''Floating Orange Smoke Distress Signal'', name and address of the manufacturer, the Coast Guard Approval No., the service life expiration date (month and year to be entered by the manufacturer), the month and year of manufacture and the lot number.

(2) In addition to any other marking placed on the smallest packing carton or box containing floating orange smoke distress signals, such cartons or boxes shall be plainly and indelibly marked to show the service life expiration date, the month and year of manufacture, and the lot number.

(3) The largest carton or box in which the manufacturer ships signals must be marked with the following or equivalent words: ''Keep under cover in a dry place.''

(c) *Marking of expiration date.* The expiration date must be not more than 42 months from the date of manufacture.

NOTE: Compliance with the labeling requirements of this section does not relieve the manufacturer of the responsibility of complying with the label requirements of 15 U.S.C. 1263, the Federal Hazardous Substances Act.

§ 160.022–7 Procedure for approval.

(a) Signals are approved by the Coast Guard under the procedures in subpart 159.005 of this chapter.

(b) [Reserved]

Subpart 160.023—Hand Combination Flare and Smoke Distress Signals

SOURCE: CGD 76–048a and 76–048b, 44 FR 73070, Dec. 17, 1979, unless otherwise noted.

§ 160.023–1 Incorporation by reference.

(a) The following are incorporated by reference into this subpart:

(1) Military specifications MIL-S-18655 C, 3 May 1971—Signal, Smoke and Illumination, Marine, Mark 13, Mod 0.

(b) The military specification may be obtained from Customer Service, Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA. 19120 (tel: (215)697–2000). This specification is also on file in the Federal Register library.

(c) Approval to incorporate by reference the materials listed in this section was obtained from the Director of the Federal Register on November 1, 1979.

§ 160.023–2 Type.

(a) Hand combination flare and smoke distress signals specified by this subpart shall be of the type described in specification MIL-S-18655.

(b) [Reserved]

§ 160.023–3 Materials, workmanship, construction, and performance requirements.

(a) The materials, construction, workmanship, general and detail requirements shall conform to the requirements of specification MIL-S-18655, except as otherwise specifically provided by this subpart.

(b) [Reserved]

§ 160.023–4 Approval and production tests.

(a) *Approval tests.* The approval tests are those tests prescribed for the preproduction sample in MIL-S-18655. The approval tests must be conducted by an independent laboratory accepted by the Commandant under § 159.010 of this chapter.

(b) *Production inspections and tests.* Production inspections and tests of each lot of signals produced must be conducted under the procedures in § 159.007 of this chapter. Signals from a rejected lot must not be represented as meeting this subpart or as being approved by the Coast Guard. If the manufacturer identifies the cause of the rejection of a lot of signals, the signals in the lot may be reworked by the manufacturer to correct the problem. Samples from the rejected lot must be retested in order to be accepted. Records shall be kept of the reasons for rejection, the reworking performed on the rejected lot, and the results of the second test.

(1) *Inspections and tests by the manufacturer.* The manufacturer's quality control procedures must include inspection of materials entering into construction of the signals and inspection of the finished signals, to determine that signals are being produced in accordance with the approved plans. The manufacturer must select samples

from each lot and test them as specified in the production lot procedures in MIL-S-18655.

(2) *Inspections and tests by an independent laboratory*. An independent laboratory accepted by the Commandant under § 159.010 of this chapter must perform or supervise the inspections and tests under paragraph (b)(1) of this section at least 4 times a year, unless the number of lots is less than four. The inspections and tests must occur at least once during each quarterly period, unless no lots are produced during this period. If less than four lots are produced, the laboratory must perform or supervise the inspection and testing of each lot. If a lot of signals tested by the independent laboratory is rejected, the laboratory must perform or supervise the inspections and tests of the reworked lot and the next lot of signals produced. The tests of each reworked lot and the next lot produced must not be counted for the purpose of meeting the requirement for the annual number of inspections and tests performed or supervised by the independent laboratory.

§ 160.023–5 Labeling and marking.

(a) *Labeling*. A label showing firing instructions in accordance with specification MIL-S-18655, and to include the commercial designation of the signal, the lot number, Coast Guard approval number, the service life expiration date (month and year to be inserted by the manufacturer), and month and year of manufacture, shall be applied in a neat, workmanlike manner after the paint has become thoroughly dry. The label shall be attached to the signal and then protected by a transparent moisture impervious coating.

(b) *Marking of expiration date*. The expiration date must be not more than 42 months from the date of manufacture.

(c) *Other marking*. (1) In addition to any other marking placed on the smallest packing carton or box containing signals, such cartons or boxes shall be plainly and indelibly marked to show the service life expiration date, the date of manufacture, and the lot number.

(2) The largest carton or box in which the manufacturer ships signals must be marked with the following or equivalent words: ''Keep under cover in a dry place.''

NOTE: Compliance with the labeling requirements of this section does not relieve the manufacturer of the responsibility of complying with the label requirements of 15 U.S.C. 1263, the Federal Hazardous Substances Act.

§ 160.023–6 Container.

(a) *General*. The container for storing the signals on lifeboats and liferafts is not required to be of a special design or be approved by the Coast Guard. The container must meet the requirements in Subpart 160.021 (§ 160.021–6) except that the wording on the container must be: ''HAND COMBINATION FLARE AND SMOKE DISTRESS SIGNALS.''

(b) [Reserved]

§ 160.023–7 Procedure for approval.

(a) Signals are approved by the Coast Guard under the procedures in subpart 159.005 of this chapter.

(b) [Reserved]

Subpart 160.024—Pistol-Projected Parachute Red Flare Distress Signals

SOURCE: CGD 76–048a and 76–048b, 44 FR 73071, Dec. 17, 1979, unless otherwise noted.

§ 160.024–1 Incorporation by reference.

(a) The following is incorporated by reference into this subpart:

(1) ''The Universal Color Language'' and ''The Color Names Dictionary'' in *Color: Universal Language and Dictionary of Names*, National Bureau of Standards Special Publication 440, Dictionary 1976.

(b) NBS Special Publication 440 may be obtained by ordering from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (Order by SD Catalog No. C13.10:440).

(c) Approval to incorporate by reference the publication listed in this section was obtained from the Director of the Federal Register on November 1, 1979. The publication is on file at the Federal Register Library.