



Federal Aviation Administration

Memorandum

Date: May 3, 2006

From: Manager, Production and Airworthiness Division, AIR-200

To: Manager, Manufacturing Inspection Office – ANE-180, ACE-180, ASW-180, ANM-108
Manager, Designee Standardization Branch, AFS-640

Prepared by: AIR-220/230

Subject: **INFORMATION**: Clarifying information pertaining to a Grant of Exemption
(Exemption No. 8696) issued to the Aviation Suppliers Association

This Memorandum is transmitted in order to clarify some confusion arising from a recent Grant of Exemption issued to the Aviation Supplier Association (ASA). We ask that you ensure its widest dissemination amongst your MIDOs, MISOs, and CMOs, as applicable, in order to standardize the FAA's management of certain designees which are needed to accommodate this exemption.

On March 23, 2006, the FAA issued a Grant of Exemption, No. 8696 (accessible on the following website - http://dmses.dot.gov/docimages/pdf95/391563_web.pdf), to ASA for relief to the regulatory requirements of 14 CFR Part 21, Section 21.323(b). This Grant of Exemption now permits certain members within their association to apply for export airworthiness approvals (e.g., FAA Forms 8130-3) for Class III parts. The Grant of Exemption relieves the applicant from the regulatory requirement of needing to be an FAA PAH ("manufacturer") for such parts and have within their employ an authorized representative of the Administrator. Such export airworthiness approvals may be granted when the parts have been inspected and are found to be airworthy by a designee of the FAA with a proper function code authorizing such activity. It is this point which has raised some confusion amongst our field offices and/or designees.

In this instance, both the Aircraft Certification and Flight Standards Services have determined that only those FAA Manufacturing - Designated Airworthiness Representatives (Mfg.-DARs) assigned Authorization Code #20, as per the guidance contained in FAA Order 8100.8, can be authorized to undertake this activity. This is the only function code and most duly qualified designee that can best accommodate the exemption and issuance of export airworthiness approvals for such Class III parts.

For implementation of this exemption, the same relief permitted to the exemption holder (e.g., relief from the requirement to be a PAH ("manufacturer") for the Class III part and have within their employ a representative of the Administrator) will be applied to the text of Authorization Code #20 in order to permit such designees to grant these export airworthiness approvals. In addition, such activity will be viewed as "original" certification, as opposed to other "recurrent" certifications commonly occurring at distributors, in the interest of "cross utilization" of the best qualified designee resources for this activity as per FAA Order 8130.2, Section 3, Paragraph 34 and 35.

In summary, the only FAA designees permitted to undertake the activity defined in this Grant of Exemption are Manufacturing DARs with the assigned Authorization Code #20. These designees should ensure that the applicant ASA distributor is a qualified member under the exemption, and, all other requirements of 14 CFR, Part 21, Subpart L (e.g., sections 21.325(b)(3), 21.333, etc.) have been fully met before the issuance of any export airworthiness approvals for such Class III parts.

If you have any specific questions related to this information, please contact a member of the Production or Airworthiness Certification Branch, AIR-220 or AIR-230 respectively, at (202) 267-8361.

Thank you in advance for your assistance and cooperation.


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