(h) The use of any MSHA approval label or marking obligates the applicant to whom it is issued to retest the approved fuse within a 2-year period from the date of the certificate of approval, and every 2 years thereafter, in accordance with the provisions of § 28.10.

[37 FR 7562, Apr. 15, 1972, as amended at 43 FR 12316, Mar. 24, 1978; 45 FR 68935, Oct. 17, 1980]

§ 28.24 Revocation of certificates of approval.

MSHA reserves the right to revoke, for cause, any certificate of approval issued pursuant to the provisions of this part. Such causes include, but are not limited to, misuse of approval labels and markings, misleading advertising, violations of section 110(h) of the Federal Mine Safety and Health Act of 1977 and failure to maintain or cause to be maintained the quality control requirements of the certificate of approval.

[37 FR 7562, Apr. 15, 1972, as amended at 43 FR 12316, Mar. 24, 1978]

§ 28.25 Changes or modifications of approved fuses; issuance of modification of certificate of approval.

(a) Each applicant may, if he desires to change any feature of an approved fuse, request a modification of the original certificate of approval issued by MSHA for such fuse by filing an application for modification in accordance with the provisions of this section.

(b) Applications, including fees, shall be submitted as specified in § 28.10 for an original certificate of approval, with a request for a modification of the existing certificate to cover any proposed change.

(c) The application for modification, together with the examination, inspection, and test results prescribed by § 28.10 shall be examined and evaluated by MSHA to determine if the proposed modification meets the requirements of this part.

(d) If the proposed modification meets the requirements of this part, a formal modification of approval will be issued, accompanied, where necessary, by reproductions of revised approval labels or markings.

Subpart D—Quality Control

§ 28.30 Quality control plans; filing requirements.

As a part of each application for approval or modification of approval submitted pursuant to this part, each applicant shall file with MSHA a proposed quality control plan which shall be designed to assure the quality of short-circuit protection provided by the fuse for which approval is sought.

§ 28.31 Quality control plans; contents.

(a) Each quality control plan shall contain provisions for the management of quality, including: (1) Requirements for the production of quality data and the use of quality control records; (2) control of engineering drawings, documentations, and changes; (3) control and calibration of measuring and test equipment; (4) control of purchased material to include incoming inspection; (5) lot identification, control of processes, manufacturing, fabrication, and assembly work conducted in the applicant's plant; (6) audit or final inspection of the completed product; and, (7) the organizational structure necessary to carry out these provisions.

(b) The sampling plan shall include inspection tests and sampling procedures developed in accordance with Military Specification MIL–F–15160D, ''Fuses; Instrument, Power, and Telephone'' (which is hereby incorporated by reference and made a part hereof), Group A tests and Group B tests, except that the continuity and/or resistance characteristics of each fuse shall be tested. Military Specification MIL-F–15160D is available for examination at Approval and Certification Center, RR 1, Box 251, Industrial Park Road, Triadelphia, WV 26059. Copies of the document may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC20402.

(c) The sampling procedure shall include a list of the characteristics to be tested by the applicant or his agent and shall include but not be limited to: (1) Continuity and/or resistance determination for each fuse; (2) carry current capability (not less than 110 percent of the rated current); and, (3)