

## **Subpart A—General**

### **§ 180.1 Purpose and scope.**

This part prescribes requirements pertaining to the maintenance, reconditioning, repair, inspection and testing of packagings, and any other function having an effect on the continuing qualification and use of a packaging under the requirements of this subchapter.

### **§ 180.2 Applicability.**

- (a) Any person who performs a function prescribed in this part shall perform that function in accordance with this part.
- (b) Any person who performs a function prescribed in this part is considered subject to the regulations of this subchapter when that person—
- (1) Makes any representation indicating compliance with one or more of the requirements of this part; or
  - (2) Reintroduces into commerce a packaging that bears markings indicating compliance with this part.

[Amdt. 180–2, 54 FR 25032, June 12, 1989, as amended by Amdt. 180–2, 56 FR 27877, June 17, 1991]

### **§ 180.3 General requirements.**

- (a) No person may represent, mark, certify, sell, or offer a packaging or container as meeting the requirements of this part, or a special permit pertaining to this part issued under subchapter A of this chapter, whether or not the packaging or container is intended to be used for the transportation of a hazardous material, unless it is marked, maintained, reconditioned, repaired, or retested, as appropriate, in accordance with this part, an approval issued thereunder, or a special permit issued under subchapter A of this chapter.
- (b) The representations, markings, and certifications subject to the prohibitions of paragraph (a) of this section include:
- (1) Identifications that include the letters “DOT”, “MC”, “ICC”, or “UN”;
  - (2) Special permit, approval, and registration numbers that include the letters “DOT”;
  - (3) Test dates displayed in association with specification, registration, approval, or exemption markings indicating conformance to a test or retest requirement of this subchapter, an approval issued thereunder, or a special permit issued under subchapter A of this chapter;
  - (4) Documents indicating conformance to the testing, inspection, maintenance or other continuing qualification requirements of this part; and
  - (5) Sales literature, including advertising, indicating that the packaging or container represented therein conforms to requirements contained in subchapter A or C of this chapter.

[Amdt. 180–2, 54 FR 25032, June 12, 1989, as amended by Amdt. 180–3, 58 FR 33306, June 16, 1993; 70 FR 73166, Dec. 9, 2005]