

**ORDER**

8100.14A

**INTERIM PROCEDURES FOR WORKING WITH THE  
EUROPEAN COMMUNITY ON AIRWORTHINESS  
CERTIFICATION AND CONTINUED AIRWORTHINESS**



XXXX, 2005

**DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION**



## FOREWORD

This order describes the procedures that Federal Aviation Administration (FAA) employees, designees, and delegations must follow when working with the European Community on the import or export of civil aeronautical products, parts, and appliances. This order addresses type, production, and airworthiness certification. It also addresses continued airworthiness.

On July 15, 2002, the European Parliament and the Council of the European Union (EU) adopted Regulation (EC) No 1592/2002 (Basic Regulation). It set common civil aviation rules in the EU and established a European Aviation Safety Agency (EASA). Effective September 28, 2003, EASA and the National Aviation Authorities (NAA) of EU Member States assumed their respective shared responsibilities for certificating and overseeing design, production, and maintenance of all civil aviation products in the EU.

If you find any deficiencies, need clarification, or want to suggest improvements on this order, send a copy of FAA Form 1320-19, Directive Feedback Information (written or electronically), to the Aircraft Certification Service, Planning and Financial Resources Management Branch, AIR-530, Attention: Directives Management Officer. Form 1320-19 is on the last page of this order. You can also get the form electronically from the FAA web site (<http://feds.faa.gov>) and submit it by e-mail to [9-AWA-AIR-EASA@faa.gov](mailto:9-AWA-AIR-EASA@faa.gov) or by fax to (202) 493-5144. Always use Form 1320-19 to follow up each verbal conversation.

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## CHAPTER 1. GENERAL

**1-1. PURPOSE.** This order provides interim policy and guidance on how to interact with the European Aviation Safety Agency (EASA) and the National Aviation Authorities (NAA) of European Union (EU) Member States for the purposes of type, production, and airworthiness certification, and continued airworthiness of aeronautical products.

**1-2. DISTRIBUTION.** Distribute this order to the following Federal Aviation Administration (FAA) offices:

a. Aircraft Certification Service (AIR) branch levels of Washington headquarters and all Aircraft Certification Directorates, including all Aircraft Certification Offices (ACO); Manufacturing Inspection Offices (MIO), Manufacturing Inspection District Offices (MIDO), Manufacturing Inspection Certificate Management Offices (CMO), and Manufacturing Inspection Satellite Offices (MISO); Directorate Standards Staffs; the Aircraft Certification Branch at the FAA Academy; and the Brussels International Policy Branch;

b. Flight Standards Aircraft Maintenance Division and all Flight Standards Aircraft Evaluation Groups, Flight Standards District Offices (FSDO), Flight Standards CMO, and all Flight Standards International Field Offices; and

c. Suspected Unapproved Parts (SUP) Program Office.

**1-3. CANCELLATION.** Federal Aviation Administration (FAA) Order 8100.14, *Interim Procedures for Working with the European Community on Airworthiness Certification and Continued Airworthiness*, dated September 30, 2003, is canceled.

**1-4. EXPLANATION OF MAJOR CHANGES.** This revision provides updated information regarding implementation of EASA policies and procedures.

**1-5. AUTHORITY TO CHANGE THIS ORDER.** The Aircraft Certification Service (AIR) International Policy Office (AIR-40) is responsible for issuing, revising, or canceling the material in this order.

**1-6. APPLICABILITY.**

a. This order is intended primarily for ACOs, Directorate Standards Staffs, MIOs, MIDO/CMOs, and Flight Standards Offices that:

- Conduct type certification and validate design approvals;
- Oversee production and continued airworthiness; and
- Accept the import/export of products between the United States and the EU Member States.

b. This order *addresses the significant differences* in policy and procedures that are required by the ongoing changes in Europe.

**1-7. RELATIONSHIP TO OTHER ORDERS ON BILATERAL ACTIVITIES.** This order takes precedence over existing policy and procedures on bilateral activities with EU Member States, unless it states otherwise. We will revise FAA orders, as appropriate, to include this order, or other appropriate requirements, after the United States concludes an applicable bilateral agreement with the European Community, hereafter referred to as the Community.

**1-8. DEVIATIONS.** The FAA must adhere to this order to acknowledge the new European regulatory system while still fulfilling FAA obligations under bilateral agreements with EU Member States. Because EASA is still evolving, we should be flexible in adapting to any changes. Any deviations from this policy and guidance material should be coordinated with and approved by Aircraft Engineering Division (AIR-100), Production and Airworthiness Division (AIR-200), or International Policy Office (AIR-40), as appropriate to the subject. FAA employees should substantiate, document, and get their supervisors' concurrence with deviations before submitting them for review and approval.

**1-9. REQUESTS FOR INFORMATION.**

**a.** All *public* requests for information on this order and related activities will be processed per the Freedom of Information Act. Refer to FAA Order 1200.23, Public Availability of Information.

**b.** *FAA personnel* can contact the International Policy Office (AIR-40), telephone (202) 385-8940, for additional information or to ask questions about this order. They also can e-mail questions to [9-AWA-AIR-EASA@faa.gov](mailto:9-AWA-AIR-EASA@faa.gov). FAA designees with questions should contact their FAA advisors.

**1-10. RECORDS MANAGEMENT.** Refer to Orders 0000.1, FAA Standard Subject Classification System, 1350.14, Records Management, and 1350.15, Records Organization, Transfer, and Distribution Standards, or your office Records Management Officer (RMO)/Directives Management Officer (DMO) for guidance regarding retention or disposition of records.

## CHAPTER 2. THE NEW EU SYSTEM AND OUR BILATERAL AGREEMENTS

### 2-1. TRANSITION TO THE NEW EU REGULATORY SYSTEM.

#### a. Creating the European Aviation Safety Agency (EASA).

(1) On July 15, 2002, the European Parliament and the Council of the European Union adopted Regulation (EC) No 1592/2002 (Basic Regulation). It set common civil aviation rules, and gave the Community regulatory competence in the field of civil aviation for the EU. This includes the power to regulate air transport safety and to check, correct, and ensure that Member States are uniformly implementing the Basic Regulation and common rules.

(2) The Basic Regulation also created EASA. The Basic Regulation required that EASA be operational by September 28, 2003, when they started overseeing type certification and continued airworthiness. EASA oversees all civil aviation products for EU Member States, except those excluded by Annex II of the Basic Regulation (see appendix 1 for Annex II criteria). On behalf of the Community, the respective EU Member State of Design and their NAA still manage products excluded from EASA's responsibility by Annex II. European products that remain under an NAA's responsibility can be found on the FAA Intranet at [http://intranet.faa.gov/avr/air/air4/NAA%20%20Products\\_Import.rtf](http://intranet.faa.gov/avr/air/air4/NAA%20%20Products_Import.rtf).

(3) The main objectives of this change are to:

- Promote a high, uniform level of safety and environmental protection;
- Improve cost efficiency by not duplicating certification rules and procedures;
- Assist Member States in fulfilling their International Civil Aviation Organization (ICAO) obligations;
- Promote European positions in the field of aviation safety rules and standards; and
- Make it easier for products, services, and persons to circulate in the EU.

#### b. Working with the Joint Aviation Authorities (JAA).

(1) The JAA also represents countries that are not EU Members. The JAA has incorporated, by reference, the EU regulations and certification specifications for aircraft certification and maintenance. Non-EU JAA Member Authorities will rely, to the maximum extent, on the findings of EASA to issue their own certificates and approvals. The EASA has taken on the task of managing the JAA's aircraft certification and maintenance functions. A small governing body will be retained to make EASA decisions applicable to other JAA members.

(2) The Community has developed regulations and policy, basing them, to the greatest extent possible, on JAA regulations, procedures, standardization methods, organizational approvals, etc. Under EASA's authority, the JAA will help the Community move to the new system.

**c. EU Airworthiness and Environmental Protection Requirements.**

(1) EASA has issued new certification specifications to replace the Joint Aviation requirements (JAR) as the airworthiness codes and acceptable means of compliance (AMC) for EU Member States. Certification specifications include:

(a) Book 1 – Airworthiness codes, which are standard technical interpretations of the airworthiness essential requirements in Annex 1 to the Basic Regulation and are derived from Section 1 of the JAR; and

(b) Book 2 – AMC which are non-exclusive means of showing compliance with airworthiness codes and are derived from Section 2 of the JAR.

(2) EASA has issued AMC-20 that contains general AMCs that are more complex in nature, e.g., involving multiple Certification Specifications.

(3) EASA has also issued AMC and guidance for implementing rule procedures, such as Part 21.

(4) The Community will use ICAO Annex 16 Volume I (Aircraft Noise) issued March 2002 and Volume II (Aircraft Engine Emissions) issued in November 1999 as its environmental protection requirements.

**2-2. HOW THE EUROPEAN COMMUNITY DIVIDES RESPONSIBILITIES.**

**a. Transferring Civil Aviation Safety Oversight to the Community.** Under the Basic Regulation, legal competence and authority on civil aviation moves from Member States to the Community. Member States retain their ICAO responsibilities. The Community divides responsibilities between EASA, the NAAs of the EU Member States, and the European Commission. Although EASA became operational on September 28, 2003, the Community has 42 months to complete the transition. EASA contracts with the NAAs to perform basic staff work leading to an EASA decision. As EASA staff increases, the supporting staff work may be assumed by EASA personnel. The Basic Regulation gives EASA power to allocate (outsource) certain tasks to qualified entities, but EASA remains accountable for this work. A qualified entity means a person or organization that may conduct certification tasks under the control and the responsibility of EASA. At the present time only NAAs may be allocated certification tasks. The NAAs must be accredited by EASA except those NAAs already standardized by JAA who may act within the scope of that standardization.

**b. Rulemaking and Policy.**

(1) The EU Council and Parliament have rulemaking authority in the Community. Through the Basic Regulation (EC) No 1592/2002, the Community assigns certain aviation

safety functions to the EU Commission and EASA. Figure 2-1 lists the division of responsibility:

<b>FIGURE 2-1. RULEMAKING AND POLICY RESPONSIBILITIES</b>	
<b>EU Parliament and Council</b>	Adopt Community regulations and establish essential requirements (for example, Basic Regulation (EC) No 1592/2002).
<b>EU Commission</b>	<p>Drafts Amendments to Basic Regulation 1592/2002 and related essential requirements based on opinions from EASA. The EU Council and Parliament consider these drafts through their co-decision process.</p> <p>Issues Commission regulations (which are implementing rules, such as parts 21, 145) to implement the essential requirements of the Basic Regulation.</p> <p>Issues grants or denials of exemptions to the essential requirements.</p>
<b>EASA</b>	<p>Drafts and issues all certification specifications (including airworthiness codes and AMC) and guidance material (including maintenance).</p> <p>Drafts opinions for Amendments to Basic Regulation 1592/2002 and related essential requirements. EASA forwards these opinions to the EU Commission.</p> <p>Drafts opinions on implementing rules for the Commission to consider.</p> <p>Issues special conditions and equivalent safety findings for product certification.</p> <p>Drafts grants or denials of exemptions to the essential requirements for the Commission to consider.</p>
<b>NAA</b>	<p>Recommends regulation and policy changes to EASA.</p> <p>Acts as technical advisor when requested by EASA or the Commission.</p>

(2) To summarize, the EU regulatory hierarchy below the treaty level for airworthiness and certification is:

- ∞ Level 1: Basic Regulation (including essential requirements);
- ∞ Level 2: Implementing rules: for example, the Commission will adopt Part 21, on the basis of a formal opinion by EASA;
- ∞ Level 3: Agency measures: for example, EASA's Executive Director will approve airworthiness codes and associated AMC, including AMC and guidance material to Annex Part 21.

c. **Airworthiness Certification (Type, Production, and Airworthiness, including organizational approvals).** Figure 2-2 lists responsibilities for determining that products, appliances, and parts operating in the EU meet the appropriate airworthiness requirements and issuing the appropriate certification. It also lists responsibilities for approving design, production, and maintenance organizations:

<b>FIGURE 2-2. AIRWORTHINESS CERTIFICATION RESPONSIBILITIES</b>	
<b>EASA</b>	<p>Grants type certificates (TC), supplemental type certificates (STC), single serial number STCs, and amendments and other design approvals [repair, European Technical Standard Order (ETSO), replacement parts], design changes and certificate transfers.</p> <p>Determines type certification basis, including special conditions and equivalent safety findings. Accepts or rejects proposed deviations from certification specifications.</p> <p>Determines if a product complies with the type certification basis and issues relevant type certificates and other appropriate approvals.</p> <p>Issues revocations</p> <p>Grants environmental certification.</p> <p>Oversees continued airworthiness of approved products, which includes issuing airworthiness directives (AD).</p> <p>Issues design organisation approvals (DOA).</p> <p>Issues production organisation approvals (POA) and repair station certifications outside the EU. (EASA may issue repair station or production approvals for European organizations, if NAA requests these approvals.)</p> <p>Cooperates with foreign authorities and international institutions, such as ICAO, to assist EU Member States in fulfilling their State of Design obligations.</p> <p style="text-align: center;"><b>NOTE:</b> EASA may conduct certain tasks through “qualified entities” for which EASA would be responsible</p>
<b>NAA</b>	<p>Issues POAs and repair station certifications in their national boundaries. (An NAA may request EASA to issue a repair station or production approval for an organization in the EU.)</p> <p>Issues airworthiness certificates for individual aircraft registered in their country.</p> <p>Issues noise certificates for individual aircraft registered in their country.</p> <p>Approves and oversees all Annex II aircraft and related parts and appliances not under EASA’s authority.</p>

**d. Oversight and Standardization.** Figure 2-3 lists the responsibilities for oversight of EASA and NAA activities and ensuring standardization within the Community.

<b>FIGURE 2-3. OVERSIGHT AND STANDARDIZATION RESPONSIBILITIES</b>	
<b>European Commission</b>	<p>Is represented on the EASA Management Board along with representatives of the Member States.</p> <p>Provides opinions to the EASA Management Board on EASA's work program.</p> <p>Ensures Member States comply with Community Regulations.</p>
<b>Management Board</b>	<p>Appoints the EASA Executive Director, and the EASA Directors.</p> <p>Adopts the Agency's annual program of work, after receiving the Commission's opinion.</p> <p>Establishes procedures for the Executive Director to make decisions.</p> <p>Appoints the members of the Board of Appeal.</p> <p>Exercises disciplinary authority over the Executive Director and with agreement of the Executive Director discipline the four Directors.</p> <p>Establishes the Agency's organizational structure and adopts the Agency's staffing policy.</p> <p>Advises the Executive Director on any matter strictly related to strategic development of aviation safety.</p> <p>Establishes an advisory body of interested parties, which it must consult before making certain decisions.</p>
<b>EASA</b>	<p>Allocates certification tasks to certification teams, NAAs or qualified entities according to guidelines set by the Management Board.</p> <p>Undertakes any international functions and technical cooperation with third countries.</p> <p>Adopts internal administrative instructions and publishes notices, to ensure the functioning of the Agency.</p> <p>Oversees <i>all</i> aviation safety activities of Member States, except products excluded from EASA's responsibility by Annex II of the Basic Regulation.</p> <p>Standardizes implementation of EASA technical policies and procedures.</p> <p>Conducts inspections and investigations as necessary to fulfill its tasks.</p> <p>Provides the Commission with the necessary technical, scientific, and administrative support to carry out its tasks.</p>
<b>NAA</b>	<p>Standardizes implementation of its policies and procedures, and how they apply to Community requirements.</p> <p>Oversees maintenance and production in its country, including enforcement actions.</p>

**e. Points of Contact.** EASA contact information can be found at [http://www.easa.eu.int/contactus\\_en.html](http://www.easa.eu.int/contactus_en.html). EU Member State NAA contact information is available on the FAA Intranet at <http://intranet.faa.gov/avr/air/air4/caalist.pdf>. When EASA or an NAA notifies us of changes, we will update that listing. When EASA or an NAA notifies an Aircraft Certification Service office of new or changing contacts, the office should inform AIR-40 to help in keeping an up-to-date listing.

### 2-3. RELATED EU POLICY AND GUIDANCE.

**a.** The Office for Official Publications of the European Communities published the Basic Regulation in the Official Journal of the European Communities on September 7, 2002. The Basic Regulation is available on the Internet at:

[http://europa.eu.int/comm/transport/air/legislation/air\\_safety\\_en.htm](http://europa.eu.int/comm/transport/air/legislation/air_safety_en.htm). EASA has established an internet site at <http://www.easa.eu.int/> as the official source of agency decisions.

**b.** Find the EU Implementing Rules, certification specifications, and policy and guidance materials at: [http://www.easa.eu.int/regul\\_en.html](http://www.easa.eu.int/regul_en.html).

**c.** Find additional information on Community aviation safety at: [http://europa.eu.int/comm/transport/air/index\\_en.htm](http://europa.eu.int/comm/transport/air/index_en.htm).

**d.** Find general information on the Community at: <http://www.eurunion.org> or [http://europa.eu.int/index\\_en.htm](http://europa.eu.int/index_en.htm).

### 2-4. BILATERAL AGREEMENTS.

**a. Agreement with EU Member States.** As of May 2004, there are 25 EU Member States (see figure 2-4). Thirteen of these 25 countries have either a Bilateral Airworthiness Agreement (BAA) or Bilateral Aviation Safety Agreement (BASA) with Implementation Procedures for Airworthiness (IPA) with the United States.

**FIGURE 2-4. CURRENT EU MEMBER STATES**

Austria	Greece *	Poland
Belgium	Hungary*	Portugal *
Cyprus*	Ireland *	Slovak Republic*
Czech Republic	Italy	Slovenia
Denmark	Latvia	Spain
Estonia*	Lithuania*	Sweden
Finland	Luxembourg *	United Kingdom
France	Malta*	
Germany	Netherlands	

\* These countries do not have a bilateral airworthiness agreement with the U.S. related to aircraft certification although Ireland does have a BASA with the U.S. governing repair station activity.

**b. Future Agreement with the European Community.** The United States does not yet have a bilateral agreement with the Community as a single entity. Per the Basic Regulation the Community rather than individual Member States now has legal competence on aviation safety. The FAA is working through the Department of State to conclude a new agreement that will largely replace our current 13 bilateral agreements. For the interim, the U.S. and our bilateral partner EU Member States have exchanged diplomatic notes to continue bilateral import and export procedures. As a result of these notes, EASA, not the NAA, is responsible for executing the design approval and continued airworthiness provisions of our existing BAAs and BASAs. When working with EASA and the NAAs of the countries in figure 2-4 above, we must apply the interim guidance and procedures of this order, until the United States concludes a new bilateral agreement with the Community.

**c. Import of Eligible Products, Parts, and Appliances.** Until a new bilateral agreement is concluded with the Community, the FAA will continue to accept certain European products, parts, and appliances for import into the United States as defined in the applicable existing bilateral agreement. Products, parts, and appliances eligible for import into the United States are summarized in appendix 3. Products, parts, and appliances from countries not identified in Appendix 3 are not eligible for approval or import into the United States.

**d. Export of Eligible Products, Parts, and Appliances.** Until a new bilateral agreement is concluded with the Community, the EU will continue to accept certain U.S. products, parts, and appliances for import into the EU as defined in an applicable existing bilateral agreement.

**e. Acceptance of Existing Approved Products, Parts, and Appliances.** The Basic Regulation provides for the acceptance by all EU Member States of existing aviation products, parts, and appliances already approved by any one EU Member State and of future products, parts, and appliances approved by EASA. U.S. products, parts, and appliances already accepted (except for restricted category products) by any EU Member State may be exported throughout the EU.

**2-5. TYPE VALIDATION PRINCIPLES (TVP).** The FAA will continue to apply Type Validation Principles (TVP) and Post Type Validation Principles (PTVP). We will apply TVP and PTVP when working with EASA and NAAs. The FAA and EASA have revised the TVP/PTVP to improve the efficiency on how we validate each others products. The spirit of TVP and PTVP are unchanged from those developed between FAA and JAA. (See FAA Order 8110.52, *Type Validation and Post-Type Validation Procedures*.)

## **2-6. RECOGNITION OF DELEGATION AND DESIGNEE SYSTEMS.**

**a. Accepting Existing Delegation or Organizational Approval Systems.** The bilateral agreements provide for the acceptance of current delegation or organizational approval systems between the U.S and our bilateral partners. This will continue when working with NAAs or with EASA, which will represent EU Member States with whom the United States has a bilateral agreement. The Community proposed a new organizational approval system, Continuing Airworthiness Management Organisation (CAMO). A CAMO will manage the continued airworthiness of individual aircraft. The FAA has not accepted CAMO, and it is not recognized

under the current bilateral agreements. The FAA will evaluate the activities of these organizations for their acceptability in the future.

**b. Notification of FAA Designees or Delegated Organization Activities.** The certificate managing ACO will notify EASA whenever a designated engineering representative (DER) or an FAA delegated organization plans to conduct type design approval activities within an EU Member State. (See appendix 2 for EASA's address.) The MIDO/CMO will notify the NAA responsible for the involved production approval holder, operator, or maintenance organization for any designated airworthiness representative (DAR), designated manufacturing inspection representative (DMIR), or organizational DAR (ODAR) activity. Designee activities outside the United States may include test witnessing, conformity inspection, airworthiness certification, and support for data approvals. Other FAA policy on U.S. designees and delegated organizations, who work in Europe or on EU Member State registered aircraft such as FAA Orders 8110.37 and 8100.8, remains unchanged.

## CHAPTER 3. IMPORTING EU PRODUCTS INTO THE U.S.

### 3-1. DESIGN APPROVAL VALIDATIONS.

**a. Status of Existing FAA-Validated Products.** Approvals of EU products that the FAA made before EASA became operational remain valid. Based on those prior FAA approvals and validations, anyone can continue to import products of the same type into the United States. However, as noted later in this chapter, the responsibilities in the Community change with respect to continued airworthiness, design changes, repairs, etc. The responsibilities also change for future new applications for FAA validations.

**b. Updates of Type Certificate Data Sheets (TCDS) and Supplemental Type Certificates (STC) for FAA-Validated Products.**

(1) Order 8110.4, *Type Certification*, and Advisory Circular (AC) 33-2, *Aircraft Engine Type Certification Handbook*, require that the TCDS for an imported product, in the note titled “Import Requirements,” reflect the airworthiness documentation from the country of the manufacturer’s civil aviation authority. The documentation certifies that the aircraft, engine, or propeller conforms to its type design, is in a condition for safe operation, and meets certain other conditions. The TCDS statement is used for airworthiness certificate eligibility. This text will change as a result of EASA assuming responsibility for most products in the EU.

(2) FAA certificate managing ACOs and Directorate Standards Staffs responsible for FAA-validated products must revise the TCDSs and STCs from EU Member States to show a historical record and new import requirements as shown in appendix 4. Each office must update the TCDS and STC at the next revision cycle, or at the earliest opportunity during certificate management activities, but not later than March 28, 2007.

**c. FAA Validation of a EU Restricted TC or STC.**

(1) The FAA may choose to validate products with Restricted TCs or STCs case-by-case from bilateral partner countries. With the essential requirements in Annex I of the Basic Regulation, “restricted” does not mean the same in the FAA system as it does in the EU system. This does not imply that EU products with a “restricted” certificate would not comply with ICAO Annex 8.

(2) EASA plans to have a system for accommodating restricted aircraft. However, until EASA finalizes its policy on restricted aircraft and the United States and the Community have concluded a bilateral agreement, we will evaluate each application for a U.S. restricted category TC on a case-by-case basis for its acceptability.

**d. FAA TC and STC Validation Projects in Process Before Operation of EASA.**

(1) Unless the FAA is notified otherwise, we will continue any FAA validation projects for products from an EU Member State started before EASA became operational. The FAA will work with the existing EU team and project manager focal point (NAA or JAA) until we complete the project. EASA may change the EU team members or make technical decisions.

EASA will recognize any documented agreements reached during the project before EASA became operational – for example, type certification basis, methods of compliance. The FAA and EASA will continue to apply the principles and procedures of TVP and PTVP.

(2) Any communications with the EU team are considered to be communications with EASA. The State of Design NAA may issue technical certification or a technical visa that the product complies with the applicable technical requirements. This technical approval is then forwarded to EASA. EASA must approve this technical visa, before it represents an EASA approval. Should any disagreements on a certification program arise, the appeals process in TVP should be followed.

**e. New Applications for FAA Validation of TCs, STCs, and Amendments.**

(1) EASA or an NAA on behalf of EASA will send new applications to the appropriate FAA office identified in the bilateral agreement. The FAA can only accept TC and STC applications from Europe for products from EU Member States covered by an existing bilateral agreement. Our procedures for responding and working the project with EASA and the applicant are unchanged from how we worked with the NAA in the past. The FAA will still use TVP.

(2) EASA designates its focal point to support the validation project. That EU focal point may be the NAA of the State of Design on behalf of EASA. The FAA will coordinate any decision-making on the project with the assigned focal point who represents EASA. However, if any significant disagreement arises between FAA and the focal point, the FAA will coordinate dispute resolution with that focal point through the EASA organization, not the NAA organizational structure.

(3) While validating products with EASA, the FAA will continue to maintain TVP and seek to improve efficiency where possible by relying on each other's findings. The appropriate FAA Directorate Standards Staff will provide a list showing the differences between the airworthiness standards of Title 14 Code of Federal Regulations (14 CFR) and the EASA certification specifications. In consultation with the Directorate Standards Staff, the ACO should use this list when applying the TVP process of determining which differences are significant enough to warrant further investigation as validation items. On behalf of the bilateral partner State of Design, EASA will issue the appropriate certifying statements to us and verify any data about the FAA's certification basis.

**f. FAA Noise, Emissions, and Fuel Venting Approvals for EU Products.**

(1) There are no changes to FAA policy and procedures on environmental requirements for validation. All applicants must still comply with all applicable noise requirements of 14 CFR part 36, and the applicable fuel venting, and exhaust emission requirements of 14 CFR part 34.

(2) 14 CFR Part 36 has been amended since the conclusion of the six EU Member State BASA IPAs. Contrary to the text of these six BASA IPAs, Amendment 36-24 requires that all applicants comply with the noise standards of 14 CFR Part 36 in effect on the date of application for the U.S. TC, or application for change to the TC. In AIR-40's International

Policy Memo “Incorporation of Amendment 24 to 14 CFR Part 36 into Bilateral Aviation Safety Agreement (BASA) Implementation Procedures for Airworthiness (IPA)” dated August 11, 2003, the FAA gives specific guidance on amendment level and affected Part 36 appendices based on the application date.

**g. FAA Acceptance of EU Design Changes, Including Data that Support Repairs.**  
(See figure 3-1 for a summary of how to handle design changes.)

**(1) Major Changes Developed by a EU TC Holder.**

(a) The FAA and EASA will follow the PTVP, where appropriate. EASA, or an NAA on behalf of EASA, will notify us of major changes per existing PTVP procedures.

(b) The FAA accepts data and instructions that contain a statement showing that the data was approved under the system of the State of Design NAA prior to September 28, 2003. We accept data and instructions approved by or on behalf of EASA. We accept data and information that the TC holder submits in one of the following documents:

- Service bulletins,
- Structural repair manuals,
- Vendor manuals,
- Aircraft flight manuals, and
- Overhaul and maintenance manuals.

(c) The FAA will accept design change data and related instructions approved by EASA and submitted in a format not listed in paragraph 3-1g(1)(b), for State of Design products from France, Germany, Italy, the Netherlands, Sweden, and the United Kingdom or other States when noted in the respective BASA IPAs and on the FAA TCDS.

**(2) Major Changes Developed by Other Than the EU TC holder.** For a major change to the type design, the applicant must submit an FAA STC application as defined in paragraph 3-1e above.

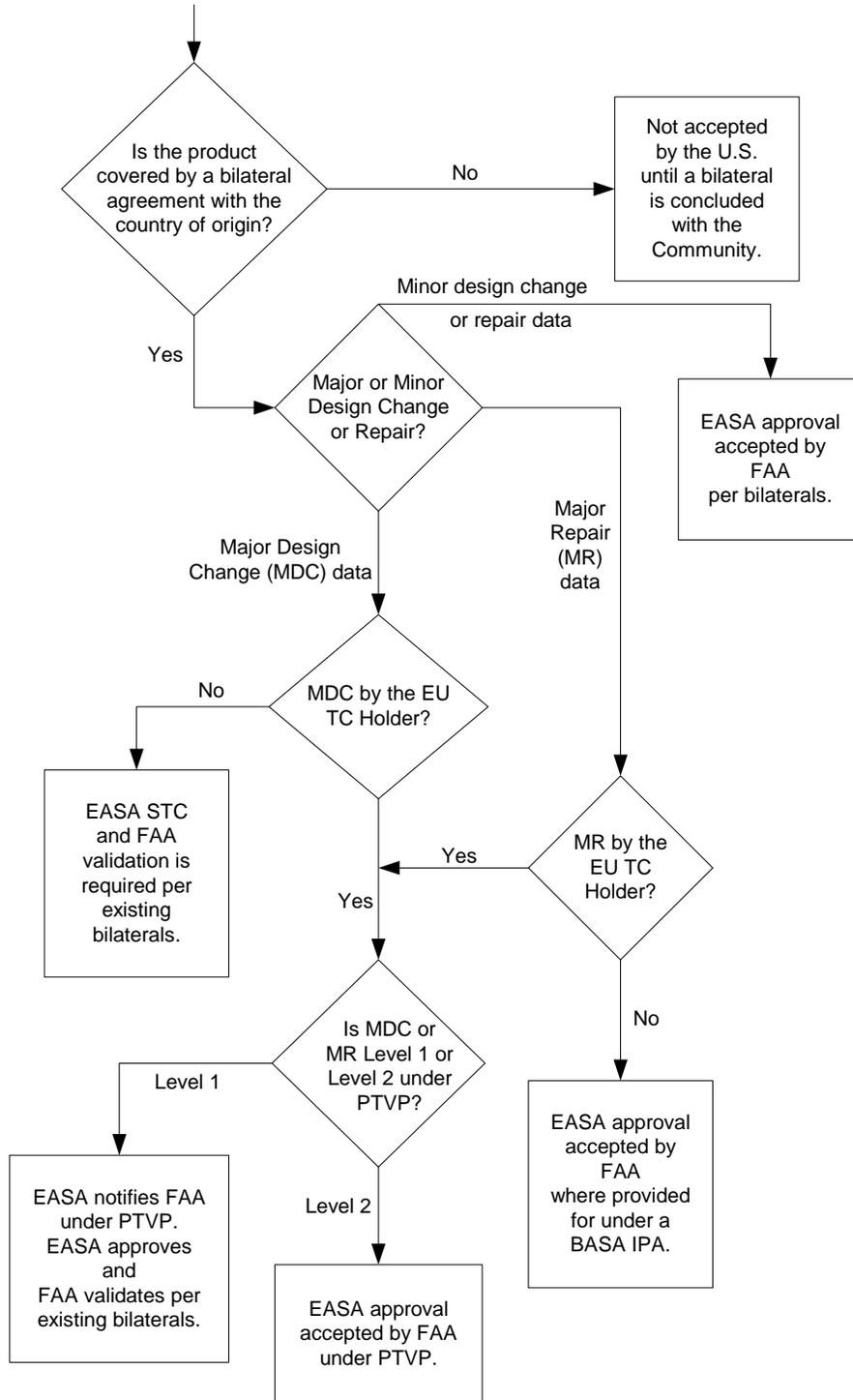
**(3) Major or Minor Repairs.** The FAA will accept repair data and related instructions approved and submitted in a format not listed in paragraph 3-1g(1)(b), for State of Design products from France, Germany, Italy, the Netherlands, Sweden, and the United Kingdom or other States when noted in the respective BASA IPAs and on the FAA TCDS. The FAA will also accept repair data on U.S. transport category airplanes approved by the German LBA or the U.K. CAA on behalf of EASA in accordance with bilateral special arrangements.

**(4) Minor Changes Developed by the EU TC Holder or Other EU Certificate Approval Holder.** We accept, as FAA approved, data for minor changes from EU Member States that have a bilateral agreement with the United States. Minor changes must be approved

per Commission Regulation, Annex Part 21. Such minor change data approvals may come from EASA or an organization that has a design organisation approval (DOA) from EASA.

**NOTE:** For US companies, an EASA DOA is not needed since EASA will rely on the bilateral agreements and FAA's oversight system with respect to accepting U.S. design approvals. European companies that did not have a DOA according to the previous JAA procedures are required to obtain a DOA by 28 September 2005.

**FIGURE 3-1. DESIGN CHANGES FOR EU PRODUCTS IMPORTED INTO THE U.S.**  
*(NOTE: Restricted Category Aircraft are handled on a case-by-case basis)*



#### **h. FAA Letter of TSO Design Approval for EU Articles (Parts or Appliances).**

(1) The NAA or EASA will forward, to the Boston Aircraft Certification Office, applications from European article manufacturers for new FAA letters of TSO design approval (TSO LODA). All applications, including those from the NAA, must have a statement approved by EASA certifying that the appliance or part complies with the appropriate FAA TSO.

(2) EASA has issued ETSOs that are derived from JAA Joint TSO (JTSO) requirements. The FAA will recognize ETSO standards that are identical to FAA TSOs as a means to minimize our technical evaluation. (However, the FAA has determined that while most ETSOs are technically similar, they are not identical to FAA TSOs due to different data or marking requirements.) Regardless of whether an ETSO Authorisation is issued or not, we require a certifying statement approved by EASA that certifies the appliance or part complies with the appropriate FAA TSO, in addition to other data as required by 14 CFR 21.617(a). A deviation must be granted by the appropriate AIR-100 branch for any TSO article that does not meet our TSO standard before we can issue a TSO LODA.

(3) The Boston ACO will issue the TSO LODA and send it under cover letter to the EASA Certification Manager for Parts & Appliances. The appliance can then be marked per the appropriate TSO and 14 CFR 21.607(d) requirements.

(4) There is no change to FAA's requirements regarding notification of design changes to a TSO letter of design approval, however, EASA or an NAA on behalf of EASA may provide this notification.

**i. Transfer of EU TCs and STCs.** The EU State of Design will notify the FAA, per ICAO and bilateral agreement obligations, when the EU TC holder is transferring an EU certificate that the FAA validated to another holder or to another State of Design. Until the United States has an applicable bilateral agreement with the Community, the FAA cannot recognize the transfer of a European product to an EU State of Design that does not have a bilateral agreement with the United States.

### **3-2. AIRWORTHINESS CERTIFICATION OF EU PRODUCTS.**

**a. General.** This section applies only to import of products, parts, and appliances from an EU Member State with whom the United States has a BAA or BASA IPA, and to products, parts, and appliances within the scope of the specific bilateral agreement for which that country is the State of Design. Products, parts, and appliances from a EU Member State that does not have a bilateral agreement with the United States are not eligible for import into the United States. Products, parts, and appliances must be imported with appropriate airworthiness documentation.

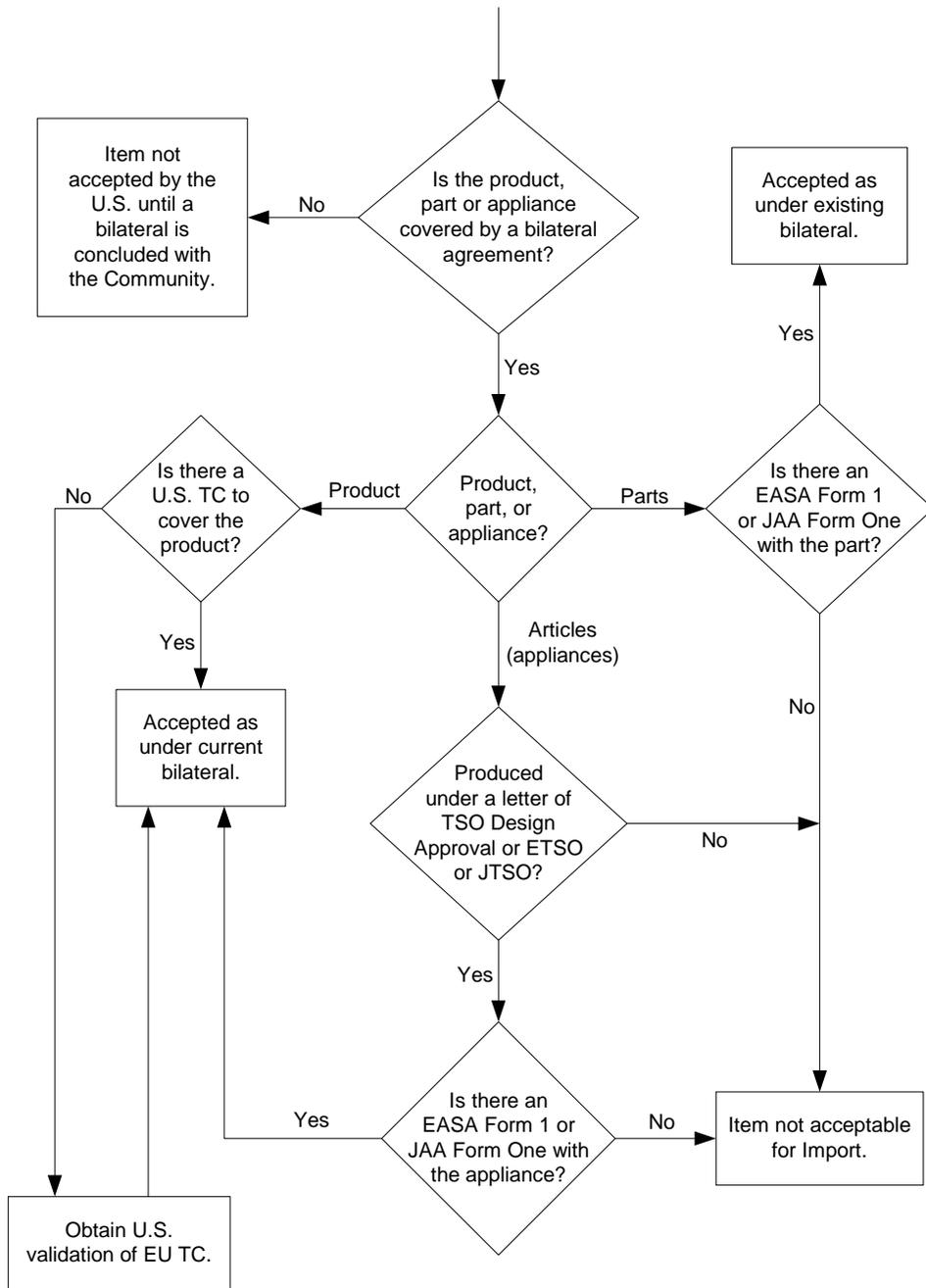
**b. Import Documentation.** Under existing bilateral agreements, the FAA will continue to recognize any JAA and NAA forms for products, parts, and appliances issued prior to the mandatory implementation date of any new EASA forms. Because the Community will not use a common Export Certificate of Airworthiness (C of A) document, each NAA will continue to issue its own Export C of A Form for new aircraft imported into the United States. An EASA POA holder will issue an EASA Form 1, Authorised Release Certificate (see appendix 5), for

new aircraft engines and propellers, ETSO articles, and modification and replacement parts. Additionally, POA holders producing articles under the authority of an FAA letter of TSO design approval will issue an EASA Form 1 when exporting.

**c. FAA Acceptance of EU Products, Parts and Appliances.** For the import of EU products, parts and appliances into the United States, current FAA guidance and procedures for accepting them remain the same as governed by the existing bilateral agreements. The FAA will continue to require an Export C of A for aircraft and an authorized release certificate for aircraft engines, propellers, parts, and appliances. As defined by the applicable bilateral agreement and per current policy and procedures (see figure 3-2), the FAA will continue to accept the following products, appliances, and parts with appropriate import documentation:

- ***New aircraft*** with an NAA Export C of A.
- ***New EU restricted aircraft*** from current BASA IPA partners, after the FAA validates the TC, with an NAA Export C of A.
- ***New aircraft engine or propeller*** with a JAA Form One (issued prior to 09/28/2003) or an EASA Form 1.
- ***New TSO article*** with a JAA Form One (issued prior to 09/28/2003) or an EASA Form 1.
- ***New modification or replacement parts*** with a JAA Form One (issued prior to 09/28/2003) or an EASA Form 1.
- ***Used aircraft***, including aircraft manufactured in any third country when provided for in the scope of the bilateral agreement, with an NAA Export C of A.

**FIGURE 3-2. ACCEPTING EU PRODUCTS, PARTS, AND ARTICLES INTO THE U.S.**  
 (NOTE: Restricted Category Aircraft are handled on a case-by-case basis)



**d. Export Certificate of Airworthiness Exceptions.** The exporting NAA will notify the geographical-responsible MIO of any non-compliance to our approved type design before issuing its Export C of A for an EU aircraft. The NAA will list this non-compliance as an “exception” on the Export C of A. This notification process, and our policy and procedure for accepting or rejecting any exception, remain the same. (See Order 8130.2)

**3-3. IDENTIFICATION AND MARKING.** The identification and marking of products, parts, and appliances imported into the United States from the EU remain the same, with the following two exceptions:

**a.** The letters “EPA” (European Part Approval) will be marked on parts that are produced on and after March 28, 2004, using design data not belonging to the TC holder of the related product.

**b.** The applicable ETSO number will be marked on all articles produced to an ETSO airworthiness specification.

**3-4. CONTINUED AIRWORTHINESS OF EU PRODUCTS OPERATING IN THE UNITED STATES.**

**a. EASA Mandatory Continued Airworthiness Information (MCAI).**

(1) EASA is responsible for continued airworthiness of all products operating in the EU, except for those products under Annex II of the Basic Regulation. As the agent of the EU State of Design, EASA will issue any necessary ADs to correct unsafe conditions. EASA may also approve an AD prepared and issued by an NAA. In these instances, the NAA issued AD must contain a statement that the AD was approved by EASA and it must also contain an EASA approval number. EASA maintains a list of all NAA ADs that it has approved at: [http://www.easa.eu.int/aw\\_dir\\_en.html](http://www.easa.eu.int/aw_dir_en.html). Similarly EASA is responsible for notifying the FAA of pending emergency actions or significant investigations. ADs issued by EASA are mandatory in all EU Member States.

(2) The Community has determined that for the interim the NAA of the State of Design for an EU product will manage the product's continued airworthiness on behalf of EASA. The NAA will conduct the necessary oversight and prepare ADs, which EASA will approve or issue its own AD. The FAA will continue to work EU product-specific technical continued airworthiness issues with the State of Design NAA unless EASA informs us to do otherwise. The FAA may have informal communications with the NAA specialists investigating the continued airworthiness issue and preparing the AD. Any request for us to meet with an EU manufacturer to discuss airworthiness issues must be coordinated through EASA.

(3) The FAA accountable directorate will take action based on EASA's AD when EASA develops its AD from information generated by NAAs who have a BAA/BASA IPA with the United States. The Head of Products, EASA Certification Directorate and FAA directorate management representatives manage the resolution of any disagreements over a continued airworthiness issue.

**b. Service Difficulty Reports (SDR) and Malfunction, Failure, and Defect Reporting.**

(1) Existing bilateral agreements contain provisions on how to exchange data on malfunctions, failures, and defects. The Community is developing a centralized system for collecting and analyzing in-service data. In the interim, although EASA is responsible under the Basic Regulation for the continued airworthiness of EU products under its authority, the EU State of Design NAAs will oversee the continued airworthiness of their EU products. They will perform this oversight on behalf of EASA and the Community.

(2) The FAA will work with the EASA Project Certification Manager (PCM) for the product on reporting and exchanging in-service information. We also will respond to requests from EASA or the State of Design NAA about EU products operating in the United States.

(3) The NAAs, on behalf of EASA, will continue to oversee industry service difficulty, malfunction, and defect reporting requirements. They also will provide appropriate SDR information on EU products, when the FAA requests it. The NAAs will conduct technical investigations, and prepare necessary ADs or other corrective actions for EASA.

**c. FAA Accident/Incident and Suspected Unapproved Parts (SUP) Investigations.**

(1) When the FAA investigates an accident, incident, or SUP involving a EU product, the accountable FAA office will coordinate with EASA and share all pertinent data and information. The FAA will forward all requests for help to EASA headquarters at the address in appendix 2. We may get help in the investigation from EASA or the EU Member State of Design NAA who manages the EU product's continued airworthiness for the Community.

(2) In accident investigations, the Investigator in Charge controls the sharing of information and data and the participation of FAA and the State of Design NAA. The Investigator in Charge may be a member of the appropriate accident investigating board, for example, the National Transportation Safety Board in the United States and the accident investigation organization of any country where an accident may have occurred.

(3) The State of Design NAA will assist to ensure the product manufacturer provides the information quickly. If urgency requires that the FAA request information directly from an EU manufacturer or the manufacturer provides data directly to us for any reason, our focal point will inform the NAA and EASA headquarters of that exchange as soon as possible.

## CHAPTER 4. EXPORTING U.S. PRODUCTS TO THE EU

### 4-1. VALIDATION PROCESS CHANGES.

a. Any European validation teams composed of NAA individuals dealing with existing or new validations of U.S. products report to EASA management. If disagreements or differences of opinion arise during the validation project, the European decision-making agency is EASA.

b. Under the Community system, there will no longer be additional national design requirements (ANDR) for the airworthiness of the type design for a TC validation. However, some EU Member States may have local operational or stricter environmental requirements that an operator in their country would have to meet. Any type design changes to meet those unique local requirements are not a mandatory part of the type design requirements for import into the EU. However, an operator in a particular country may still be required to meet those additional requirements to get an operational approval.

c. Local Member State additional operational or environmental requirements that affect the type design will not be part of the EASA certification basis required for validation. Member State NAAs will handle those requirements locally, and may ask us to verify or approve requirements on their behalf. We will verify or approve those requirements for bilateral partner NAAs or EASA as the agent of a bilateral partner Member State.

### 4-2. DESIGN APPROVAL VALIDATION.

#### a. Status of Existing U.S. Products Validated by EU Member States Before the Operation of EASA.

(1) All products, parts, and appliances currently approved in any EU Member State are grandfathered. They remain acceptable for operation throughout the EU as long as they are maintained consistent with the initial approval. Under Commission Regulation, Article 2, Paragraph 3, previously issued certificates, approvals, or authorisations by a EU Member State will remain valid. EASA will not reissue existing TCs and STCs until an amendment is requested. At that time, an EASA certificate will replace the NAA's certificate.

(2) The Community will not rescind TCs and STCs issued by NAAs. If more than one NAA has validated a product, each EU Member State will accept all the various NAA-approved configurations, although EU Member States may refuse operational approval for aircraft that do not meet their local operational or environmental requirements. The Community will consider any national variants previously approved within the EU as approved optional or alternative configurations. Even though EASA will not reissue existing TCs and STCs until amended, any products imported into the EU will have to meet the EASA type certification basis defined in paragraph 4-2a(3) plus applicable ADs (see para. 4-2.a.(4)).

(3) For all U.S. products having an existing design approval issued by an EU Member State, the Community will establish an EASA type certification basis per Commission Regulation, Article 2, 3(a). The EASA type certification basis is either:

(a) The JAA certification basis, as defined in the JAA data sheet for products that have been validated under JAA procedures; *or*

(b) The FAA type certification basis, if there was no JAA validation.

**(4) Applicable Airworthiness Directives.** The minimum type design configuration eligible for import into the EU must meet the above TC basis, the environmental protection requirement contained in ICAO Annex 16, and applicable ADs (see figure 4-1). Applicable ADs are defined as the ADs of the State of Design. The Community has recognized all other Member State ADs as equal. While the approval of existing products validated and operating in the EU are grandfathered, EASA assumes the responsibility for their continued airworthiness, as explained later in this chapter. EASA may need to further reconcile the AD differences between Member States. This situation presents challenges to the FAA to export airworthy products in some practicable and standardized manner, per 14 CFR part 21 subpart L.

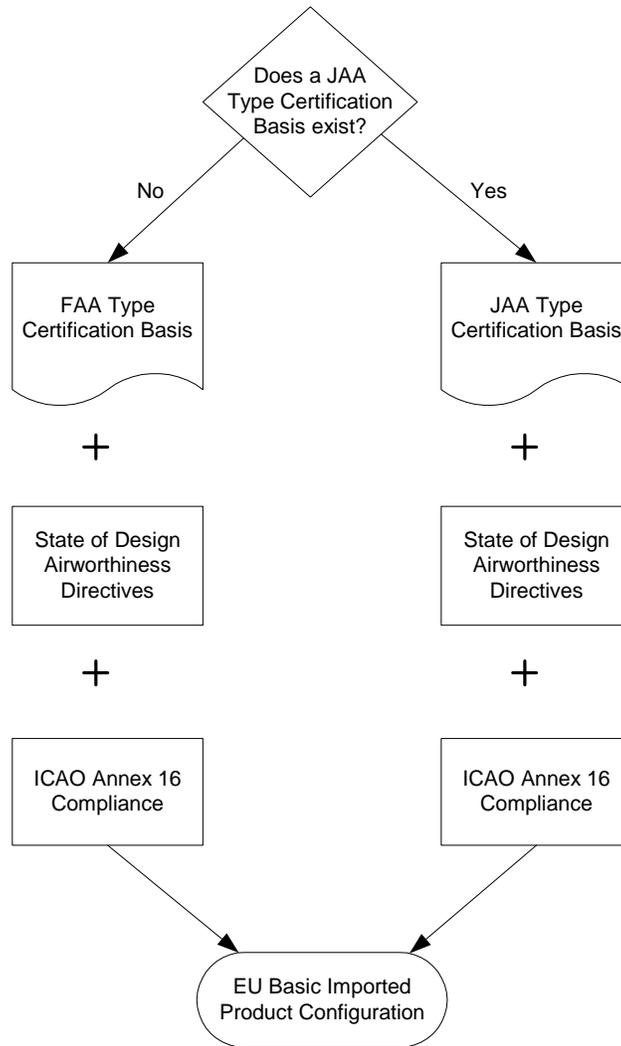
(a) In the interim, we will apply FAA ADs to U.S. products as the minimum for export (see paragraph 4-3).

(b) To export a used EU product to the EU, the exporter must identify the applicable State of Design ADs and verify that they have been incorporated before export.

(c) If a U.S. manufacturer wants to use the ADs of another EU Member State rather than the U.S. ADs, the exporter must:

- ADs,
1. Ensure that the product's configuration is consistent with the selected
  2. Verify the acceptability of those ADs with the importing NAA, and
  3. Provide evidence to the FAA before shipment.

**FIGURE 4-1. EU CERTIFICATION BASIS AND TYPE DESIGN DEFINITION**



**(5) STCs and Repair Data.**

(a) Under transfer requirements in Commission Regulation Article 2, the Community will continue to accept, without further showing, existing STCs and repair data accepted in the EU before EASA became operational. They will accept the STCs and repair data as long as an NAA issued a design approval.

(b) Certain exceptions to the EU grandfather policy follow:

1. Some EU Member States have accepted U.S. STCs, although an NAA never issued its validation STC or “certificate.” EASA will need to review these STCs for their applicability, documentation, and possible validation for future applications.

2. Some EU Member States have accepted repairs or alterations on U.S.-manufactured aircraft on their registry, although a Member State did not give the aircraft a corresponding design approval. Those repairs and alterations include ones that are not part of the manufacturer’s service information accepted under the bilaterals (such as Instructions for Continued Airworthiness, service bulletins), or those that a DOA or other appropriately rated JAA approved organization did not develop. EASA will need to review any such repairs and alterations before they can be accepted for future application on EU-registered aircraft.

**b. EU Validation Projects for U.S. TCs, STCs, and Amendments in Process Before the Operation of EASA.**

(1) The Community will accept products validated by one or more Member States. If an NAA is validating an applicant’s product, but one or more of the EU Member States have already validated the same product, the U.S. applicant may cease the current NAA validation project.

(2) Unless EASA, JAA, or the NAA notifies the FAA otherwise, any validation projects for U.S. products initiated prior to EASA becoming operational will continue to be worked to completion with the European validation team, which is composed of individuals from the NAAs. The European validation team reports to EASA. EASA manages and standardizes all certification and validation activity in the EU.

(3) Our policy and procedures for validation projects with the Community are contained in FAA Order 8110.52 . The only major difference is that the FAA and the U.S. applicant will work with EASA and its validation team. The European validation team will be under the authority of EASA and may be composed of technical specialists of an NAA under contract to EASA.

(4) EASA may choose to change the EASA validation team members, which are JAA or NAA individuals, or engage in making technical decisions. If the European type certification basis was not established with the JAA or an EU Member State NAA before EASA became operational, EASA will establish the EASA certification basis using the appropriate EASA certification specifications.

(5) EASA will recognize any documented agreements reached during the project before EASA became operational – for example, a JAA or NAA type certification basis or methods of compliance. If agreements were not finalized, EASA may require the applicant to meet the EU certification specifications in the interest of safety. After completing the project, EASA will issue a TC that will be valid in all EU Member States.

(6) Since EASA has joined the JAA, the JAA will also issue a recommendation to the non-EU JAA member authorities based on EASA's TC. The JAA does this so that the non-EU Member State NAA can issue their national validation TC or STC as they have in the past.

(7) When the European validation team is an NAA team, EASA will issue a TC or STC after the NAA completes its validation. There may be a delay between the NAA completing their work and EASA issuing the certificate due to coordination between the NAA and EASA. EASA will also notify JAA so that JAA may issue its recommendation to the non-EU JAA member authorities.

### **c. New Applications for EASA Validation of U.S. TCs, STCs, and Amendments .**

#### **(1) Validation Process.**

(a) Applicants will submit their applications for validation through their ACO to the EASA, Manager, Applications/Certifications at the address shown in Appendix 2. The initial submittal to EASA should contain only the FAA ACO letter on behalf of the applicant and a copy of the FAA TC, or amendment, if issued, to be validated by EASA. The suggested format for a U.S. company's application letter for Type Certificate is available at: [http://www.easa.eu.int/cert\\_appl\\_letter\\_form.doc](http://www.easa.eu.int/cert_appl_letter_form.doc). Once EASA has assigned the task to an external party for the validation, EASA will inform the FAA and the applicant. The TC, or amendment data package can then be forwarded to the allocated external party. Do not contact the external party until EASA notifies the FAA of the formal allocation. Per EASA policy, the EU NAAs are no longer eligible to accept directly and process applications for TCs, or amendments. They may act on the basis of allocation by EASA only. EASA will advise applicants about its fee effective with the June 1, 2005 implementation of the EU fee structure regulation No 488/2005. [http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2005/l\\_081/l\\_08120050330en00070025.pdf](http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2005/l_081/l_08120050330en00070025.pdf).

(b) STC applicants will also submit the following basic documentation, as applicable, for review by EASA during the STC approval process: (1) A description of the change, together with the make and model of the product; (2) A copy of the FAA STC and Certification basis; (3) The applicant's requested date for EASA issuance of the STC; (4) A description of all novel or unusual design features which might necessitate issuance of EASA special conditions; and (5) All exemptions or equivalent level of safety findings granted by the FAA for the U.S. STC. The data package which must include: (1) Compliance Checklist; (2) Airplane/Rotorcraft Flight Manual Supplement; (3) Master Documentation List/Master Drawing List; (4) Manufacturing and Installation Instruction Drawings; (5) Maintenance/Repair Manual Supplements; (6) Weight and Balance Data; and (7) Instructions for Continued Airworthiness can be forwarded separately once an NAA is assigned. For STCs from companies that do not have an [arrangement with the TC holder] the applicants package and ACO transmittal letter

must include a statement that the FAA has reviewed the applicants justification and concurs with the applicant's position that an arrangement is not necessary.

(c) In those "special cases" when the applicant is seeking concurrent FAA/EASA validation of a TC or STC, it is generally acceptable for EASA to receive such concurrent requests (via FAA ACO) for validation in of advance to completion of the related FAA TC, STC, and amendment project and issuance of the FAA TC, STC, or amendment. After receiving a formal application, EASA can open a validation project and run it in parallel to the FAA project. However, the EASA approval can only by issued after the related FAA TC, STC, or amendment was issued and a copy was delivered to EASA.

(d) Validations with EASA will continue to follow TVP. To improve efficiency, EASA should rely on FAA findings to the maximum extent possible. The FAA Directorate Standards Staff will provide FAA offices involved with validation projects with a list of the differences between the EASA certification specifications and the airworthiness standards of 14 CFR. The FAA ACO will use that list when conducting the project with EASA and will issue the appropriate certifying statements of compliance to EASA per TVP and PTVP.

(e) During the course of its validation, EASA is responsible for accepting or rejecting proposed methods of compliance and processing special conditions, equivalent level of safety findings, and deviations to the certification specifications (comparable to our exemptions) where appropriate. EASA will continue to coordinate those with the FAA and the applicant.

(f) EASA will issue the TC or STC after the project is completed. EASA will also notify JAA so that JAA may issue its recommendation to the non-EU JAA member authorities.

## (2) Operational Requirements.

(a) Under the Basic Regulation, NAAs cannot add any ANDRs to the EASA TC or STC certification basis. Because of national operational requirements, NAAs may still require a EU operator in a particular EU Member State to meet additional requirements to register an aircraft or to get operational approval. NAAs should identify these requirements during the TC program. EASA is responsible to integrate any operational equipment requirements that affect the type design. NAAs cannot add operational equipment requirements to the EASA type certification basis.

(b) EASA will encourage Member States to use JAR 26 as the EU equipment requirements until new requirements are in place. The Community has not determined how or if it will manage national variations for registering an aircraft and operating it in an individual country. However, the Basic Regulation, the EU transfer policy, and the Commission Regulation clearly state that the NAA will issue an airworthiness certificate to an aircraft that conforms to its EASA type design and is safe for operation.

**d. EASA Acceptance of FAA Environmental Testing and Approvals for Noise, Emissions, and Fuel Venting.** Current bilateral agreements do not cover reciprocal acceptance of environmental approvals. Under Annex Part 21 the U.S. applicant must declare that the product complies with the EU essential requirements for environmental protection. This

declaration is in addition to the FAA's certification to 14 CFR parts 34 and 36. EASA will issue two TCDSs: one for airworthiness and emissions and a second for noise. In addition, the NAA of the State of Registry will issue an aircraft Noise Certificate (see appendix 5) for each individual aircraft.

**e. EU Acceptance of U.S. Design Changes Including Data Used in Support of Repairs.** (See figure 4-2 for a summary of how to handle design changes.)

**(1) Design Changes by the TC Holder to Products certified using TVP procedures.** The FAA and EASA will follow the PTVP procedures for validating or accepting these changes.

**(a) Major Level 2 Type Design Changes and Major Repair Data Developed by the TC Holder.** According to existing bilaterals and EASA Decision No. 2004/04/CF, EASA will automatically accept (i.e. without further showing) these changes and repair data. Repair data and instructions that the U.S. TC holder submits to the FAA that are automatically accepted by EASA include service bulletins, structural repair manuals, vendor manuals, overhaul and maintenance manuals and any other data approved per FAA Order 8110.4.

**(b) Major Level 1 Type Design Changes.** The FAA and EASA will follow the PTVP procedures to validate these changes by the TC Holder. For the time being, these changes are worked directly with the Responsible Party (RP), which will be either an NAA or a multinational team. A listing of the current RPs for each product can be found at: [http://www.easa.eu.int/doc/Certification/Design\\_Appro/prods\\_not\\_transfered.pdf](http://www.easa.eu.int/doc/Certification/Design_Appro/prods_not_transfered.pdf). In the future, EASA may undertake these tasks directly or they may decide to reassign the work to another RP. EASA will notify the FAA and TC Holder of any changes in assignment of work.

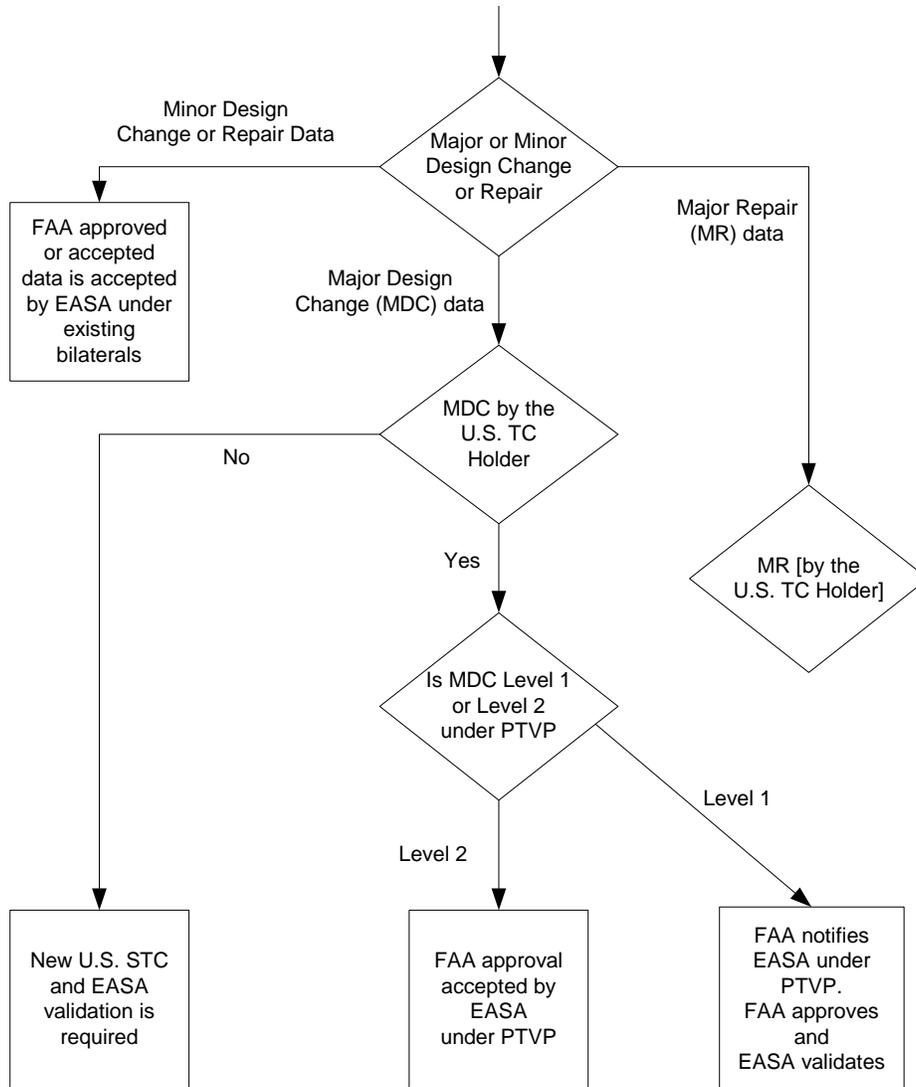
**(2) Major Type Design Changes Developed by Other Than the TC Holder.** Major changes to the type design by someone other than the TC holder require the FAA to issue an STC. EASA then must validate the STC, as explained in paragraphs 4-2b and c in this section.

**(3) Major Repair Data Developed by Other Than the TC Holder.** Major repair data must first be approved per FAA Order 8110.4. Under Executive Director Decision 2004/04/CF, EASA will not automatically accept these data and will review the repair data in accordance with Part 21, Subpart M. The FAA may work directly with the RP for the product affected by the repair in order to facilitate EASA's approval. A listing of the current RP for each product can be found at: <http://www.easa.eu.int/doc/leadauth.pdf>.

**(4) Minor Design Changes and Minor Repair Data Developed by Either the TC Holder or Other Than the TC Holder.** EASA accepts minor design changes and minor repair data that are FAA accepted under the U.S. system for U.S. products.

**FIGURE 4-2. DATA FOR DESIGN CHANGES AND REPAIRS FOR U.S. PRODUCTS EXPORTED TO THE EU**

*(NOTE: Restricted Category Aircraft are handled on a case-by-case basis)*



**f. European TSO Approval (ETSO) for U.S. Parts or Appliances.**

(1) EASA will issue ETSO Authorisations as defined in Annex Part 21. U.S. appliance manufacturers should submit new applications for ETSO Authorisations to the EASA Manager, Applications/Certifications at the address provided at: [http://www.easa.eu.int/contactus\\_en.html](http://www.easa.eu.int/contactus_en.html), through their ACO. EASA may contract an EU Member State NAA to review the design on behalf of EASA.

**NOTE:** auxiliary power units (APUs) will be subject to a new EASA certification process similar to product type certification. The relevant standard is CS-APU, not an ETSO.

(2) Previously granted JTSA Authorisations for Import remain valid until replaced by an ETSO Authorisation. EASA will still accept without further showing articles already approved under the existing TSO/JTSA system.

(3) Minor changes to ETSO Authorisations are accepted without further investigation per the bilateral agreements.

**g. Replacement and Modification Parts.** EASA will accept U.S. Parts Manufacturer Approval (PMA) parts into the EU in a manner consistent with the JAA policy on PMA parts. NAAs will no longer issue separate national approvals for FAA PMA parts. Manufacturers of U.S. PMA parts will file applications with EASA for EU acceptance of critical FAA PMA parts that are not manufactured under a license agreement or a validated U.S. STC.

**h. Transfer of U.S. TCs and STCs.** Per ICAO and bilateral obligations, we will notify EASA, when a U.S. certificate that the Community validated is transferred from one U.S. holder to another, or transferred to another country. The FAA ACO will notify the EASA Director of Certification when a U.S. TC or STC is transferred. The ACO will also provide a copy of the revised certificate and TCDS.

**i. EASA Validation of a U.S. Restricted Category TC or STC.** After EASA validates the TC, the Community will continue to accept U.S. restricted category products case by case.

**4-3. EXPORT OF U.S. PRODUCTS TO THE EU.**

**a. General.** The Community has developed new common EU special import requirements for publication in AC 21-2, Export Airworthiness Approval Procedures. The United States will continue to export products, parts, and articles to EU Member States, using 14 CFR part 21, subpart L. (See figure 4-3)

**b. Export Documentation.** Our export documentation remains the same. The FAA will continue to issue this documentation per bilateral agreements and FAA policy until an applicable bilateral agreement is concluded with the Community. The FAA Form 8130-4, Export Certificate of Airworthiness, should contain the following:

(1) A statement that the product covered by the Form 8130-4 conforms to the EASA type design basis and is in a condition for safe operation. In issuing this statement, the FAA is certifying compliance with the applicable State of Design ADs. For engines and propellers, the statement should also confirm that the engine or propeller has undergone a final operational check. (This conformity statement in the Exceptions block is in addition to the pre-printed certifying statement on the Form 8130-4.) Depending on the EASA type certification basis definition, the Form 8130-4 should contain one of the following statements:

<b>If:</b>	<b>Enter one of the following exporting statements:</b>
1. A new EASA TC exists,	<p>“The <i>[INSERT AIRCRAFT MODEL]</i> covered by this certificate conforms to EASA Type Certificate <i>[INSERT EASA TYPE CERTIFICATE NUMBER]</i>, and is found to be in a condition for safe operation.”</p> <p style="text-align: center;">or</p> <p>“The <i>[INSERT ENGINE or PROPELLER MODEL]</i> covered by this certificate conforms to EASA Type Certificate <i>[INSERT EASA TYPE CERTIFICATE NUMBER]</i>, is found to be in a condition for safe operation, and has undergone a final operational check.”</p>
2. An EASA TC does not exist but a JAA type certification basis and JAA Data Sheet exists,	<p>“The <i>[INSERT AIRCRAFT MODEL]</i> covered by this certificate conforms to JAA Data Sheet <i>[INSERT JAA DATA SHEET NUMBER]</i>, and is found to be in a condition for safe operation.”</p> <p style="text-align: center;">or</p> <p>“The <i>[INSERT ENGINE or PROPELLER MODEL]</i> covered by this certificate conforms to the JAA type certification basis, as defined in the JAA data sheet <i>[INSERT JAA DATA SHEET NUMBER]</i>, is found to be in a condition for safe operation, and has undergone a final operational check.”</p>
3. Neither a JAA type certification basis and JAA Data Sheet nor an EASA type certificate exists,	<p>“The <i>[INSERT AIRCRAFT MODEL]</i> covered by this certificate conforms to the FAA type certification basis, as defined in the FAA TCDS <i>[INSERT FAA TYPE CERTIFICATE NUMBER]</i>, and is found to be in a condition for safe operation.”</p> <p style="text-align: center;">or</p> <p>“The <i>[INSERT ENGINE or PROPELLER MODEL]</i> covered by this certificate conforms to FAA Type Certificate <i>[INSERT FAA TYPE CERTIFICATE NUMBER]</i>, is found to be in a condition for safe operation, and has undergone a final operational check.”</p>

**NOTE:** The EASA type certification basis should be available from several sources. For existing U.S. products certified prior to EASA becoming operational, we define the EASA type certification basis in paragraph 4-2a of this order. EASA will issue a new EASA TC and TCDSs to new products, including validated amended TCs.. Also, both the importing NAA and the exporting U.S. production approval holder should know what the EASA type certification basis is, that is, either a new EASA TC, a JAA basis, or – lacking either of those – the FAA type certification basis.

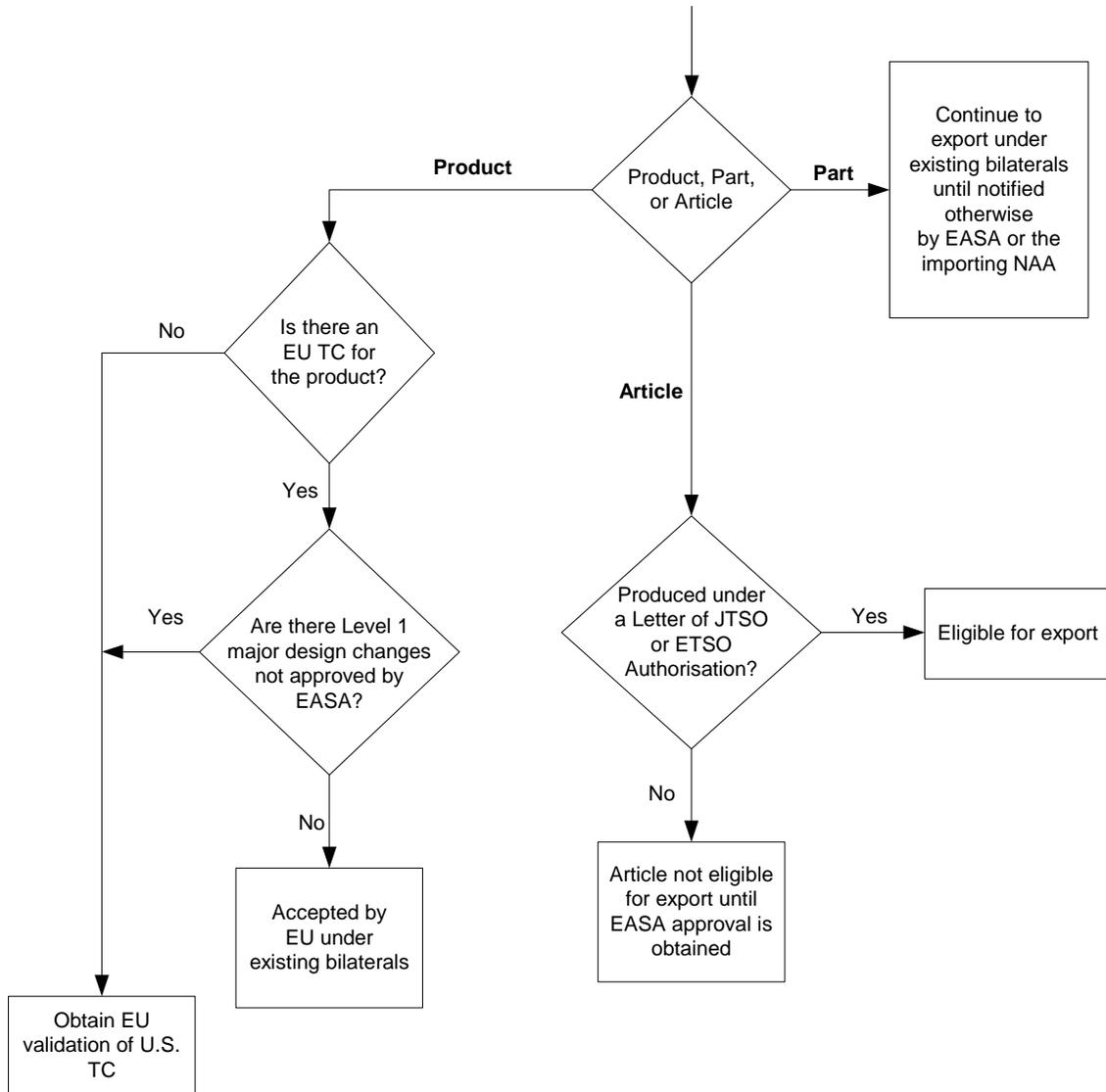
(2) If the importing EU Member State has identified any Additional National Requirements (ANR), an additional statement should be noted in the Exceptions block to verify that the product meets these ANRs. These unique ANRs are typically for aircraft registration or operational needs specific to an EU Member State. A statement such as the following should be entered on the Form 8130-4:

“This [INSERT AIRCRAFT, ENGINE, or PROPELLER MODEL] meets the Additional National Requirements as identified by [INSERT NAME OF IMPORTING EU MEMBER STATE NAA].”

**c. EU Acceptance of U.S. Products, Parts, and Articles.** Per current FAA policy and procedures, the FAA will continue to issue FAA Form 8130-4, *Export Certificate of Airworthiness*, for aircraft, aircraft engines, and propellers, and FAA Form 8130-3, *Authorized Release Certificate (Airworthiness Approval Tag)*, for TSO articles, and modification and replacement parts. The EU Member State will continue to accept the following:

- (1) *New aircraft, aircraft engines, and propellers* with an FAA Export C of A.
- (2) *New TSO article* that has been granted an ETSO Authorisation or JTSA Authorisation, with an FAA Form 8130-3.
- (3) *New modification or replacement part* from either the U.S. PAH or PMA holder with an FAA Form 8130-3.
- (4) *Used aircraft*, including aircraft manufactured in any third country, with an FAA Export C of A.
- (5) *Aircraft with a U.S. special airworthiness certificate* in the restricted category or primary category may be accepted by the Community on a case-by-case basis with an FAA Export C of A. EASA may elect to issue an EASA restricted TC for aircraft with a U.S. TC (that is, restricted category, primary category).

**FIGURE 4-3. EXPORTING U.S. PRODUCTS, PARTS, AND ARTICLES TO THE EU**



**d. Export Certificate of Airworthiness Exceptions** The MIDO/CMO will notify the importing EU Member State NAA of any non-compliance to the EASA-approved type design before issuing an FAA Export C of A for a new U.S. aircraft, aircraft engine, or propeller. For used aircraft, the appropriate FAA FSDO or Flight Standards CMO will notify the NAA. The FAA will list any non-compliance as an “exception” on the Export C of A. The FAA notification process to the EU Member State remains the same. **The NAA needs to reply in writing to accept the exception before we can export the product. In addition, any aircraft that will be exported to the EU, whose type design is approved but contains design changes (e.g., STCs) and major repairs that are not approved within the EU, must have these design changes and repairs approved in accordance with either 4-2.c. or 4-2.e., as appropriate. In these cases, the NAA may work with EASA to determine if an Export C of A exception may be granted to allow the export of the product prior to the EASA design approval. If an exception is granted, the NAA will reply in writing to the MIDO/CMO or FSDO/CMO to accept the aircraft prior to EASA design approval.**

#### **4-4. CONTINUED AIRWORTHINESS OF U.S. PRODUCTS OPERATING IN THE EU.**

##### **a. FAA Airworthiness Directives (ADs).**

(1) EASA is responsible for the continued airworthiness of products operating in the EU, except for those products under Annex II of the Basic Regulation that remain with the NAAs. EASA may rely on the same NAA or team assigned to validate the product to also be the EU focal point on continued airworthiness. The FAA will respond to requests for information from EASA or the EU focal point, to help in their investigations of airworthiness issues on U.S. products operating in the EU. Any request by EASA to meet with a U.S. manufacturer to discuss airworthiness issues must be coordinated through the responsible ACO. The ACO will develop the agenda with the manufacturer based upon the input of the EASA focal point. The ACO will participate in all meetings.

(2) If the FAA is contemplating unilateral AD action, the local office must consult with its EASA technical counterpart. If EASA does not agree to issue its own AD, the final decision to issue an FAA unilateral action must be coordinated between the EASA Head of Product Certification and the Directorate Manager.

(3) The FAA will provide copies of ADs (including security-sensitive ADs) for U.S. products to the EASA AD focal point and Head of Product Certification headquarters for any EASA management coordination prior to issuing unilateral ADs action. We will also provide a copy to the NAA European focal point for the U.S. product, if identified. The FAA will continue to send advance notifications of significant airworthiness issues to EASA and the product focal point NAA or certification team PCM. For Annex II products, this notification will go directly to the certifying NAAs. (Contact AIR-40 for the EASA or NAA point of contact fax number.)

(4) EASA Executive Decision 02/2003 makes all FAA ADs on U.S. products legally binding within the EU unless EASA issues a different decision before the effective date of the FAA AD. The EASA Head of Product Certification will consult with the ACO prior to initiating action that is different than our AD. The responsible EASA Certification Directorate and FAA

director management representatives manage the resolution of any disagreements over a continued airworthiness issue.

**b. Service Difficulty Reports (SDR) and Malfunction, Failure, and Defect Reporting.** Existing bilateral agreements discuss how to exchange data on malfunctions, failures, and defects. EASA is developing a centralized system to collect and analyze in-service data. The FAA will work with the EASA and the EU focal point when reporting and exchanging information on U.S. products. It is important to acquire in-service data from EASA/NAAs on U.S. products operating in the EU.

**c. EASA Safety and Suspected Unapproved Parts (SUP) Investigations.**

(1) When EASA conducts a safety or SUP investigation involving a U.S. product, the FAA and EASA will coordinate and share all pertinent data. Our policy and procedures on the protocol for investigations is unchanged. The Investigator in Charge from the appropriate accident investigating board controls the sharing of information and the participation of FAA and any other state in accident investigations. Examples of accident investigating boards are the National Transportation Safety Board in the U.S. and the accident investigation organization of any country where an accident may have occurred.

(2) For a specific investigation, EASA and the FAA will establish individual focal points to respond to questions from each other. These focal points will also ensure timely and consistent communication occurs. We will help to ensure a U.S. manufacturer provides the information quickly. If urgency requires that EASA request information directly from a U.S. manufacturer because it cannot contact us quickly, or the manufacturer provides data directly to EASA for any reason, EASA will ensure that we are aware of that exchange as soon as possible.

## CHAPTER 5. RULEMAKING AND OTHER ADMINISTRATIVE COORDINATION

### 5-1. RULEMAKING, POLICY, AND GUIDANCE.

**a. Continuing to Work with the JAA.** EASA is the European authority for rules and policy for airworthiness and maintenance. The JAA has agreed to simply adopt all EASA rules and policy related to airworthiness and maintenance. However, EASA has not yet established competency in aircraft operations and flight crew licensing. We will continue to work directly with the JAA on those operations-related regulatory issues that impact airworthiness, until a new Community regulation provides this authority to EASA.

**b. EASA Rulemaking Process.** The EASA rulemaking process has retained some aspects of the JAR 11 procedures, such as issuance of Notice of Proposed Amendment (NPA), 90-day comment period, but with several significant differences.

(1) EASA is solely responsible for drafting Community aviation safety rules as an independent rulemaking body. The Executive Director can choose to use either a work group or EASA resources when drafting a document. The objective is to obtain the correct technical expertise for a given task, rather than systematically involving all parties.

(2) Two groups advise the EASA Executive Director on rulemaking: the Safety Standards Consultative Committee (SSCC) and Advisory Group of National Authorities (AGNA). The SSCC is intended to include those directly affected by EASA's actions (that is, industry). The AGNA include one NAA representative per EU Member State responsible for applying the Basic Regulation and its implementing rules. EASA publishes all materials, including membership, procedures, meeting agendas, minutes, and related documentation, from both groups.

**c. Working with EASA on Rulemaking.** Provisions for participation in rulemaking must be included in any new bilateral agreement with the Community, since the Basic Regulation does not provide for non-EU government involvement. In the interim period until a bilateral agreement is concluded, the FAA and EASA have agreed to continue pursuing shared regulatory cooperation objectives. FAA and EASA have been coordinating their rulemaking programs and will coordinate on specific rules at, or prior to, key steps in their respective rulemaking processes. These key points are at the preparatory phase of the rulemaking program, at the tasking phase, before the formal consultation or public comment period (NPA/NPRM), and before the final rule adoption. The FAA and EASA will continue to resource and support the completion of key joint safety initiatives, such as the implementation of the Changed Product Rule (CPR) and other harmonization efforts originally sponsored by JAA and us.

**5-2. RECORD KEEPING.** The Community will maintain all records on aviation safety, including regulatory, administrative, and technical records. Under the current system, a NAA that served as program manager for an EU certification or U.S. product validation would usually maintain the certification records. Initially NAAs will not transfer documents and records to EASA. EASA may later decide to transfer documents.

### FIGURE 5-1. RECORD KEEPING RESPONSIBILITIES

<b>EASA maintains:</b>	<p>All records on EASA's duties and responsibilities in the areas of rulemaking, airworthiness, oversight, and standardization, for example, TC, TCDS, STC, AD, ETSO, DOA, POA, rules, policy.</p> <p><b>NOTE:</b> EASA may permit NAAs to retain records locally in the areas of responsibility they are performing on behalf of EASA.</p>
<b>NAA maintains all records on:</b>	<p>Products the NAA approved before EASA became operational.</p> <p>Production approvals issued and overseen by the NAA.</p> <p>Annex II products.</p> <p>Airworthiness, oversight, and standardization activities that the NAA conducts with or on behalf of EASA.</p> <p><b>NOTE:</b> NAAs may retain other records locally in the areas of responsibility they are performing on behalf of EASA.</p>

### 5-3. PROTECTING PROPRIETARY DATA AND SUPPORT FOR REQUESTS UNDER FREEDOM OF INFORMATION, FREEDOM OF THE PRESS ACT, ETC.

**a. Rules for Disclosing Information.** The Community will continue to protect intellectual property, including proprietary data, under bilateral commitments and Community and national law. Access to proprietary data is restricted to EASA and NAAs who need to know as part of their regulatory responsibilities. Release of such data to other parties requires written consent from the owner of the data. The principles of protection and prior approval of public access to documents will be covered by Regulation (EC) 1049/2001 and rules adopted by the Commission and the EASA Management Board under the Basic Regulation, Articles 11 and 47. Under these principles, EASA must disclose any information it has, unless it falls within certain exceptions. These exceptions include trade secrets and financial or commercial data that would be considered confidential.

**b. Releasing Officially Requested Information.** The FAA, EASA, and NAAs will help each other determine if they can release officially requested information, per U.S., EU, or Member State regulations. Any FAA requests to release proprietary data belonging to an EU data holder will be submitted through EASA. Consent, if granted, will be forwarded to the FAA through EASA.

**5-4. FORMS.** The Commission Regulation defines EASA forms in Annex Part 21 (see appendix 5 for forms pertinent to this order). NAA and JAA forms executed before EASA became operational are still valid. (JAA Form Ones may be executed by EU Member States until September 28, 2005.) The EU Member State NAAs will continue to use their own local forms, unless there is an explicit requirement to use an EASA form. For example, NAAs must use an NAA form for Annex II products that are under the NAA's responsibility and for Export C of A.

## CHAPTER 6. TECHNICAL ASSISTANCE BETWEEN AUTHORITIES

### 6-1. TECHNICAL ASSISTANCE REQUESTS.

**a. Providing Technical Assistance to NAAs or EASA.** The FAA will continue to provide technical assistance to bilateral partner NAAs or EASA, when EASA is acting as the agent of a bilateral partner Member State. The affected FAA office should respond to requests, per existing policy and procedures. We will consider EASA requests for technical assistance for EU Member States that do not have a bilateral agreement with the United States, case by case, subject to available FAA resources.

**b. Requesting EU Assistance.** When requesting new technical assistance, it is important for our specialists to determine if the support required in Europe is related to engineering design or manufacturing. EASA is responsible for all design activity in EU Member States, except for aircraft under Annex II of the Basic Regulation. The NAAs will still oversee production. This division of responsibility affects how the FAA will transmit and respond to new requests for technical assistance.

**c. FAA Special Arrangements with NAAs or EASA.** Existing working arrangements with NAAs will continue. These are largely in the conformity inspection, production oversight, and test witnessing areas. The NAA must first notify us that the terms and conditions of any working arrangement have shifted to EASA or can no longer be met for other reasons. Any new special arrangements that may be needed with EASA must be coordinated through AIR-40.

### 6-2. REQUESTING CONFORMITY INSPECTIONS OR SURVEILLANCE SUPPORT FROM THE EU.

**a. FAA Requests.** Per existing FAA policy and procedures, we will continue to ask the applicable EU Member State NAA for help in conducting conformity inspections of prototype parts or test setup equipment located in the EU. The MIDO/CMO should be as specific as possible when requesting information or data to be returned to the FAA. Note that no EASA form exists equivalent to FAA Form 8100-1 “Conformity Inspection Record.”

**b. EU Member State NAA Replies.** The EU Member State NAA will send back all requested conformity inspection documentation (for example, Conformity Inspection Record, Statement of Conformity, Request for Conformity) to the requesting FAA office. The EU Member State NAA will also issue an EASA Form 1 signifying conformity, to accompany the prototype part on shipment.

### 6-3. REQUESTING TEST WITNESSING FROM THE EU.

**a. FAA Requests.** We will ask the EASA Director of Certification for help in witnessing tests within the EU. EASA may choose to task an NAA to support the FAA request or may witness the test itself.

**b. EASA or EU Member State NAA Replies.** EASA or the EU Member State NAA will send back all requested test witnessing documentation (for example, test report) to the requesting FAA office.

#### **6-4. COMPLIANCE FINDINGS TO EU REQUIREMENTS.**

**a.** The FAA will continue to make statements of compliance to European airworthiness codes (JAR and/or EASA certification specifications) as requested by a bilateral partner NAA or EASA acting as the agent of a bilateral partner Member State per the existing BAAs/BASA IPAs. Designees currently authorized to make compliance findings to the JARs can be considered as candidates for making findings to the certification specifications, after the differences have been identified. (See paragraph 4-2c(1)(b).) The ACO will identify designees with this authorisation in the Designee Information Network (DIN).

**b.** The FAA and FAA designees cannot make similar compliance findings for non-bilateral partner Member States until a new bilateral agreement is concluded with the Community.

**6-5. ISSUANCE OF AIRWORTHINESS CERTIFICATES.** The NAAs of Germany, Italy, and France will continue to assist with issuing U.S. Standard Airworthiness Certificates in their respective countries under existing bilateral agreements. The NAA points of contact are unchanged, unless the NAA notifies us otherwise.

**6-6. INTERNATIONAL COOPERATIVE SUPPLIER SURVEILLANCE PROGRAM (ICSSP).** In Germany, the United Kingdom, and France, our ICSSP will remain in effect under existing agreements, until a new bilateral agreement is in place with the Community that addresses ICSSP activities with other EU Member States.

#### **6-7. REQUESTING PRODUCTION OVERSIGHT SUPPORT FROM THE EU.**

**a. FAA Requests.** Per existing FAA policy and procedures, we ask the EU Member State NAA for help in overseeing production (for example, production approvals extended outside the United States, supplier surveillance in non-ICSSP countries).

**b. EU Member State NAA Replies.** The EU Member State NAA will conduct the requested production oversight assistance, and will send back all requested documentation associated with the oversight assistance to the requesting FAA office.

**6-8. ACCESS TO FACILITIES.** The FAA and the Community will continue to permit unrestricted access for each other's inspectors to all regulated facilities in the United States and the EU.

**APPENDIX 1. BASIC REGULATION (EC) NO 1592/2002, ANNEX II**

## Aircraft referred to in Article 4(2)

(a) “Aircraft to which Article 4(1) does not apply are aircraft for which a type-certificate or a certificate of airworthiness has not been issued on the basis of this Regulation and its implementing rules, and which fall in one of the following categories:(a) Aircraft having a clear historical relevance, related to:

(i) Participation in a noteworthy historic event; or

(ii) A major step in the development of aviation; or

(iii) A major role played in the armed forces of a Member State;

*and* meeting one or more of the following criteria:

(i) Its initial design is established as being more than 40 years old;

(ii) Its production stopped at least 25 years ago;

(iii) Fewer than 50 aircraft of the same basic design are still registered in the Member States;

(b) Aircraft specifically designed or modified for research, experimental or scientific purposes, and likely to be produced in very limited numbers;

(c) Aircraft of which at least 51% is built by an amateur, or a non-profit association of amateurs, for their own purposes and without any commercial objective;

(d) Aircraft whose initial design was intended for military purposes only;

(e) Aeroplanes having no more than two seats; the stall speed or the minimum steady flight speed in landing configuration not exceeding 35 knots calibrated air speed (CAS); and a maximum take-off mass (MTOM) of no more than:

(i) 300 kg for a land plane, single seater; or

(ii) 450 kg for a land plane, two seater; or

(iii) 330 kg for an amphibian or floatplane single seater; or

(iv) 495 kg for an amphibian or floatplane two seater, provided that, where operating both as a floatplane and as a land plane, it falls below both MTOM limits, as appropriate;

(f) ‘Gliders’ with a structural mass of less than 80 kg when single seater or 100 kg when two seater, including those which are foot launched;

(g) Unmanned aircraft with an operating mass of less than 150 kg;

(h) Any other aircraft with a total mass without pilot of less than 70 kg.”



## APPENDIX 2. EU CONTACTS

Send notifications and communications to the appropriate EASA or NAA office. See information below.

### 1. European Aviation Safety Agency (EASA):

Certification Applications Manager  
Mr. Jan Novak  
Phone: 49 221 89990 4013  
Fax: 49 221 89990 4513  
E-mail: [jan.novak@easa.eu.int](mailto:jan.novak@easa.eu.int).

#### Physical Address:

European Aviation Safety Agency  
Ottoplatz 1  
D-50679 Köln  
Germany

Phone: 49 221 89990 + extension  
General fax: 49 221 89990 9999

#### Mailing Address:

European Aviation Safety Agency  
Postfach 10 12 53  
D-50452 Köln  
Germany

**2. National Aviation Authorities (NAA) Contacts.** NAA contact information is available on the FAA Intranet at: <http://intranet.faa.gov/avr/air/air4/caalist.pdf>.



**APPENDIX 3. ACCEPTED PRODUCTS AND SERVICES FROM EU MEMBER STATES HAVING BILATERAL AGREEMENTS WITH THE U.S.**

COUNTRY	PRODUCTS INCLUDED IN THE BILATERAL	Test Witnessing	Conformity Inspection	Airworthiness Approvals
AUSTRIA	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Replacement parts (Austria is State of Design, FAA has validated Type Certificate (TC) for the aircraft, etc.)	X	X	X
	<b>Comments on component conformity and test witnessing:</b> FAA and AustroControl have a special arrangement for conformity inspection and test witnessing. Consult this procedure when the FAA is working on behalf of Austria about AustroControl’s expectations for data.			
BELGIUM	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts (Belgium is State of Design + FAA has validated TC for the aircraft, etc.)	X	X	X
CZECH REPUBLIC	Aircraft	NO	NO	X
	Engines	NO	NO	X
	Propellers	NO	NO	X
	Appliance	NO	NO	X
	Replacement parts (for Czech products and appliances only)	NO	NO	X
	<b>Comments:</b> Formal Operating Procedures were concluded in 1996. These procedures describe various interactions between the FAA and the Civil Aviation Inspectorate and are similar to an IPA.  <b>NOTE:</b> There are no bilateral provisions for the Civil Aviation Inspectorate to provide technical assistance to the FAA.			

**APPENDIX 3. ACCEPTED PRODUCTS AND SERVICES FROM EU MEMBER STATES HAVING BILATERAL AGREEMENTS WITH THE U.S. (CONTINUED)**

COUNTRY	PRODUCTS INCLUDED IN THE BILATERAL	Test Witnessing	Conformity Inspection	Airworthiness Approvals
<b>DENMARK</b>	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts	X	X	X
<b>FINLAND</b>	Gliders only	NO	NO	X
	Appliance	NO	NO	X
	Replacement parts (for appliances and gliders)	NO	NO	X
<b>FRANCE</b>	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts	X	X	X
	STCs (for products for which France is the State of Design)	X	X	X
	Modification parts (for products for which either France or the United States is the State of Design for the design change) <b>NOTE:</b> See AIR-200 Information Memo, "Imported Parts Produced in a Bilateral Country Under Licensing Agreement with a U.S. or Third Country Design Approval Holder," December 12, 2002, on French modification parts.	X	X	X
<b>GERMANY</b>	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts	X	X	X
	STCs (for both German and U.S. products, and specific Airbus models A300, A310, A320, A321)	X	X	X

**APPENDIX 3. ACCEPTED PRODUCTS AND SERVICES FROM EU MEMBER STATES HAVING BILATERAL AGREEMENTS WITH THE U.S. (CONTINUED)**

COUNTRY	PRODUCTS INCLUDED IN THE BILATERAL	Test Witnessing	Conformity Inspection	Airworthiness Approvals
	Modification parts (on products for which Germany is the State of Design, and/or the part is manufactured by a German Production Organisation Approval (POA) holder who has an arrangement with a U.S. design change approval holder for the manufacturing rights)	X	X	X
<b>ITALY</b>	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts (for products for which Italy is the State of Design, and/or the part holds an FAA approval and is manufactured by an Italian POA holder who has an arrangement with a U.S. or third country design approval holder for the manufacturing rights)	X	X	X
	STCs (for products for which Italy is the State of Design)	X	X	X
	Modification parts (for products for which Italy is the State of Design, and/or the part is manufactured by an Italian POA holder who has an arrangement with a U.S. design change approval holder for the manufacturing rights)	X	X	X
<b>NETHERLANDS</b>	Aircraft	X	X	X
	Appliance	X	X	X
	Replacement parts (NL is the State of Design for the aircraft or appliance and/or the part holds an FAA approval and is manufactured by a Dutch POA holder that has an arrangement with a U.S. or third country design approval holder for the manufacturing rights).	X	X	X
	STCs (for Netherlands State of Design aircraft)	X	X	X
	Modification parts (where NL is State of Design for the aircraft or appliance and the design change, and/or the part is manufactured by a Dutch POA holder that has an arrangement with a U.S. design change approval holder for the manufacturing rights).	X	X	X

**APPENDIX 3. ACCEPTED PRODUCTS AND SERVICES FROM EU MEMBER STATES HAVING BILATERAL AGREEMENTS WITH THE U.S. (CONTINUED)**

COUNTRY	PRODUCTS INCLUDED IN THE BILATERAL	Test Witnessing	Conformity Inspection	Airworthiness Approvals
<b>POLAND</b>	Gliders, small fixed-wing aircraft of 12,500 lbs or less, and helicopters	X	X	X
	Piston engines of 1,000 horsepower or less, turbine engines	X	X	X
	Propellers associated with piston engines of 1,000 hp or less	X	X	X
	Replacement parts (for products for which Poland is the State of Design)	X	X	X
	Modification parts by TC holder	X	X	X
<b>SPAIN</b>	Aircraft	NO	NO	X
	Appliance	NO	NO	X
	Replacement parts (for aircraft and appliances only)	NO	NO	X
	Modification parts (by the original approval holder for aircraft and appliances only)	NO	NO	X
<b>SWEDEN</b>	Aircraft	X	X	X
	Engines	NO	NO	NO
	Propellers	NO	NO	NO
	Appliance	X	X	X
	Replacement parts	X	X	X
	STCs (for products for which Sweden is the State of Design)	X	X	X
	Modification parts (where Sweden is State of Design for the product and the design change and /or the part is manufactured by a Swedish POA holder that has an arrangement with a U.S. design change approval holder for the manufacturing rights.)	X	X	X

**APPENDIX 3. ACCEPTED PRODUCTS AND SERVICES FROM EU MEMBER STATES HAVING BILATERAL AGREEMENTS WITH THE U.S. (CONTINUED)**

COUNTRY	PRODUCTS INCLUDED IN THE BILATERAL	Test Witnessing	Conformity Inspection	Airworthiness Approvals
<b>UNITED KINGDOM</b>	Aircraft	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts (on products for which the UK is the State of Design and /or the part holds an FAA approval and is manufactured by a UK POA holder that has an arrangement with a U.S. or third country design approval holder for the manufacturing rights)	X	X	X
	STCs (for products for which the UK is State of Design)	X	X	X
	Modification parts (where the UK is the State of Design for the product and the design change and/or the part is manufactured by a UK POA holder that has an arrangement with a U.S. design change approval holder for the manufacturing rights)	X	X	X



## APPENDIX 4. TYPE CERTIFICATE DATA SHEET (TCDS) IMPORT REQUIREMENTS FOR EU COMMUNITY PRODUCTS

### A. New Historical Transition Statement:

Add the following statement immediately after the Type Certification Basis statement section in the TCDS and in STCs:

*“[Insert name of the State of Design National Aviation Authority] originally type certificated this [insert aircraft, rotorcraft, engine, or propeller] under its type certificate Number [insert the original State of Design TC or STC number]. The FAA validated this product under U.S. Type Certificate Number [insert the U.S. TC or STC number]. Effective September 28, 2003, the European Aviation Safety Agency (EASA) began oversight of this product on behalf of [insert the State of Design].”*

### B. Revised Import Requirements Statement:

Add before Note 1 of the TCDS:

#### **“IMPORT REQUIREMENTS:**

The FAA can issue a U.S. airworthiness certificate based on an NAA Export Certificate of Airworthiness (Export C of A) signed by a representative of *[insert name of the State of Design/Manufacture National Aviation Authority]* on behalf of the European Community. The Export C of A should contain the following statement: ‘The aircraft covered by this certificate has been examined, tested, and found to comply with *[insert document identifier, title revision, etc.]* approved under U.S. Type Certificate No. *[insert type certificate number]* and to be in a condition for safe operation.’ ”

### C. Revised Service Information Statement:

Add in the “Notes” Section of the FAA TCDS:

#### **“SERVICE INFORMATION:**

Each of the documents listed below must state that it is approved by the European Aviation Safety Agency (EASA) or – for approvals made before September 28, 2003 – by *[insert the name of the State of Design National Aviation Authority]*. Any such documents are accepted by the FAA and are considered FAA approved.

- Service bulletins,
- Structural repair manuals,
- Vendor manuals,
- Aircraft flight manuals, and
- Overhaul and maintenance manuals.

**APPENDIX 4. TYPE CERTIFICATE DATA SHEET (TCDS)  
IMPORT REQUIREMENTS FOR EU COMMUNITY PRODUCTS (CONTINUED)**

*This applies only to the acceptance of the type design data. FAA personnel should also incorporate – into the Service Information statement above – a description of any other accepted forms or types of data approval where provided for under the bilateral agreement with the State of Design. This may include approvals made under the TC holder’s DOA, repair instructions not included in the structural repair manual, etc.*

**APPENDIX 5. EASA FORMS**

*When the forms of this Appendix are issued in a language other than English, they shall include an English translation.*

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**APPENDIX 5. EASA FORMS (CONTINUED)**

EASA Form 15 Airworthiness Review Certificate

<p style="text-align: center;"><b>Competent authority of a Member State of the European Union</b></p> <p style="text-align: center;"><b>AIRWORTHINESS REVIEW CERTIFICATE</b></p> <p style="text-align: center;">ARC REFERENCE: MS-YY-000</p> <p>Pursuant to EC Regulation 1592/2002 of the European Parliament and Council for the time being in force, the Member State of Registry hereby certifies that the following aircraft:</p> <p><b>Aircraft type:</b> .....</p> <p><b>Aircraft registration:</b> .....</p> <p><b>Aircraft serial Number:</b> .....</p> <p>is considered to be airworthy at the time of the issue.</p> <p><b>Date of issue:</b> .....</p> <p><b>Signed:</b> .....</p> <p style="text-align: right;"><b>Authorisation Nr:</b> .....</p>
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EASA Form 15

**APPENDIX 5. EASA FORMS (CONTINUED)**

**EASA Form 25 Certificate of Airworthiness**

EASA LOGO

Competent authority LOGO

**Certificate of Airworthiness**

	(Member State of Registry) (Issuing Authority)	
1. Nationality and registration marks	2. Manufacturer and manufacturer's designation of aircraft	3. Aircraft serial number
4. Categories		
5. This Certificate of Airworthiness is issued pursuant to the Convention on International Civil Aviation dated 7 December 1944 and Regulation (EC) No 1592/2002, Article 5(2)(c) in respect of the abovementioned aircraft which is considered to be airworthy when maintained and operated in accordance with the foregoing and the pertinent operating limitations.		
Date of issue: _____ Signature: _____		
Limitations/Remarks: _____		
6. This Certificate of Airworthiness is valid unless suspended or revoked by the competent authority of the Member State of Registry. A current Airworthiness Review Certificate shall be attached to this Certificate.		

**THIS PERMIT MUST BE CARRIED ON BOARD DURING ALL FLIGHTS**

\* For use of the Member State of Registry

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**NOTE:** A5 format is suggested  
Some States may wish to include translation into one or more of their own official language(s). This is possible within the A5 format

**APPENDIX 5. EASA FORMS (CONTINUED)**

**EASA Form 45 - Noise certificate**

* Member State of Registry		* Issuing Authority	
<b>NOISE CERTIFICATE</b>			
1. Nationality and registration marks	2. Manufacturer and manufacturer's designation of aircraft**		3. Aircraft Serial number
.....	.....		.....
4. Engine**		5. Propeller**	
.....	.....		.....
6. Maximum Take-Off Mass	7. Cut Back Height	8. Maximum Landing Mass	
***	****	***	
9. Additional modifications incorporated for the purpose of compliance with the applicable noise certification standards.*****			
.....			
10. Noise Standard	11. Lateral Noise Level	12. Fly-over Noise level	13. Approach Noise Level
*****	*****	*****	*****
14. Overflight Noise Level			
*****			
15. This Noise certificate is issued pursuant to Annex 16, Volume I to the Convention on International Civil Aviation dated Dec. 7, 1944 and Regulation (EC) No 1592/2002, Article 6 in respect of the above-mentioned aircraft, which is considered to comply with the foregoing noise standard when maintained and operated in accordance with the relevant airworthiness requirements and operating limitations.			
Date of issue..... Signature.....			

This Certificate should be carried in the aircraft.

- \* For use of the State of Registry
- \*\* Designation should contain Type and Model. Propeller information only if applicable.
- \*\*\* Should state maximum mass and unit, (e.g. 170.500 kg) Maximum Landing mass only if applicable.
- \*\*\*\* Should contain height above the runway at which thrust/power is reduced following full thrust/power take-off and unit e.g. 950 ft. or N/A if not applicable.
- \*\*\*\*\* May contain other noise relevant equipment or modifications, such as mufflers, STC's incorporated, tailrotor, acoustic liner etc. that are deemed necessary by the certifying authority to identify the acoustical configuration of the aircraft.
- \*\*\*\*\* Should contain Chapter and section specifying maximum noise levels, i.e. CH10, 10.4 b.
- \*\*\*\*\* Should state noise level and unit, i.e. 98,5 EPNdB, or N/A if not applicable.

**APPENDIX 5. EASA FORMS (CONTINUED)**

**EASA Form 24 - Restricted Certificate of Airworthiness**

EASA LOGO

Competent authority LOGO

**Restricted Certificate of Airworthiness**

	(Member State of Registry) (Issuing Authority)	
1. Nationality and registration marks	2. Manufacturer and manufacturer's designation of aircraft	3. Aircraft serial number
4. Categories		
<p>5. This Certificate of Airworthiness is issued pursuant to the Convention on International Civil Aviation dated 7 December 1944 and Regulation (EC) No 1592/2002, Article 5(3)(b) in respect of the abovementioned aircraft which is considered to be airworthy when maintained and operated in accordance with the foregoing and the pertinent operating limitations.</p> <p>In addition to above the following restrictions apply:</p> <p>The aircraft may be used in international navigation notwithstanding above restrictions.</p> <p>Date of issue: _____ Signature: _____</p> <p>Limitations/Remarks:</p>		
<p>6. This Certificate of Airworthiness is valid unless suspended or revoked by the competent authority of the Member State of Registry.. A current Airworthiness Review Certificate shall be attached to this Certificate.</p>		

**THIS PERMIT MUST BE CARRIED ON BOARD DURING ALL FLIGHTS**

\* For use of the State of Registry

**NOTE:** A5 format is suggested  
Some States may wish to include translation into one or more of their own official language(s). This is possible within the A5 format

**APPENDIX 5. EASA FORMS (CONTINUED)**

**EASA Form 20 - Permit to Fly**

<b>Competent authority logo</b>	<b>PERMIT TO FLY</b>		
* Competent authority of a Member State of Registry granted by virtue of Regulation (EC) No 1592/2002 hereby permit noted aircraft to fly within the Member State under conditions listed below. This permit is also valid for flight to and within other States provided separate approval is obtained from the competent authorities of such States.		1. Nationality and registration marks.	
2. Aircraft manufacturer/type		3. Serial number	
4. The permit covers			
5. Limitations/Remarks			
7. Place and date of issue		8. Signature of the competent authority representative	

**THIS PERMIT MUST BE CARRIED ON BOARD DURING ALL FLIGHTS**

\* for use by State of Registry

**APPENDIX 5. EASA FORMS (CONTINUED)**

1. Approving Competent Authority/Country		AUTHORISED RELEASE CERTIFICATE EASA FORM 1						3. Form Tracking Number
4. Approved Organisation Name and Address:								5. Work Order/Contract/Invoice
6. Item	7. Description	8. Part No	9. Eligibility (*)	10. Quantity	11. Serial/Batch No	12. Status/Work		
13. Remarks								
Part M Section A Subpart F organisation approval number: AAA RRR XXXX								
14. Certifies that the items identified above were manufactured in conformity to:		19. <input type="checkbox"/> Part-145.A.50 Release to Service <input type="checkbox"/> Other regulation specified in block 13						
<input type="checkbox"/> approved design data and are in condition for safe operation <input type="checkbox"/> non-approved design data specified in block 13		Certifies that unless otherwise specified in block 13, the work identified in block 12 and described in block 13, was accomplished in accordance with Part-145 and in respect to that work the items are considered ready for release to service.						
15. Authorised Signature		16. Approval/ Authorisation Number		20. Authorised Signature		21. Certificate/Approval Ref. No		
17. Name		18. Date (d/m/y)		22. Name		23. Date (d/m/y)		

EASA Form 1 - Issue 1 (\*) Installer must cross-check eligibility with applicable technical data

**APPENDIX 5. EASA FORMS (CONTINUED)****AUTHORISED RELEASE CERTIFICATE — EASA FORM 1 (reverse side)**

## USER/INSTALLER RESPONSIBILITIES

## NOTE:

1. It is important to understand that the existence of the document alone does not automatically constitute authority to install the part/component/assembly.
2. Where the user/installer works in accordance with the national regulations of an airworthiness authority different from the airworthiness authority specified in block 1 it is essential that the user/installer ensure that his/her airworthiness authority accepts parts/ components/ assemblies from the airworthiness authority specified in block 1.
3. Statements 14 and 19 do not constitute installation certification. In all cases the aircraft maintenance record shall contain an installation certification issued in accordance with the national regulations by the user/installer before the aircraft may be flown.

**APPENDIX 6. ACRONYMS**

<b>AA</b>	Airworthiness Authority
<b>AC</b>	Advisory Circular
<b>ACO</b>	Aircraft Certification Office
<b>AD</b>	Airworthiness Directive
<b>AGNA</b>	Advisory Group of National Authorities
<b>AIR</b>	Aircraft Certification Service
<b>AMC</b>	Acceptable Means of Compliance
<b>ANDR</b>	Additional National Design Requirement
<b>ANR</b>	Additional National Requirement
<b>BAA</b>	Bilateral Airworthiness Agreement
<b>BASA</b>	Bilateral Aviation Safety Agreement
<b>C of A</b>	Certificate of Airworthiness
<b>CAMO</b>	Continuing Airworthiness Management Organisation
<b>CAS</b>	Calibrated Air Speed
<b>CFR</b>	Code of Federal Regulations
<b>CMO</b>	Certificate Management Office
<b>CPR</b>	Changed Product Rule
<b>DAR</b>	Designated Airworthiness Representative
<b>DER</b>	Designated Engineering Representative
<b>DOA</b>	Design Organisation Approval
<b>EASA</b>	European Aviation Safety Agency
<b>EPA</b>	European Part Approval
<b>EU</b>	European Union
<b>ETSO</b>	European Technical Standard Order

**APPENDIX 6. ACRONYMS (CONTINUED)**

<b>FAA</b>	Federal Aviation Administration
<b>FSDO</b>	FAA Flight Standards District Office
<b>ICAO</b>	International Civil Aviation Organization
<b>ICSSP</b>	International Cooperative Supplier Surveillance Program
<b>IPA</b>	Implementation Procedures for Airworthiness
<b>JAA</b>	Joint Aviation Authorities
<b>JAR</b>	Joint Aviation Requirements
<b>JIP</b>	Joint Implementation Procedures
<b>JTSO</b>	Joint Technical Standard Order
<b>MCAI</b>	Mandatory Continued Airworthiness Information
<b>MIDO</b>	Manufacturing Inspection District Office
<b>MIO</b>	Manufacturing Inspection Office
<b>MISO</b>	Manufacturing Inspection Satellite Office
<b>MTOM</b>	Maximum Take-off Mass
<b>NAA</b>	National Aviation Authority
<b>NPA</b>	Notice of Proposed Amendment
<b>ODAR</b>	Organizational Designated Airworthiness Representative
<b>PMA</b>	Parts Manufacturer Approval
<b>POA</b>	Production Organisation Approval
<b>PTVP</b>	Post Type Validation Principles
<b>SDR</b>	Service Difficulty Report
<b>SSCC</b>	Safety Standards Consultative Committee
<b>STC</b>	Supplemental Type Certificate
<b>SUP</b>	Suspected Unapproved Part

**APPENDIX 6. ACRONYMS (CONTINUED)**

<b>TC</b>	Type Certificate
<b>TCDS</b>	Type Certificate Data Sheet
<b>TDS</b>	Technical Data Sheet
<b>TSO</b>	Technical Standard Order
<b>TVP</b>	Type Validation Principles
<b>U.S.</b>	United States





U.S. Department  
of Transportation

**Federal Aviation  
Administration**

**Directive Feedback Information**

Please submit any written comments or recommendations for improving this directive, or suggest new items or subjects to be added to it. Also, if you find an error, please tell us about it.

Subject: Order \_\_\_\_\_ 8100.14A \_\_\_\_\_

To: Directive Management Officer, \_\_\_\_\_ AIR-530 \_\_\_\_\_

*(Please check all appropriate line items)*

An error (procedural or typographical) has been noted in paragraph \_\_\_\_\_ on page \_\_\_\_\_.

Recommend paragraph \_\_\_\_\_ on page \_\_\_\_\_ be changed as follows:  
*(attach separate sheet if necessary)*

In a future change to this directive, please include coverage on the following subject:  
*(briefly describe what you want added)*

Other comments:

I would like to discuss the above. Please contact me.

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_

FTS Telephone Number: \_\_\_\_\_ Routing Symbol: \_\_\_\_\_