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Presence of TBT antifoulings banned in Bahamian Waters* from **9/17/08**

February 2008 Status Update of AFS Treaty

Feb 2008, Union NJ - **27 COUNTRIES HAVE RATIFIED THE TREATY TO BAN THE PRESENCE OF TBT ON THE HULL ON SEPT 17, 2008. WHILE THE BAHAMAS ARE THE LATEST TO SIGN UP, NORTH AMERICA IS EXPECTED TO FOLLOW IN THE NEAR FUTURE.**

In January 08 the President sent the AFS Treaty to the US Senate with the following recommendation:

"I recommend that the Senate give early and favorable consideration to the Convention (AFS Treaty) and give its advice and consent to its ratification".

President George W. Bush.

The International Convention on the Control of Harmful Anti-Fouling Systems on Ships (AFS Treaty), was adopted by the International Maritime Organization (IMO) in October 2001 with the provision it would enter into force one year after ratification by 25 member states with 25% of the world's tonnage. On September 17, 2007 that milestone was reached when Panama ratified the treaty bringing the member states to 25 and the tonnage to 38.11%. This means that on September 17, 2008 the AFS Treaty will enter into force on a global basis (for all parties that have ratified the treaty).

Note: This will definitely affect US boat owners (any size boat) as the most recent country signing the AFS treaty is the Bahamas. The Bahamas are often a destination for yachts from the US and an owner could run into real problems if their vessel has TBT on the hull even if the US does not complete their ratification prior to September. However, it is expected that when the treaty goes into effect on September 17, 2008, the United States will have joined the list of those countries which have ratified the treaty. To be safe owners of US ships or yachts would be wise to determine if their vessel is currently compliant even if they only sail in US waters. If not they should replace their current TBT based coating with one that is free of tributyl-tin.

Replacement antifouling that is as good as, or even better than TBT exists. Interlux Yacht Finishes was one of the first companies to act responsibly, by immediately ceasing manufacture of TBT containing products back in 2002. It's now 2008 and the US Government is anticipated to act imminently, in order to catch up with the rest of the world.

Whether you're a builder, boat yard or boat owner ask yourself this: **Are YOU compliant?**

Background:

The AFS Treaty was carefully written with the key dates fixed in time. The two key dates in the treaty are 1 January 2003 requiring that "Ships shall not apply or reapply organotin compounds which act as biocides in antifouling systems" and 1 January 2008 requiring that "Ships shall not bear organotin compounds which act as biocides on their hulls or have a barrier coat which prevents their leaching". This means that on September 17, 2008 several things happen. First no ship can enter any country that has ratified the treaty with TBT on its hull. Secondly any shipped flagged in a country that has signed the treaty must be compliant with the terms of the treaty. Further expanding the impact of this ban on TBT, the European Union (EU) passed legislation in 2002 that adopted the dates of the treaty. This means that effective January 1, 2008 you could no longer enter any EU country with TBT on the hull. This means that in addition to the 27 countries that have signed the treaty there are another 14 operating under the terms of the AFS Treaty in the EU for a total of 41 countries that no longer allow TBT.

The AFS Treaty covers all ships regardless of size but in order to insure compliance to the treaty only ships over 400 gross tonnage will be required to carry a Certificate showing the current coating is in compliance with the treaty. Ships greater than 24 meters but less than 400 gross tonnage shall be required to carry a Declaration signed by the owner along with an appropriate document such as a paint receipt to show compliance. Countries are permitted to check for the presence of organotin on the hull on any vessel entering the country and if it is determined to be present the ship can be asked to leave the country and refused further entrance until the coating is in compliance. Countries are establishing their own individual rules to insure compliance. Both Greece and Australia have already announced that if a ship is found not to be in compliance, the owner or operator will be subject to significant fines.

If a ship currently has TBT on its hull outside of the EU but is flagged or wants to enter a country that has signed the treaty, it has only until September 17, 2008 to either remove the existing paint from the hull or have it sealed and a compliant antifouling AF paint put on the hull. The AFS Treaty covers all ships of the countries (Parties) who have signed the treaty and any ships entering into their country. There is not a limitation on size or function under the treaty. Thus ships in size from small yachts to VLCC's are required to be in compliance. The Treaty shall not apply to warships; navy auxiliary or other ships owned and operated by the government but are asked to be as compliant as possible. To fully understand the treaty you can obtain a copy of the AFS treaty from IMO or can be seen and downloaded on the web site, www.antifoulingpaint.com or www.imo.org

The following are a list of the 27 countries that have currently signed the treaty. They represent 44% of the world's gross tonnage and it can be expected many additional countries will sign the treaty between now and September 17, 2008.

Antigua and Barbuda	Greece	Panama
Australia	Japan	Poland
Bahamas	Kiribati	Romania
Bulgaria	Latvia	Saint Kitts and Nevis
Cook Islands	Lithuania	Sierra Leone
Croatia	Luxembourg	Slovenia
Cyprus	Mexico	Spain
Denmark	Nigeria	Sweden
France	Norway	Tuvalu

The 14 Member States of the EU who have not ratified the treaty as of Feb 2008 but are covered by EU legislation with the same dates and rules as the AFS Treaty.

Austria	Belgium
Czech Republic	Estonia
Finland	Germany
Iceland	Italy
Malta	Netherlands
Portugal	Romania
Slovakia	United Kingdom




news release

For more information go to www.yachtpaint.com . Here you can download the TBT-free antifouling certificates & declaration documents a boat owner needs.

* Source: marinelink.com 2/4/08

Note for the editor :

Interlux Yacht Finishes, based in Union, New Jersey provides the latest and safest antifouling, paints, epoxy resins and associated boat maintenance products for the refurbishment and new build of all pleasure boats. Interlux Yacht Finishes is leading supplier of high performance Marine Coatings and is a part of Akzo Nobel, a market driven, technology-based company. Akzo Nobel, based in the Netherlands, serves customers throughout the world with healthcare products, coatings and chemicals. Consolidated sales for 2006 totalled EUR 14 billion. The Company currently employs approximately 62,000 people in more than 80 countries. For more information visit our website at www.yachtpaint.com

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