



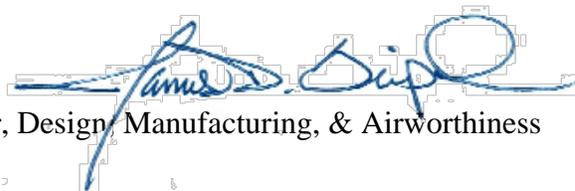
Federal Aviation Administration

Policy Memorandum

Date: April 28, 2016

To: See Distribution List

From:  Susan J. M. Cabler, Acting Manager, Design, Manufacturing, & Airworthiness
Division, AIR-100



Prepared by: Production Certification Section, AIR-112

Subject: Clarification of Conformity Inspection Requirements for New Surplus Articles on
the Authorized Release Certificate, FAA Form 8130-3, Airworthiness Approval
Tag

Memo No.: AIR100-16-110-PM02

Policy Reference: FAA Order 8130.21H, Change 1

This memorandum is in response to your February 18, 2016, request for clarification on the issuance of FAA Form 8130-3 for new surplus articles by a Designated Airworthiness Representative (DAR-T) for export purposes.

As indicated in your memorandum, for different reasons these articles arrive into stock inventories accompanied by various types of identifying documentation.

The airworthiness of the article must be established, as well as positive traceability to a production approval holder (PAH). This traceability can be in the form of shipping documents, certificates of conformance, and/or part markings (part number and/or trade mark). Once positive traceability to a PAH is confirmed, the DAR-T must ensure that the PAH held a production approval for the subject article at the time the article was produced. Additionally, the DAR-T must find that the airworthiness of the article has not been compromised since release by the PAH.

However, where documentation does not show positive traceability to the PAH, an FAA Office of the Chief Counsel (AGC-200) legal interpretation, regarding modification or replacement parts of unknown origin being presented for use on type certificated aircraft, lends an opinion. See the excerpt of the following interpretation, dated August 6, 2009, signed by Rebecca B. MacPherson.

- Question: “..., the question is what showing of proof is necessary to establish that modification or replacements parts of unknown origin are approved or acceptable for use on type certificated aircraft.”
- Interpretation: “New production parts sometimes may be accompanied by identifying documentation from the manufacturer such as a shipping document, a manufacturer’s certificate of conformance or material certification, or an FAA Airworthiness Approval Tag, Form 8130-3 evidencing that the part conforms to its design data and is airworthy. In the absence of identifying documentation, the markings required by § 45.15 may suffice to identify the origin of the part.”

Additionally, Order 8130.2, para. 224 c, states, “...The FAA airworthiness ASI has primary responsibility for the issuance of recurrent airworthiness certificates and approvals. Recurrent certification requires determining that the product has been properly maintained [records] or altered while in service.”

Based on the above information, the intent of 14 CFR part 21.331(a) and Order 8130.21H, paragraph 4-1 b.(5)(b) can be met in the absence of identifying documentation provided the article is marked as required by § 45.10 and may suffice to identify the origin of the part.

We will clarify this requirement in a future revision to FAA Order 8130.21.

If you have any questions, please contact the Production Certification Section, AIR-112, at (202) 267-1575.

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