

## **107.405 Termination of designation.**

(a) Any designation issued under §107.403 of this subchapter may be suspended or terminated if the Associate Administrator determines that:

- (1) The application for designation contained a misrepresentation, or the applicant willfully concealed a material fact.
- (2) The approval agency failed to comply with a term or condition stated in the agency's letter of designation.
- (3) The Competent Authority of an approval agency of a country outside the United States has failed to initiate, maintain or recognize a qualified U.S. approval agency.

(b) Before a designation is suspended or terminated, the Associate Administrator shall give to the approval agency:

- (1) Written notice of the facts or conduct believed to warrant suspension or termination of the designation.
- (2) Sixty days in which to show in writing why the designation should not be suspended or terminated.

[Amdt. 107–13, 50 FR 10062, Mar. 13, 1985, as amended by Amdt. 107–23, 56 FR 66157, Dec. 20, 1991; 66 FR 45377, Aug. 28, 2001]