



U.S. Department
of Transportation
**Federal Aviation
Administration**

Memorandum

Subject: **ACTION:** AIR-200 Policy Memorandum #2000-01A,
Clarification of the Eligibility of Imported Parts for
Installation on U.S.-Registered Aircraft

Date: June 15, 2000

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

**Reply to
Attn. of:**

To: All Aircraft Certification Directorates
All Manufacturing Inspection Offices, District/Satellite
Offices, and Certificate Management Offices/Units
All Flight Standards Field Offices
Brussels Aircraft Certification Staff
Suspected Unapproved Parts Program Office, AVR-20

1. **PURPOSE:** This policy memorandum (PM) provides clarification on the relationship between the provisions of Title 14 Code of Federal Regulations (14 CFR) section 21.502, and bilateral airworthiness agreements (BAA) regarding the acceptance of modification and replacement parts, and their eligibility for installation on U.S.-registered aircraft.

This PM supersedes PM 2000-01, dated March 24, 2000, to address concerns associated with the import of standard and commercial parts. Revision marks in the left margin indicate the areas of significant changes.

This PM is intended to address the subject specified. The use of other FAA directive and guidance materials in conjunction with this PM is necessary.

2. **BACKGROUND:** The Aircraft Certification Service and the Flight Standards Service have become aware that issues exist with the understanding of the provisions stated in 14 CFR part 21, subpart N.

The issues concern the relationship between section 21.502 and the BAA's, and the potential for inappropriate acceptance of modification and replacement parts and their installation on U.S.-registered aircraft during maintenance and alteration activities. The current situation is related particularly to the alteration of U.S.-registered aircraft, in accordance with FAA-approved supplemental type certificate (STC) data, at certificated U.S. repair stations located outside the United States. However, the potential exists for the inappropriate acceptance of modification and replacement parts to occur under other situations as well.

3. **DISCUSSION:** Section 21.502, Approval of materials, parts, and appliances, paragraph (a) states "a material, part, or appliance, manufactured in a foreign country with which the United States has an agreement for the acceptance of those materials, parts, or appliances for

export and import, is considered to meet the requirements for approval in the Federal Aviation Regulations when the country of manufacture issues a certificate of airworthiness for export certifying that the individual material, part, or appliance meets those requirements..." In addition, parts or products considered to be approved under section 21.502 must have an FAA-issued design approval (e.g., an aircraft, engine, or propeller certificated under the provisions of 14 CFR section 21.29, or a Technical Standard Order (TSO) appliance approved under 14 CFR section 21.617, etc.).

Pursuant to these international agreements (e.g., BAA's and Bilateral Aviation Safety Agreements (BASA's), or other documents), the United States will consider materials, parts, or appliances imported to the United States for installation on U.S.-registered aircraft to meet all applicable approval requirements when:

- The imported material, part, or appliance is covered under the scope of the agreement with that country; and
- The imported material, part, or appliance is accompanied by a completed airworthiness document (e.g., JAA Form One) from the BAA/BASA country's civil aviation authority; and
- The airworthiness document certifies that the material, part, or appliance meets the requirements of 14 CFR (e.g., section 21.29 or section 21.617, etc.); and
- The airworthiness document certifies that the material, part, or appliance is eligible for installation on the bilateral country's product exported to the United States.

These requirements are clearly shown in the language of the individual agreements noted above. The agreements define "products" to include "modification and replacement parts," and provide for the validation of the certification of "a product and its design produced in [the exporting] state." The airworthiness documents (e.g., JAA Form One, etc.) described above may also indicate direct ship authorization granted by the foreign manufacturer if the parts are to be shipped from other than its normal location. The attached appendix provides examples of situations that are likely to be encountered when determining if a part meets all applicable approval requirements.

Under the existing BAA's, replacement materials, parts, and appliances are considered to be approved if the United States is the state of design for a product, and the product is fabricated under a U.S. production approval or other provisions of part 21 (e.g., section 21.617). However, under the new BASA Implementation Procedures for Airworthiness (IPA's), there may be provisions for the acceptance of parts fabricated outside the United States by a manufacturer who is **NOT** a supplier to a U.S. PAH. Very few of these BASA's have these provisions.

NOTE: Meeting the requirements of section 21.502 is not a prerequisite for installation of a part on a U.S.-registered aircraft. Persons who install foreign-manufactured aircraft parts that do not meet the requirements of that section remain responsible for ensuring that those parts meet all applicable approval requirements and for confirming that the installation of the particular part meets 14 CFR section 43.13, Performance rules (general), paragraph (b).

4. CONCLUSION: Section 21.502 authorizes the acceptance of imported parts when those parts are FAA-approved or approved by a foreign authority authorized to make such a certification under a BAA or BASA/IPA.

Not all bilateral agreements contain the same provisions for the acceptance of products or parts. Each BAA or BASA/IPA that the United States has in place with another country must be reviewed to determine the specific scope or provisions regarding the acceptance of products and/or parts for import into the United States. These agreements can be reviewed at <http://www.faa.gov/avr/air/air4/4home.htm>. If there are still questions after reviewing these agreements, contact a member of the International Airworthiness Programs Staff, AIR-4, at 202-267-9559 for country-specific information.

This policy memo has been coordinated through AFS-300, Continuous Airworthiness Maintenance Division; AGC-7, International Affairs and Legal Policy Staff; AGC-210, Airworthiness Law Branch; and AIR-4. If there are any questions, please contact a member of the Production and Airworthiness Certification Division, AIR-200, at (202) 267-8361.

/s/

Frank P. Paskiewicz

Attachment

APPENDIX TO PM 2000-01A

NOTE: The following are examples of situations that are most likely to be encountered when determining if a part meets all applicable approval requirements. They are purely examples; other situations may require different documentation. The examples are not intended to be used as checklists, nor do they apply to used/repaired parts. The examples provided do not exclude distributors from the transaction.

A. Work performed on a U.S.-registered, foreign-manufactured aircraft (U.S. is not the state of design)

Replacement and modification materials, parts, or appliances may be received from:

- The foreign manufacturer,
- A direct-ship supplier authorized by the foreign manufacturer,
- A U.S. production approval holder,
- From a manufacturer in a bilateral country, other than the state of design, with which the U.S. has a BASA/IPA, indicating the acceptability of materials, parts, or appliances for the foreign manufacturer's products.

Required documentation:

- From the foreign manufacturer, JAA Form One,
- From an authorized direct-ship supplier, JAA Form One or similar document showing direct-ship authority,
- From a U.S. PAH, either the PAH's document or FAA Form 8130-3,
- From a manufacturer in a BASA country, a JAA Form One showing compliance with all conditions of the second paragraph of the "Discussion," section above.

B. Work performed on a U.S.-registered, U.S.-manufactured aircraft (U.S. is the state of design)

Replacement and modification materials, parts, or appliances may be received from:

- The U.S. manufacturer,
- A direct-ship supplier authorized by the U.S. manufacturer,
- Another U.S. production approval holder, (PMA/TSOa)
- From a bilateral country with which the U.S. has a BASA/IPA that specifies acceptance of such parts.

Required documentation:

- From the U.S. manufacturer, the manufacturer's document or FAA Form 8130-3,
- From an authorized direct-ship supplier, manufacturer's document or FAA Form 8130-3 indicating direct ship authority,
- From another U.S. PAH (PMA/TSOa), manufacturer's document or FAA Form 8130-3,
- From a BASA/IPA country, a JAA Form One or similar document showing compliance with all conditions of the second paragraph of the "Discussion," section above.

C. Work performed on a U.S.-approved STC on a U.S.-registered, foreign-manufactured aircraft

Replacement and modification materials, parts, or appliances associated with the STC may be received from:

- A U.S. production approval holder,
- From a bilateral country with which the U.S. has a BASA/IPA that specifies acceptance of such parts.

Required documentation:

- From a U.S. PAH, manufacturer's document or FAA Form 8130-3,
- From a bilateral country, a JAA Form One or similar document showing compliance with all conditions of the second paragraph of the "Discussion," section above.