

## PART 180—CONTINUING QUALIFICATION AND MAINTENANCE OF PACKAGINGS

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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.

#### § 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 an exemption 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