence that the ship does not conform to the standards of this Convention, after it has come into force, it may prepare a report addressed to the government of the country in which the ship is registered, with a copy to the Director-General of the International Labour Office, and may take measures necessary to rectify any conditions on board which are clearly hazardous to safety or health.

2. In taking such measures, the Member shall forthwith notify the nearest maritime, consular or diplomatic representative of the flag state and shall, if possible, have such representative present. It shall not unreasonably detain or delay the ship.

3. For the purpose of this Article, "complainant" means information submitted by a member of the crew, a professional body, and association, a trade union or, generally, any person with an interest in the safety of the ship, including an interest in safety or health hazards to its crew.

### Article 5

1. This Convention is open to the ratification of Members which --

(a) are parties to the International Convention for the Safety of Life at Sea, 1960, or the International Convention for the Safety of Life at Sea, 1974 or any Convention subsequently revising the Conventions; and

(b) are parties to the International Convention on Load Lines, 1966, or any Convention subsequently revising that Convention; and

(c) are parties to, or have implemented the provisions of, the Regulations for Preventing Collisions at Sea of 1960, or the Convention on the International Regulations for Preventing Collision at Sea, 1972, or any Convention subsequently revising these international instruments.

2. This Convention is further open to the ratification of any Member which, on ratification, undertakes to fulfill the requirements to which ratification is made subject by paragraph 1 of this Article and which are not yet satisfied.

3. The formal ratification of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

#### Appendix

Minimum Age Convention, 1973 (No. 138), or

\* Minimum Age (Sea) Convention (Revised), 1936 (No. 58), or  
Minimum Age (Sea) Convention, 1920 (No. 7);

\* Shipowners' Liability (Sick and Injured Seamen) Convention, 1936 (No. 55), or  
Sickness Insurance (Sea) Convention, 1936 (No. 56), or  
Medical Care and Sickness Benefits Convention, 1969 (No. 130);

Medical Examination (Seafarers) Convention, 1946 (No. 73);

Prevention of Accidents (Seafarers) Convention, 1970 (No. 134)  
(Articles 4 and 7);

Accommodation of Crews Convention (Revised), 1949 (No. 92)

Food and Catering (Ships' Crews) Convention, 1946 (No. 68) (Article 5);

Officers' Competency Certificates (Convention, 1936 (No. 53)  
(Articles 3 and 4) 1;

Seamen's Articles of Agreement Convention, 1926 (No. 23);

Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87);

Right to Organize and Collective Bargaining convention, 1949 (No. 98).

MERCHANT SHIPPING (MINIMUM STANDARDS)  
CONVENTION, 1976 (No. 147)

1. The following are Flag States that have ratified "LO 147 and the date the ratification was registered, This list is effective as of 23 April 1996.

FLAG STATE	DATE RATIFIED	FLAG STATE	DATE RATIFIED
AZERBAIJAN	05-19-92	KYRGYZSTAN	03-31-92
BARBADOS	05-16-94	LEBANON	12-06-93
BELIGUM	09-16-82	LIBERIA	07-08-81
BRAZIL	01-17-91	LUXEMBOURG	02-15-91
CANADA	05-25-93	MOROCCO	06-15-81
COSTA RICA	06-24-81	NETHERLANDS	01-25-79
CYPRUS	09-19-95	NORWAY	01-24-79
DENMARK	07-28-80	POLAND	06-02-95
EGYPT	03-17-83	PORTUGAL	05-02-25
FINLAND	10-02-78	RUSSIAN FED.	05-07-91
FRANCE	05-02-78	SPAIN	04-28-78
GERMANY	07-14-80	SWEDEN	12-20-78
GREECE	09-18-79	TAJIKISTAN	11-26-93
IRAQ	02-15-85	UKRAINE	03-17-94
IRELAND	12-16-92	UNITED KINGDOM	11-28-80
ITALY	06-23-81	UNITED STATES	06-15-88
JAPAN	5-31-83		

Total Number ofRatifications: 33

FEDERAL AGENCY POINT OF CONTACT LIST FOR FOREIGN FLAG VESSELS WITH UNSANITARY CONDITIONS THAT ARE CLEARLY HAZARDOUS TO SAFETY R HEALTH.

Any Passenger/ Cruise vessel contact

Chief, Vessel Sanitation Program  
United States Public Health Service  
PH (305) 536-4307 (24hrs)  
FAX (305) 536-4528

Any Cargo Ship in Which conditions affect crew health contact:

Chief, or Asst. Chief, Program Operations  
Centers for Disease Control, Division of Quarantine  
Phone (404) 639-8107  
FAX (404) 639-2599

Any Cargo Ship in which conditions affect FDA regulated commercial shipments, i.e. food, drugs, medical devices, biologic or cosmetic type cargoes:

Food and Drug Administration  
Division of Import Operations and Policy  
Phone (301) 443 6553  
Fax (301) 594 3787

December 19, 1995

COAST GUARD CONTROL ACTION POLICY

FOR ILO-147 DISCREPANCIES THAT ARE NOT COVERED BY OTHER CONVENTIONS

	MAJOR DISCREPANCY “CLEARLY HAZARDOUS TO SAFETY AND HEALTH”	MINOR DISCREPANCY “NOT CLEARLY HAZARDOUS TO SAFETY AND HEALTH”
PARTY TO ILO-147 CONVENTION  AJ FR NL BB GE NO BE GR PL BR IT PO CA IZ RS CS JA SP CY KG SW DA LE TI EG LI UK EI LU UP FI MO US Rev. 23APR96  NOT PARTY TO ILO 147 CONVENTION	<ul style="list-style-type: none"> <li>• Detain until corrected</li> <li>• Issue requirement on Boarding Report * Cite ILO-0147/PWSA 33 USC 1223 (b)</li> <li>• Make standard notifications i.e. Master, Consulate, Owner etc.</li> <li>• Complete intervention report * Cite ILO--147/PWSA 33 USC 1223 (b)</li> <li>• Try to have consular or diplomatic representative of the flag state present</li> <li>• Save as above, but cite only PWSA 33 USC 1223 (b) on Boarding Report</li> </ul>	<ul style="list-style-type: none"> <li>• Bring to the attention of the Master</li> <li>• Issue requirement on Boarding Report *Cite ILO-147/PWSA 33 USC 1223 (b)</li> <li>• Forward pertinent portions of Boarding Report to Commandant (G-MOC)</li> <li>• Bring to the attention of the Master encourage correction</li> <li>• <u>Do not issue requirement</u></li> </ul>