

SUBCHAPTER A [RESERVED] SUBCHAPTER B—SAFETY APPROVAL OF CARGO CONTAINERS

PARTS 400–449 [RESERVED]

PART 450—GENERAL

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Subpart A—General Provisions

§ 450.1 Purpose.

This subchapter establishes requirements and procedures for safety approval and periodic examination of cargo containers used in international transport, as defined in the International Safe Container Act.

[45 FR 37213, June 2, 1980]

§ 450.3 Definitions.

(a) In this subchapter:

(1) *Approval Authority* means a delegate of the Commandant authorized to approve containers within the terms of the convention, the International Safe Container Act and this subchapter.

(2) *Container* means an article of transport equipment:

(i) Of a permanent character and suitable for a repeated use.

(ii) Specially design to facilitate the transport of goods, by one or more

modes of transport, without intermediate reloading.

(iii) Designed to be secured and readily handled, having corner fittings for these purposes.

(iv) Of a size that the area enclosed by the four outer bottom corners is either:

(A) At least 14 sq.m. (150 sq.ft.), or

(B) At least 7 sq.m. (75 sq.ft.) if it has top corner fittings.

(v) The term *container* includes neither vehicles nor packaging; however, containers when carried on chassis are included.

(3) *Convention* means the International Convention for Safe Containers (CSC) done at Geneva, December 2, 1972 and ratified by the United States on January 3, 1978.

(4) *District Commander* means the Coast Guard officer designated by the Commandant to command a Coast Guard District.

(5) *New Container* means a container, the construction of which began on or after September 6, 1977.

(6) *Existing Container* means a container that is not a new container.

[45 FR 37213, June 2, 1980, as amended at 47 FR 50496, Nov. 8, 1982; 69 FR 58352, Sept. 30, 2004]

§ 450.5 General requirements and applicability.

(a) Every owner of a new or existing container used or offered for movement in international transport shall have the container approved in accordance with the procedures established by the Administration of any contracting party to the convention, except that existing containers need not be approved until September 6, 1982.

(b) Every owner of an approved container used or offered for movement in international transport who:

(1) Is domiciled in the United States and has the head office in the United States, or

(2) Is domiciled in a country which is not a contracting party to the convention but has the principal office in the

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United States, shall have the container periodically examined in accordance with part 452 of this subchapter.

(c) Every owner of an approved container used or offered for movement in international transport who:

(1) Is domiciled in the United States but has the principal office in the jurisdiction of another contracting party to the convention, or

(2) Is domiciled in the jurisdiction of another contracting party to the convention but has the principal office in the United States, but elects to have the container examined in accordance with the procedures prescribed by the United States, shall conform to part 452 of this subchapter.

(d) Every owner of an approved container used or offered for movement in international transport who is neither domiciled in nor has the principal office in the jurisdiction of a contracting party to the convention, but elects to have the container examined in accordance with procedures prescribed by the United States, shall conform to part 452 of this subchapter.

[45 FR 37213, June 2, 1980]

§ 450.7 Marking.

(a) On each container that construction begins on or after January 1, 1984, all maximum gross weight markings on the container must be consistent with the maximum gross weight information on the safety approval plate.

(b) On each container that construction begins before January 1, 1984, all maximum gross weight markings on the container must be consistent with the gross weight information on the safety approval plate no later than January 1, 1989.

(Approved by the Office of Management and Budget under OMB control number 1625-0024)

[49 FR 15562, Apr. 19, 1984, as amended at 71 FR 55747, Sept. 25, 2006]

Subpart B—Procedure for Delegation to Approval Authorities

§ 450.11 Application for delegation of authority.

(a) Any person or organization seeking delegation of authority to act as an Approval Authority may apply to the Commandant, (CG-OES), U.S. Coast

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Guard, 2100 2nd St., SW., Stop 7126, Washington, DC 20593–7126. Each application must be signed and certified by the applicant or, if the applicant is an organization, by an authorized officer of the organization. A list of delegated approval authorities may be obtained from the Commandant (CG–522).

(b) The application must include the following information:

(1) Name and address, including place of incorporation, if a corporation.

(2) A description of the organization, including the ownership, managerial structure, organizational components and directly affiliated agencies and their functions utilized for supporting technical services.

(3) A listing of the basic technical services offered.

(4) A general description of the geographic area served.

(5) A general description of the clients being served or intended to be served.

(6) A description of the types of work performed by the applicant in the past, noting the amount and extent of such work performed within the previous three years.

(7) A description of the personnel to be utilized, indicating general background and qualifications, particularly for the surveyors to be involved in the actual witnessing of tests.

(8) A description of its means of assuring continued competence of its personnel.

(9) A detailed schedule of the fees proposed to be charged for the approval service.

(10) Evidence of financial stability.

(11) At least three business references who will furnish information regarding work performed by the applicant.

(12) A statement that the Coast Guard may inspect the applicant's facilities and records of approvals under the convention and these regulations.

(c) The application may contain any additional information the applicant deems to be pertinent.

(d) The applicant must furnish any additional information to evaluate the applicant's qualifications, if requested by the Chief, Office of Operating and Environmental Standards (CG-OES), U.S. Coast Guard.