



Federal Aviation Administration

Memorandum

Date: November 17, 2014

To: All Directorate Offices, All FAA Aircraft Certification Offices (ACOs) and Manufacturing District Offices (MDOs)

From: For David Hempe, Manager, Design, Manufacturing and Airworthiness, AIR-100
Sign Cable

Prepared by: Robert Sprayberry, Certification Procedures Branch, AIR-110

Subject: PMA combination of non-related previously approved articles or "kits"

Regulatory and Policy Ref.: 14 CFR Part 21, subpart K, and FAA Order 8110.42D

Memo No.: AIR100-14-110-GM26

Issue requiring policy clarification

Current guidance in FAA Order 8110.42D, Parts Manufacturer Approval (PMA), imparts that so called "kits" should not be approved under a PMA unless there is a direct link to replacing an article "kit" previously established on a type-certificate product. Recently, FAA offices and their applicants have sought clarification from AIR-100 as to whether or not there is any additional guidance counter to this assessment from the PMA order or regulatory policy. Additionally, they have requested AIR-100's recommendation for proceeding with active applications with the understanding that previous applications of this nature have been approved by the ACO.

Policy and Guidance

14 CFR 21.8 states that an article required to be approved under this chapter may be approved under a PMA. The definition of an article is found in 14 CFR 21.1 (b)(2) and is stated as such; Article means a material, part, component, process, or appliance. Furthermore, 14 CFR 21.9 provides the basis that a replacement or modification article (such as a PMA) may only be approved and manufactured for installation on a product. Thus Product is defined via 14 CFR 21.1 (b)(5) as an aircraft, engine, or propeller.

While the practice of "kitting" or combining dis-similar articles together in a single packaging source for marketing/sales simplification is not a concerning issue, it is unnecessary within the scope of the PMA process. As stated previously, only in the event where the original equipment manufacturer (OEM) or TC holder formed a kit, provided it with a distinct part number and linked it to a type-certificated product would the PMA process apply in this discussion.

Kitting is typically accomplished on the basis of economic benefits for the seller, the purchaser, or both. However, it is almost never a benefit to the FAA's limited resources by providing an unnecessary additional layer of FAA approval. Particularly in recent cases brought to our attention, there is no apparent benefit to the FAA on any level. There is however, a clear burden placed on our resources if we were to proceed forward with any additional approvals. Therefore, it is not the intention of AIR-100 to revise or broaden current guidance by allowing or encouraging such a contingency. AIR-100 advises any offices working to correct issues related to these types of approvals to review any inappropriate PMA approvals and work with their applicants to either correct or remove them from their system going forward.

If you require any additional information or clarification of this response, please feel free to contact Mr. Robert Sprayberry at 202-267-1575 or at robert.sprayberry@faa.gov.