



New biofouling regulations in Brazil

Vessels above 24 meters in length that enter Brazilian waters are required to arrive with a 'clean hull' or perform in-water hull cleaning. Similar restrictions apply to vessels operating between domestic marine biogeographic regions. The enforcement date for the associated sanctions has been deferred to 10 June 2026.

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Protecting Brazil's marine and coastal biodiversity

In June 2025, the Brazilian authorities amended [NORMAM-401/DPC](#), its regulations for preventing vessel discharges to water, adding a separate section on biofouling management. The new regulation aims to ensure the safety and sustainability of Brazil's maritime ecosystems and human activities by further reducing the likelihood of vessels introducing invasive aquatic species into its waters.

To protect the various unique and important ecosystems along Brazil's long coastline, the new regulation also defines three domestic marine biogeographic regions (see image below) and imposes additional biofouling requirements on vessels that travel between them.

Arriving in Brazil with a clean hull

According to our local correspondent Representações Proinde Ltda., Brazil's new biofouling management regulation aligns with the IMO 2023 Biofouling Guidelines ([MEPC.378\(80\)](#)). It applies to vessels above 24 meters in length and affects both vessels entering Brazilian waters and vessels that transit between the domestic biogeographic regions, requiring such vessels to:

- Implement a vessel-specific Biofouling Management Plan and Biofouling Record Book compliant with the IMO guidelines.
- Maintain a clean hull – where 'clean' means no biofouling apart from a slime layer (microfouling) and a very small amount of visible fouling species (macrofouling). This corresponds to a fouling rating number of 1 or lower as defined by Annex J of the regulation.
- Schedule a hull cleaning if there is excessive fouling. In-water hull cleaning in port must be requested at least 10 days prior to arrival, using the application form found in Annex K of the regulation.

Key terminology

en-US

While the operational requirements of the new Brazilian biofouling management regulation, took effect on 17 June 2025, enforcement of the penalty phase of the regulation, as set out in Chapter 4 of NORMAM-401/DPC, has been deferred and is now scheduled to commence on **10 June 2026**. According to our correspondent, the Brazilian maritime authority will, until that date, act in an advisory capacity, focusing on awareness raising and the provision of technical support to assist stakeholders in adapting to the operational requirements introduced by the new regulation.

Vessels trading to or within Brazilian waters are advised to take note of the above regulatory changes and update onboard procedures accordingly, taking advice from relevant IMO guidelines on biofouling management ([MEPC.378\(80\)](#)) and in-water cleaning ([MEPC.1/Circ.918](#)). It is also worth noting that Brazil defines its “jurisdictional waters” as its internal waters, the territorial sea and exclusive economic zone (EEZ), to a distance of 200 nautical miles from baselines along the coast, as well as waters overlying the extended continental shelf.



We are grateful to our Brazilian correspondent, Representações Proinde Ltda., for informing us of the aforementioned regulatory changes and refer to its [website](#) for further details.

Biofouling management outlook

The [IMO](#) has now agreed to deveop a legally binding framework for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species, a "biofouling management convention". The work on such a convention will commence in 2026, and a draft legal framework and recommendations on the way forward not finalised until 2029. Ratification to the agreed level will then be required for entry-into-force.

An international convention will provide a unified framework for addressing biofouling management globally and help avoid the patchwork of national regulations that can be impractical for the industry. It will also help ships gain access to in-water cleaning in more places than today. Meanwhile, the following Gard articles may be of interest:

- [Shipping and biodiversity: here's how marine insurance can help](#)
- [Fouling up Down Under: Biofouling non-compliance in New Zealand](#)
- [Hull biofouling – key recommendations](#)
- [Biofouling management: the benefits of a clean hull](#)

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