

## Federal Communications Commission

## § 2.955

accreditation body will lose its provisional acceptance. However, any DoCs that were issued will remain valid.

[54 FR 17712, Apr. 25, 1989, as amended at 57 FR 24990, June 12, 1992; 58 FR 37430, July 12, 1993; 58 FR 44893, Aug. 25, 1993; 61 FR 31046, June 19, 1996; 62 FR 41880, Aug. 4, 1997; 63 FR 36599, July 7, 1998; 65 FR 58466, Sept. 29, 2000]

### VERIFICATION

**AUTHORITY:** Sections 2.951 through 2.957 are issued under secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307.

**SOURCE:** Sections 2.951 through 2.957 appear at 46 FR 23249, Apr. 24, 1981, unless otherwise noted.

#### § 2.951 Cross reference.

The provisions of § 2.901, *et seq.*, shall apply to equipment subject to verification.

#### § 2.952 Limitation on verification.

(a) Verification signifies that the manufacturer or importer has determined that the equipment has been shown to be capable of compliance with the applicable technical standards if no unauthorized change is made in the equipment and if the equipment is properly maintained and operated. Compliance with these standards shall not be construed to be a finding by the manufacturer or importer with respect to matters not encompassed by the Commission's rules.

(b) Verification of the equipment by the manufacturer or importer is effective until a termination date is otherwise established by the Commission.

(c) No person shall, in any advertising matter, brochure, etc., use or make reference to a verification in a deceptive or misleading manner or convey the impression that such verification reflects more than a determination by the manufacturer or importer that the device or product has been shown to be capable of compliance with the applicable technical standards of the Commission's rules.

#### § 2.953 Responsibility for compliance.

(a) In verifying compliance, the responsible party, as defined in § 2.909 warrants that each unit of equipment marketed under the verification proce-

dure will be identical to the unit tested and found acceptable with the standards and that the records maintained by the responsible party continue to reflect the equipment being produced under such verification within the variation that can be expected due to quantity production and testing on a statistical basis.

(b) The importer of equipment subject to verification may upon receiving a written statement from the manufacturer that the equipment complies with the appropriate technical standards rely on the manufacturer or independent testing agency to verify compliance. The test records required by § 2.955 however should be in the English language and made available to the Commission upon a reasonable request, in accordance with § 2.956.

(c) In the case of transfer of control of equipment, as in the case of sale or merger of the grantee, the new manufacturer or importer shall bear the responsibility of continued compliance of the equipment.

(d) Verified equipment shall be reverified if any modification or change adversely affects the emanation characteristics of the modified equipment. The party designated in § 2.909 bears responsibility for continued compliance of subsequently produced equipment.

[39 FR 5919, Feb. 15, 1974, as amended at 62 FR 10472, Mar. 7, 1997]

#### § 2.954 Identification.

Devices subject only to verification shall be uniquely identified by the person responsible for marketing or importing the equipment within the United States. However, the identification shall not be of a format which could be confused with the FCC Identifier required on certified, notified or type accepted equipment. The importer or manufacturer shall maintain adequate identification records to facilitate positive identification for each verified device.

[62 FR 10472, Mar. 7, 1997]

#### § 2.955 Retention of records.

(a) For each equipment subject to verification, the responsible party, as

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shown in § 2.909 shall maintain the records listed as follows:

(1) A record of the original design drawings and specifications and all changes that have been made that may affect compliance with the requirements of § 2.953.

(2) A record of the procedures used for production inspection and testing (if tests were performed) to insure the conformance required by § 2.953. (Statistical production line emission testing is not required.)

(3) A record of the measurements made on an appropriate test site that demonstrates compliance with the applicable regulations in this chapter. The record shall:

(i) Indicate the actual date all testing was performed;

(ii) State the name of the test laboratory, company, or individual performing the verification testing. The Commission may request additional information regarding the test site, the test equipment or the qualifications of the company or individual performing the verification tests;

(iii) Contain a description of how the device was actually tested, identifying the measurement procedure and test equipment that was used;

(iv) Contain a description of the equipment under test (EUT) and support equipment connected to, or installed within, the EUT;

(v) Identify the EUT and support equipment by trade name and model number and, if appropriate, by FCC Identifier and serial number;

(vi) Indicate the types and lengths of connecting cables used and how they were arranged or moved during testing;

(vii) Contain at least two drawings or photographs showing the test set-up for the highest line conducted emission and showing the test set-up for the highest radiated emission. These drawings or photographs must show enough detail to confirm other information contained in the test report. Any photographs used must be focused originals without glare or dark spots and must clearly show the test configuration used;

(viii) List all modifications, if any, made to the EUT by the testing company or individual to achieve compli-

ance with the regulations in this chapter;

(ix) Include all of the data required to show compliance with the appropriate regulations in this chapter; and

(x) Contain, on the test report, the signature of the individual responsible for testing the product along with the name and signature of an official of the responsible party, as designated in § 2.909.

(4) For equipment subject to the provisions in part 15 of this chapter, the records shall indicate if the equipment was verified pursuant to the transition provisions contained in § 15.37 of this chapter.

(b) The records listed in paragraph (a) of this section shall be retained for two years after the manufacture of said equipment item has been permanently discontinued, or until the conclusion of an investigation or a proceeding if the manufacturer or importer is officially notified that an investigation or any other administrative proceeding involving his equipment has been instituted.

[54 FR 17713, Apr. 25, 1989, as amended at 62 FR 10472, Mar. 7, 1997]

**§ 2.956 FCC inspection and submission of equipment for testing.**

(a) Each responsible party shall upon receipt of reasonable request:

(1) Submit to the Commission the records required by § 2.955.

(2) Submit one or more sample units for measurements at the Commission's Laboratory.

(i) Shipping costs to the Commission's Laboratory and return shall be borne by the responsible party.

(ii) In the event the responsible party believes that shipment of the sample to the Commission's Laboratory is impractical because of the size or weight of the equipment, or the power requirement, or for any other reason, the responsible party may submit a written explanation why such shipment is impractical and should not be required.

(b) Requests for the submission of the records in § 2.955 or for the submission of sample units are covered under the provisions of § 2.946.

[62 FR 10472, Mar. 7, 1997]