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Mr. Kelley, I would like a Formal Interpretation of 49 CFR 180.209(j). Cylinder used as a Fire Extinguisher.

The questions that I have relate to the testing of Fire Extinguishers as well as the definition of them. In the above standard it states the time frame of the testing intervals.

In around July - August 2021 the Transportation of Restaurant / Kitchen and Dry Chemical Suppression System cylinders was changed to - transport them as UN1044 Fire Extinguishers. I requested a Formal Interpretation (ref# 21-0084) if they were also to be tested as Fire Extinguishers. The answer I received back was, NO – they are not to be tested as Fire Extinguishers, it is just for Transportation.

References are from the November 1, 2025 - 49 CFR MasterRegs

180.209(j) states the requirements for testing of Fire Extinguishers and references 173.309(a) for the definition of a Fire Extinguisher.

173.309 - Fire Extinguishers

This section applies to portable fire extinguishers for manual handling and operation, fire extinguishers for installation in aircraft, fire extinguishers for installation as part of a fire suppression system, and large fire extinguishers. Fire Extinguishers for installation as part of a fire suppression system include cylinders charged with either a compressed gas and an extinguishing agent in the system or a gas which comprises the sole fire extinguishing agent in the system.

180.209(j) – states that only DOT cylinders used as a fire extinguisher in conformance with 173.309(a) of this subchapter may be requalified in conformance with this paragraph (j).

180.209(j)(1) A DOT 4B, 4BA, 4B240ET or 4BW cylinder used as a fire extinguisher may be tested as follows:

(ii) For a cylinder having a water capacity over 5.44kg (12 pounds), by the water-jacket, direct expansion or proof pressure test methods as prescribed in CGA C-1. For proof pressure test, a requalification must be performed by the end of 12 years after the original test date and at seven (7) year intervals.

**The questions are**

- Does a 4BA and/or 4BW Restaurant / Kitchen / Paint Booth Suppression cylinder that has a water capacity over 5.44kg (12 pounds) meet the definition of Fire Extinguisher and require to be tested 12 years after the original test date and at 7 years after that?
  
- Does a 4BA and/or 4BW Restaurant Suppression cylinder that has a water capacity over 5.44kg (12 pounds) and is installed on a mobile Food Truck / Trailer meet the requirement to be tested 12 years after the original test date and at 7 years after that?
  
- Does this apply to both Wet & Dry Chemical Suppression Systems. (i.e. wet chemical – Kitchen/Restaurant as well as dry chemical – Paint Booths)

Thank you for any information that you can give me. Brick Keltner, Koorsen Fire & Security