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APPENDIX A TO PART 178—SPECIFICATIONS FOR STEEL

APPENDIX B TO PART 178—ALTERNATIVE LEAKPROOFNESS TEST METHODS

APPENDIX C TO PART 178—NOMINAL AND MINIMUM THICKNESSES OF STEEL DRUMS AND JERRICANS

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

**§ 178.1 Purpose and scope.**

This part prescribes the manufacturing and testing specifications for packaging and containers used for the transportation of hazardous materials in commerce.

[Amdt. 178–40, 42 FR 2689, Jan. 13, 1977. Redesignated by Amdt. 178–97, 55 FR 52715, Dec. 21, 1990]

**§ 178.2 Applicability and responsibility.**

(a) *Applicability.* (1) The requirements of this part apply to packagings manufactured—

- (i) To a DOT specification, regardless of country of manufacture; or
- (ii) To a UN standard, for packagings manufactured within the United States. For UN standard packagings manufactured outside the United States, see §173.24(d)(2) of this subchapter. For UN standard packagings for which standards are not prescribed in this part, see §178.3(b).

(2) A manufacturer of a packaging subject to the requirements of this part is primarily responsible for compliance with the requirements of this part. However, any person who performs a

function prescribed in this part shall perform that function in accordance with this part.

(b) *Specification markings.* When this part requires that a packaging be marked with a DOT specification or UN standard marking, marking of the packaging with the appropriate DOT or UN markings is the certification that—

(1) Except as otherwise provided in this section, all requirements of the DOT specification or UN standard, including performance tests, are met; and

(2) All functions performed by, or on behalf of, the person whose name or symbol appears as part of the marking conform to requirements specified in this part.

(c) *Notification.* Except as specifically provided in §§178.337–18 and 178.345–10 of this part, the manufacturer or other person certifying compliance with the requirements of this part, and each subsequent distributor of that packaging shall—

(1) Notify in writing each person to whom that packaging is transferred—

- (i) Of all requirements in this part not met at the time of transfer, and
- (ii) Of the type and dimensions of any closures, including gaskets, needed to satisfy performance test requirements.

(2) Retain copies of each written notification for at least one year from date of issuance; and

(3) Make copies of all written notifications available for inspection by a representative of the Department.

(d) Except as provided in paragraph (c) of this section, a packaging not conforming to the applicable specifications or standards in this part may not be marked to indicate such conformance.

(e) *Definitions.* For the purpose of this part—

*Manufacturer* means the person whose name and address or symbol appears as part of the specification markings required by this part or, for a packaging marked with the symbol of an approval agency, the person on whose behalf the approval agency certifies the packaging.

*Specification markings* mean the packaging identification markings required by this part including, where applicable, the name and address or symbol of