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AUTHORITY: 49 U.S.C. 5101-5127; 49 CFR 1.53.

SOURCE: Amdt. 180-2, 54 FR 25032, June 12, 1989, unless otherwise noted.

**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.

**49 CFR Ch. I (10-1-07 Edition)**

**§ 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