

## Consumer Product Safety Commission

## § 1211.20

(d) Exception No. 1: The manufacturer's identification may be in a traceable code if the operator is identified by the brand or trademark owned by a private labeler.

(e) Exception No. 2: The date of manufacture may be abbreviated or in an established or otherwise accepted code.

(f) If a manufacturer produces or assembles operators at more than one factory, each finished operator shall have a distinctive marking, which may be in code, to identify it as the product of a particular factory.

(g) The carton and the instruction manual for an operator shall be marked with the word "WARNING" and the following or the equivalent: "To reduce the risk of injury to persons—Use this operator only with (a) \_\_\_\_\_ door(s)."

(h) A residential garage door operator shall be marked with the word "WARNING" and the following or equivalent, "Risk of entrapment. After adjusting either the force or limits of travel adjustments, insure that the door reverses on a 1½ inch (or a 2 by 4 board laid flat) high obstruction on the floor."

(i) A separately supplied accessory, including external entrapment protection device, intended for installation with an appliance or appliances shall be marked with the manufacturer's name and catalog or model number and the type of appliance or appliances with which it is intended to be used—such as a residential garage door operator. Additionally, installation instructions, accompanying specifications sheet, or packaging of the accessory shall identify the appliance or appliances with which it is intended to be used by specifying the manufacturer's name and catalog or model number or by any other positive means to serve the identification purpose.

(j) An appliance provided with terminals or connectors for connection of a separately supplied accessory, such as an external entrapment protection device, shall be marked to identify the accessory intended to be connected to the terminals or connectors. The accessory identification shall be by manufacturer's name and catalog or model number or other means to allow for the

identification of accessories intended for use with the appliance.

(k) With reference to paragraph (k) of this section, instructions for installing a separately supplied accessory shall be provided. A statement shall be included in the instructions warning the user that the appliance must be disconnected from the source of supply before attempting the installation of the accessory.

[57 FR 60455, Dec. 21, 1992. Redesignated at 65 FR 70659, Nov. 27, 2000]

### § 1211.17 Statutory labeling requirement.

(a) A manufacturer selling or offering for sale in the United States an automatic residential garage door operator manufactured on or after January 1, 1991, shall clearly identify on any container of the system and on the system the month or week and year the system was manufactured and its conformance with the requirements of this part.

(b) The display of the UL logo or listing mark, and compliance with the date marking requirements of UL-325 now stated in § 1211.5 of this subpart, on both the container and the system, shall satisfy the requirements of this subpart.

[57 FR 60455, Dec. 21, 1992. Redesignated at 65 FR 70659, Nov. 27, 2000]

## Subpart B—Certification

SOURCE: 57 FR 60468, Dec. 21, 1992, unless otherwise noted.

### § 1211.20 Purpose, scope, and application.

(a) *Purpose.* Section 14(a) of the Consumer Product Safety Act, 15 U.S.C. 2063(a), requires every manufacturer (including importers) and private labeler of a product which is subject to a consumer product safety standard to issue a certificate that the product conforms to the applicable standard, and to base that certificate either on a test of each product or on a "reasonable testing program." The purpose of this subpart is to establish requirements that manufacturers and importers of automatic residential garage door operators subject to the Safety

## § 1211.21

Standard for Automatic Residential Garage Door Operators (16 CFR part 1211, subpart A), shall issue certificates of compliance in the form specified.

(b) *Scope and application.* The provisions of this subpart apply to all residential garage door operators which are subject to the requirements of the Safety Standard for Automatic Residential Garage Door Operators that take effect on January 1, 1993 or later.

### § 1211.21 Effective date.

Under the Consumer Product Safety Act, automatic residential garage door operators must certify that they comply with requirements of subpart A of this part. This certification requirement is currently in effect. The specific labeling requirement of the certification rule in this subpart will become effective for any automatic residential garage door operator manufactured on or after January 21, 1993.

### § 1211.22 Definitions.

The following definitions shall apply to this subpart:

(a) *Private labeler* means an owner of a brand or trademark which is used on an operator subject to the standard and which is not the brand or trademark of the manufacturer of the operator, provided the owner of the brand or trademark caused or authorized the operator to be so labeled and the brand or trademark of the manufacturer of such operator does not appear on the label.

(b) *Production lot* means a quantity of garage door operators from which certain operators are selected for testing prior to certifying the lot. All garage door operators in a lot must be essentially identical in those design, construction, and material features which relate to the ability of an operator to comply with the standard.

(c) *Reasonable testing program* means any test or series of tests which are identical or equivalent to, or more stringent than, the tests defined in the standard and which are performed on one or more garage door operators of the production lot for the purpose of determining whether there is reasonable assurance that the operators in that lot comply with the requirements of the standard.

## 16 CFR Ch. II (1-1-05 Edition)

### § 1211.23 Certification testing.

(a) *General.* Manufacturers and importers shall either test each individual garage door operator (or have it tested) or shall rely upon a reasonable testing program to demonstrate compliance with the requirements of the standard.

(b) *Reasonable testing program.* This paragraph provides guidance for establishing a reasonable testing program.

(1) A reasonable testing program for automatic residential garage door operators is one that provides reasonable assurance that the operators comply with the standard. Manufacturers and importers may define their own testing programs. Such reasonable testing programs may, at the option of manufacturers and importers, be conducted by an independent third party qualified to perform such testing programs.

(2) To conduct a reasonable testing program, the garage door operators should be divided into production lots. Sample operators from each production lot should be tested in accordance with the reasonable testing program so that there is a reasonable assurance that if the operators selected for testing meet the standard, all operators in the lot will meet the standard. Where there is a change in parts, suppliers of parts, or production methods that could affect the ability of the operator to comply with the requirements of the standard, the manufacturer should establish a new production lot for testing.

(3) The Commission will test for compliance with the standard by using the test procedures contained in the standard. However, a manufacturer's reasonable testing program may include either tests prescribed in the standard or any other reasonable test procedures.

(4) If the reasonable testing program shows that an operator does not comply with one or more requirements of the standard, no operator in the production lot can be certified as complying until all non-complying operators in the lot have been identified and destroyed or altered by repair, redesign, or use of a different material or components to the extent necessary to make them conform to the standard. The sale or offering for sale of garage door operators that do not comply with the standard is a prohibited act and a