

independent laboratory or the chief officer's representative. The Commandant or an authorized representative of the Commandant will review the MOU to ensure that it contains the information required by paragraph (b) of this section, and that the substantive provisions submitted in compliance with that paragraph are equivalent to those contained in other MOUs signed by the Commandant. If the Commandant determines that the MOU is acceptable and the independent laboratory is capable of carrying out the equipment approval functions identified in the MOU in accordance with all appropriate requirements, the Commandant or authorized representative may at his discretion sign the MOU. Where qualitative tests or determinations are required for approval or follow-up, provision must be made for conducting comparison tests with other recognized laboratories.

(d) Copies of MOUs signed by the Commandant in accordance with this part and of lists of independent laboratories which have been accepted as recognized laboratories but which have not yet been added to the lists included in this subchapter may be obtained at the address listed in § 159.001-5.

[CGD 93-055, 61 FR 13928, Mar. 28, 1996; 61 FR 15868, Apr. 9, 1996]

**§ 159.010-11 Changes in the laboratory's qualifications.**

(a) If any of the information submitted under § 159.010-5(a) changes, the laboratory shall notify the Commandant in writing of each change within 30 days after the change has occurred.

(b) If any change in the independent laboratory occurs which affects its performance under the MOU required under § 159.010-7, the laboratory shall notify the Commandant in writing within 30 days after the change occurs. The Commandant may terminate the MOU, or may require amendments or revisions.

[CGD 93-055, 61 FR 13929, Mar. 28, 1996]

**§ 159.010-15 Contracting inspections and tests or transferrals to another laboratory or person.**

(a) No independent laboratory may contract or transfer to another person

or laboratory the performance or supervision of inspections or tests, or both, required under an applicable subpart for which it is accepted or listed unless—

(1) A request in writing regarding the contract or transfer is submitted to the Commandant before the contract is executed or the transfer is completed; and

(2) The Commandant notifies the laboratory in writing that the contract or the transfer is allowed.

(b) [Reserved]

**§ 159.010-17 Termination of acceptance or recognition of an independent laboratory.**

The acceptance or recognition of a laboratory terminates if the laboratory—

(a) Requests termination;

(b) Is no longer in business;

(c) Knowingly fails to perform or supervise an inspection or test, or both, as required in an applicable subpart;

(d) Knowingly attests to the lack of errors, omissions, or false statement of an approval test report that contains errors omissions, or false statements;

(e) Does not meet the requirements of § 159.010-3(a);

(f) Does not comply with § 159.010-11;

(g) Contracts or transfers the performance or supervision of required inspections or tests to another laboratory or person without the approval of the Commandant; or

(h) Fails to, or in the opinion of the Commandant is unable to, carry out its responsibilities under an MOU required by § 159.010-7.

[CGD 93-055, 61 FR 13929, Mar. 28, 1996]

**§ 159.010-19 Termination of acceptance or recognition: Procedure.**

(a) If the Coast Guard receives evidence of grounds for termination of acceptance or recognition of an independent laboratory under § 159.010-17, the Commandant will notify the laboratory that termination is under consideration. The laboratory may submit written comments to the Commandant within 21 days of receipt of the notification. The Commandant will take all timely written comments into account

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before taking final action in the matter, and in no case will the Commandant take final action until at least 30 days after the laboratory has received the notification. Any final action taken by the Commandant is final agency action on the matter.

(b) If a deficiency could materially affect the validity of an approval issued under an applicable subpart, the Commandant may temporarily suspend the acceptance of the laboratory and may direct the holder of the certificate of approval to cease claiming that the items tested or inspected by the laboratory are Coast Guard approved, pending a final decision in the matter.

[CGD 93-055, 61 FR 13929, Mar. 28, 1996]

**PART 160—LIFESAVING EQUIPMENT**

**Subpart 160.001—Life Preservers, General**

Sec.

- 160.001-1 Scope.
- 160.001-2 General characteristics of life preservers.
- 160.001-3 Procedure for approval.
- 160.001-5 Production oversight.

**Subpart 160.002—Life Preservers, Kapok, Adult and Child (Jacket Type), Models 3 and 5**

- 160.002-1 Incorporation by reference.
- 160.002-2 Size and models.
- 160.002-3 Materials.
- 160.002-4 Construction.
- 160.002-5 Sampling, tests, and inspections.
- 160.002-6 Marking.
- 160.002-7 Procedure for approval.

**Subpart 160.005—Life Preservers, Fibrous Glass, Adult and Child (Jacket Type), Models 52 and 56**

- 160.005-1 Incorporation by reference.
- 160.005-2 Size and model.
- 160.005-3 Materials.
- 160.005-4 Construction.
- 160.005-5 Sampling, tests, and inspections.
- 160.005-6 Marking.
- 160.005-7 Procedure for approval.

**Subpart 160.006—Life Preservers: Repairing**

- 160.006-2 Repairing.

**Subpart 160.010—Buoyant Apparatus for Merchant Vessels**

- 160.010-1 Incorporation by reference.
- 160.010-2 Definitions.
- 160.010-3 Inflatable buoyant apparatus.

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- 160.010-4 General requirements for buoyant apparatus.
- 160.010-5 Buoyant apparatus with plastic foam buoyancy.
- 160.010-6 Capacity of buoyant apparatus.
- 160.010-7 Methods of sampling, inspections and tests.
- 160.010-8 Nameplate and marking.
- 160.010-9 Procedure for approval.
- 160.010-10 Independent laboratory.

**Subparts 160.011-160.012 [Reserved]**

**Subpart 160.013—Hatchets (Lifeboat and Liferaft) for Merchant Vessels**

- 160.013-1 Applicable specification and plan.
- 160.013-2 Type and size.
- 160.013-3 Materials, workmanship, and construction details.
- 160.013-5 Marking.

**Subpart 160.015—Lifeboat Winches for Merchant Vessels**

- 160.015-1 Applicable regulations.
- 160.015-2 General requirements for lifeboat winches.
- 160.015-3 Construction of lifeboat winches.
- 160.015-4 Capacity of lifeboat winches.
- 160.015-5 Inspection and testing of lifeboat winches.
- 160.015-6 Procedure for approval of lifeboat winches.

**Subpart 160.016—Lamps, Safety, Flame, for Merchant Vessels**

- 160.016-1 Applicable specification.
- 160.016-2 Requirements.
- 160.016-4 Marking.
- 160.016-5 Procedure for approval.

**Subpart 160.017—Chain Ladder**

- 160.017-1 Scope.
- 160.017-7 Independent laboratory.
- 160.017-9 Approval procedure.
- 160.017-11 Materials.
- 160.017-13 Construction.
- 160.017-15 Performance.
- 160.017-17 Strength.
- 160.017-21 Approval tests.
- 160.017-25 Marking.
- 160.017-27 Production tests and examination.

**Subpart 160.021—Hand Red Flare Distress Signals**

- 160.021-1 Incorporation by reference.
- 160.021-2 Type.
- 160.021-3 Materials, workmanship, construction and performance requirements.
- 160.021-4 Approval and production tests.
- 160.021-5 Labeling and marking.
- 160.021-6 Container.
- 160.021-7 Procedure for approval.