ORDER

8100.14

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

September 30, 2003

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

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RECORD OF CHANGES

DIRECTIVE NO.

CHANGE TO BASIC	SUPPLEMENTS			OPTIONAL	CHANGE TO BASIC	SUPPLEMENTS			OPTIONAL

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.

Forward any deficiencies in, clarifications to, or improvements on this order to the Federal Aviation Administration, Aircraft Certification Service, Planning and Program Management Division, AIR-500, Attention: Directives Management Officer, 800 Independence Avenue, SW., Washington, DC 20591. Interested parties should use FAA Form 1320-19, Directive Feedback Information, located on the last page of this order for your convenience. You may also obtain 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 or by fax to (202) 493-5144.

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CHAPTER 1. GENERAL

1-1. PURPOSE. This order provides interim policy and guidance on how to interact with the newly established 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 Aircraft Certification Staff;

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. 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.

1-4. EFFECTIVE DATE. This directive is effective on September 29, 2003.

1-5. 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.

1-6. 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 Airworthiness Programs Staff (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.

1-7. 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 Airworthiness Programs Staff (AIR-40), telephone (202) 267-9559, for additional information or to ask questions about this order. They also can e-mail questions to 9-AWA-AIR-EASA@faa.gov. FAA designees with questions should contact their FAA advisors.

1-8. RECORDS MANAGEMENT. Refer to Orders 0000.1, 1350.14, and 1350.15, or your office's Records Management Officer (RMO)/Directives Management Officer (DMO) for guidance on 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 European 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 creates EASA. The Basic Regulation requires that EASA be operational by September 28, 2003, when they start overseeing type certification and continued airworthiness. EASA will oversee 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/home.html.

(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) Since the JAA also represents countries that are not EU Members, the FAA will continue to work with the JAA. In the future, non-EU JAA Member Authorities may or may not adopt the EASA certification specifications or rely on the findings of EASA to issue their own certificates and approvals. The JAA's aircraft certification and maintenance functions will move to EASA, but a small governing body will be retained to make EASA decisions applicable to other JAA members.

(2) The Community is developing 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) The Community is issuing new certification specifications to replace Section 1 of the Joint Aviation Requirements (JAR) as the airworthiness codes for EU Member States. Certification specifications include:

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

(b) Acceptable means of compliance (AMC), which are non-exclusive means of showing compliance with airworthiness codes or implementing rules.

(2) EASA will also provide guidance material, where necessary, similar to JAR Section 2 and Joint Implementation Procedures (JIP). Guidance material is information to help in understanding the Basic Regulation, its implementing rules, and certification specifications.

(3) The Community will use ICAO Annex 16 as issued in November 1999 for noise and emissions standards.

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 becomes operational on September 28, 2003, the Community has 42 months to complete the transition. In the beginning EASA will rely heavily on the NAAs and the JAA. The agency will delegate work and contract NAAs and the JAA for services. The Basic Regulation gives EASA power to 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.

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:

FIGURE 2-1. RULEMAKING AND POLICY RESPONSIBILITIES

EU Parliament and Council	Adopt Community regulations and establish essential requirements (for example, Basic Regulation (EC) No 1592/2002).
EU Commission	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. Issues Commission regulations (which are implementing rules, such as parts 21, 145) to implement the essential requirements of the Basic Regulation. Issues grants or denials of exemptions to the essential requirements.
EASA	Drafts and issues all certification specifications (including airworthiness codes and AMC) and guidance material (including maintenance). Drafts opinions for Amendments to Basic Regulation 1592/2002 and related essential requirements. EASA forwards these opinions to the EU Commission. Drafts opinions on implementing rules for the Commission to consider. Issues special conditions and equivalent safety findings for product certification. Drafts grants or denials of exemptions to the essential requirements for the Commission to consider.
NAA	Recommends regulation and policy changes to EASA. Acts as technical advisor when requested by EASA or the Commission.

(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 certificating that products, appliances, and parts operating in the EU meet the appropriate airworthiness requirements. It also lists responsibilities for approving design, production, and maintenance organizations:

FIGURE 2-2. AIRWORTHINESS CERTIFICATION RESPONSIBILITIES

EASA	Grants type certificates (TC), supplemental type certificates (STC), and amendments and other design approvals [repair, European Technical Standard Order (ETSO), replacement parts], and design changes. Determines type certification basis, including special conditions and equivalent safety findings. Accepts or rejects proposed deviations from certification specifications. Determines if a product complies with the type certification basis and issues relevant type certificates and other appropriate approvals. Grants environmental certification. Oversees continued airworthiness of approved products, which includes issuing airworthiness directives (AD). Issues design organisation approvals (DOA). 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.) Cooperates with foreign authorities and international institutions, such as ICAO, to assist EU Member States in fulfilling their State of Design obligations. **NOTE:** EASA may conduct certain tasks through "qualified entities" for which EASA would be responsible
NAA	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.) Issues airworthiness certificates for individual aircraft registered in their country. Issues noise certificates for individual aircraft registered in their country. Approves and oversees all Annex II aircraft and related parts and appliances not under EASA's authority. Approves minor design changes on behalf of EASA.

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

FIGURE 2-3. OVERSIGHT AND STANDARDIZATION RESPONSIBILITIES

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

e. Points of Contact. We show EASA contact information in appendix 2. 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. EASA has also established an internet site at http://www.easa.eu.int/

b. Find the EU Implementing Rules, certification specifications, and policy and guidance materials at: http://europa.eu.int/comm/transport/air/safety/easa_implement_en.htm.

c. Find additional information on Community aviation safety at: 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.

2-4. BILATERAL AGREEMENTS.

a. Agreement with EU Member States. As of September 2003, there are 15 EU Member States (see figure 2-4). Eleven of these 15 countries have either a Bilateral Airworthiness Agreement (BAA) or Bilateral Aviation Safety Agreement (BASA) with Implementation Procedures for Airworthiness (IPA) with the United States. In the future, other countries such as Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, and Slovenia may also become EU Member States.

FIGURE 2-4. CURRENT 15 EU MEMBER STATES

Austria	Germany	Netherlands
Belgium	Greece *	Portugal *
Denmark	Ireland *	Spain
Finland	Italy	Sweden
France	Luxembourg *	United Kingdom

* Greece, Ireland, Luxembourg, and Portugal 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 European 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 11 bilateral agreements. As an interim, the U.S. and our bilateral partner EU Member States will exchange diplomatic notes to continue bilateral import and export procedures. 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 this new bilateral 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 Greece, Ireland, Luxembourg, and Portugal are not eligible for approval or import into the United States.

d. 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. Some titles, terms and names may change, and EASA administrative procedures may vary slightly from JAA procedures. However, the principles and spirit of TVP and PTVP are unchanged from those developed between FAA and JAA.

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) When EASA becomes operational, any communications with the EU team are considered to be communications with EASA. The State of Design NAA will issue any certifying statements for the remainder of the project on behalf of EASA. Should any disagreements arise, follow the appeals process in TVP.

e. New Applications for FAA Validation of TCs, STCs, and Amendments Submitted after EASA Is Operational.

(1) After EASA is operational, EASA or an NAA on behalf of EASA will send new applications to the appropriate FAA office. 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 will designate its focal point to conduct 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 14CFR 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.

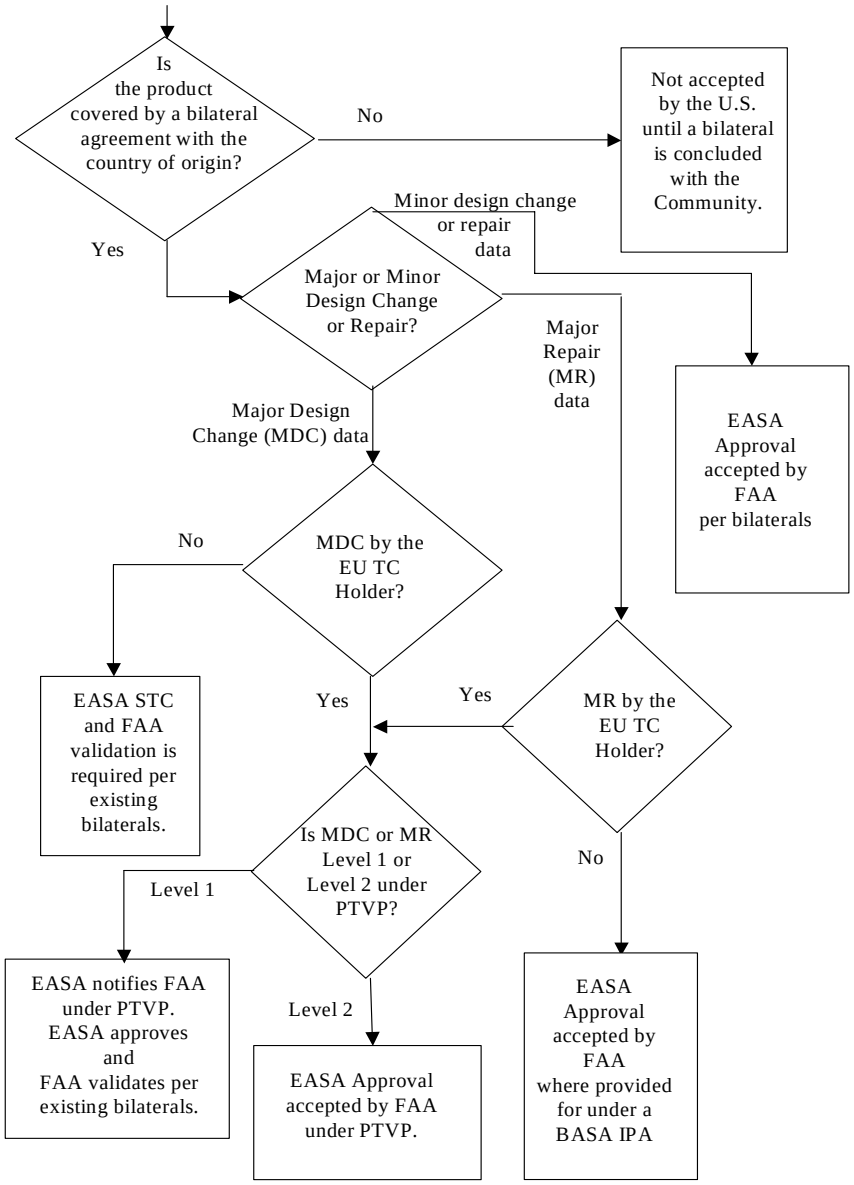
(c) The FAA will accept design change data and related instructions approved and submitted in a format not listed in paragraph 3-1g(1)(b), for State of Design products from France, Germany, Italy, the Netherlands, Sweden, and the United Kingdom or other States when noted in the respective BASA IPAs and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

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) EASA will issue ETSOs as defined in Annex Part 21, based largely on JAA Joint TSO (JTSO) requirements. EASA will forward, to the appropriate FAA certification office (Brussels Aircraft Certification Staff or their successor), applications from European article manufacturers for new FAA letters of TSO design approval. The FAA will continue article approval and import acceptance processes outlined in existing BAA/BASA IPAs. Note that the FAA continues to recognize existing JTSOs in the EU; existing JTSOs will eventually become ETSOs.

(2) The FAA will recognize ETSOs that are identical to FAA TSOs as the basis for issuing a FAA TSO letter of design approval. When the ETSO and FAA TSO are not identical, the article must be found to meet the FAA TSO standard, or the appropriate AIR-100 branch must grant the article a deviation from the standard.

(3) The FAA still must issue an FAA TSO letter of design approval for appliances imported into the United States. Per bilateral agreements and 14 CFR part 21, Subpart O, EASA or the NAAs on behalf of EASA will issue statements certifying that an appliance or part complies with an FAA TSO where appropriate. The FAA will issue the letter of TSO design approval and send it under a cover letter to EASA. 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.

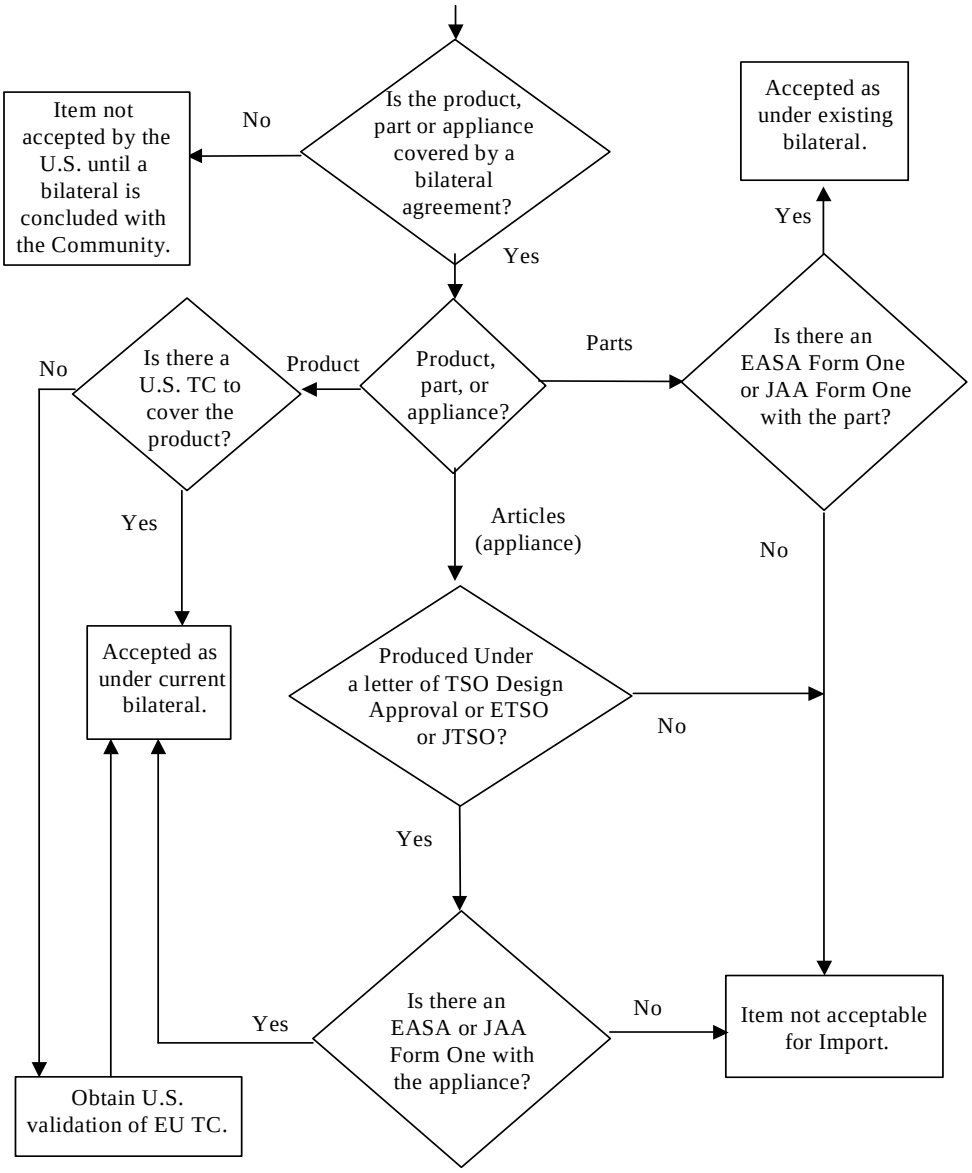
b. Import Documentation. Under existing bilateral agreements, the FAA will continue to recognize any JAA and NAA forms for products, parts, and appliances issued prior to the mandatory implementation date of any new EASA forms (September 2005). Because the Community will not use a common Export Certificate 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 One, 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 One 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 09/28/2005) or an EASA Form One after EASA becomes operational.
- ***New TSO article*** with a JAA Form One (issued prior to 09/28/2005) or an EASA Form One after EASA becomes operational.
- ***New modification or replacement parts*** with a JAA Form One (issued prior to 09/28/2005) or an EASA Form One after EASA becomes operational.
- ***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.

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. 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 issue. The FAA will continue to work EU product-specific technical continued airworthiness issues with the State of Design NAA. The FAA may have informal communications with the NAA specialists investigating the continued airworthiness issue and preparing the AD.

(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 EASA Director of Certification and the responsible FAA directorate management representative 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. EASA 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 State of Design NAA 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. EASA will notify the responsible FAA project office of any personnel changes due to EASA becoming the validating agency for the Community. When EASA becomes operational, any European validation teams composed of JAA or NAA individuals dealing with existing or new validations of U.S. products will 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 authorizations 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 after EASA becomes operational 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 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.

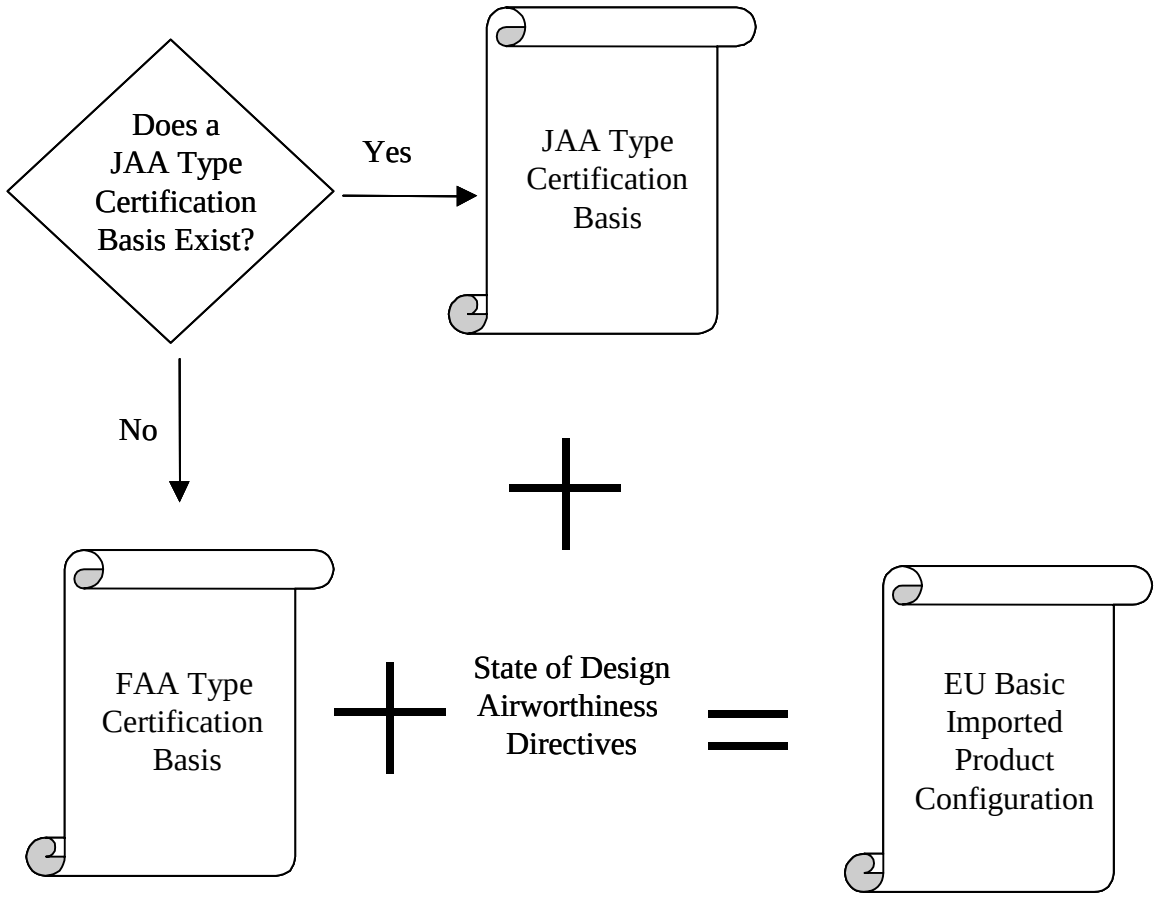
(c) If a U.S. manufacturer wants to use the ADs of another EU Member State rather than the U.S. ADs, the exporter must:

1. Ensure that the product's configuration is consistent with the selected ADs,

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 NAA or JAA individuals. The European validation team will report to EASA when EASA becomes operational. EASA manages and standardizes all certification and validation activity in the EU.

(3) Our policy and procedures for validation projects with the Community are unchanged. The only differences are 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 or former JAA 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) When the European validation team for an existing project is a JAA team, the JAA will also issue a recommendation to the non-EU JAA member authorities. 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. 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 Submitted after EASA Becomes Operational.

(1) Validation Process.

(a) After EASA becomes operational, applicants will submit their applications for validation through their certificate managing ACO to the EASA Director of Certification. EASA will identify their project team. The project team may be composed of technical specialists from NAAs under contract to EASA.

(b) 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 certificate managing 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.

(c) 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.

(d) 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 an 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) Major Type Design Changes and Major Repair Data Developed by the TC Holder.

(a) The FAA and EASA will follow the PTVP notification procedures, or any other mutually agreed procedure, for a particular product as appropriate for major changes.

(b) Per existing bilaterals, EASA will accept the following:

1. Data and related instructions that a U.S. TC holder submits, such as service bulletins, structural repair manuals, vendor manuals, and overhaul and maintenance manuals that are FAA approved or accepted, as appropriate, and

2. FAA approvals of major repair data and related instructions submitted in a format not listed in paragraph 4-2e(1)(b)1, that are approved per FAA Order 8110.4 for U.S. State of Design products.

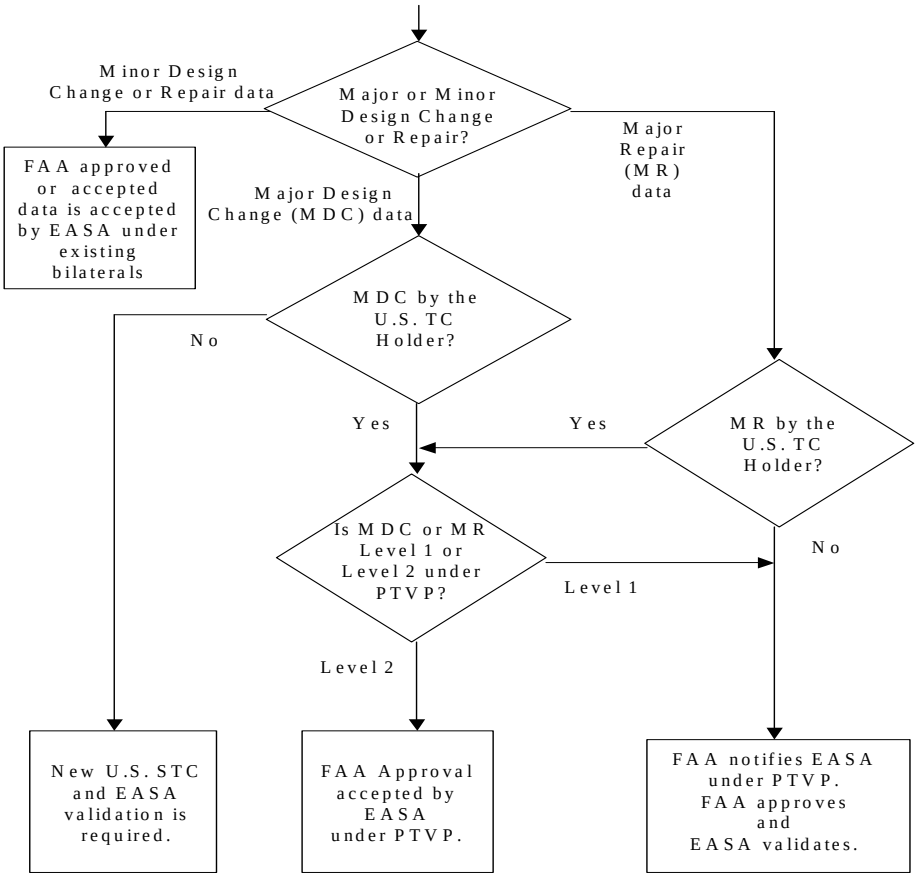
(2) Major Type Design Changes Developed by Other Than the TC Holder. Major changes to the type design by someone other than the TC holder require the FAA to issue an STC. EASA then must validate the STC, as explained paragraphs 4-2b and c in this section.

(3) Major Repair Data Developed by Other Than the TC Holder. Major repair data must first be FAA approved per FAA Order 8110.4. EASA will accept such data for U.S. State of Design products.

(4) Minor Design Changes and Minor Repair Data Developed. EASA will accept 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 ETSOs as defined in Annex Part 21. U.S. appliance manufacturers should submit new applications for a letter of ETSO approval. They should submit applications to the EASA Director of Certification, through their certificate managing ACO. EASA may contract an EU Member State NAA to review the design on behalf of EASA.

(2) Note that 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.

(3) Previously granted JTSO 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/JTSO system.

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 (see JAA Maintenance Temporary Guidance Leaflet 11, 145 Acceptance of Aircraft Components and Material). When EASA becomes operational, 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 certificate managing ACO will notify the EASA Director of Certification when a U.S. TC or STC is transferred. The certificate managing 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 appliances to EU Member States, using 14 CFR part 21, subpart L.

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:

If:	**Enter one of the following exporting statements:**
1. A new EASA TC exists,	"The [*INSERT AIRCRAFT MODEL*] covered by this certificate conforms to EASA Type Certificate [INSERT EASA TYPE CERTIFICATE NUMBER], and is found to be in a condition for safe operation." or

	"The [*INSERT ENGINE or PROPELLER MODEL*] covered by this certificate conforms to EASA Type Certificate [*INSERT EASA TYPE CERTIFICATE NUMBER],* is found to be in a condition for safe operation, and has undergone a final operational check."
2. An EASA TC does not exist but a JAA type certification basis and JAA Data Sheet exists,	"The [*INSERT AIRCRAFT MODEL*] covered by this certificate conforms to JAA Data Sheet [*INSERT JAA DATA SHEET NUMBER*], and is found to be in a condition for safe operation." or "The [*INSERT ENGINE or PROPELLER MODEL*] covered by this certificate conforms to JAA Technical Data Sheet [*INSERT JAA DATA SHEET NUMBER*], is found to be in a condition for safe operation, and has undergone a final operational check."
3. Neither a JAA type certification basis and JAA Data Sheet nor an EASA type certificate exists,	"The [*INSERT AIRCRAFT MODEL*] covered by this certificate conforms to FAA Type Certificate [INSERT FAA TYPE CERTIFICATE NUMBER], and is found to be in a condition for safe operation." or "The [*INSERT ENGINE or PROPELLER MODEL*] covered by this certificate conforms to FAA Type Certificate [INSERT FAA TYPE CERTIFICATE NUMBER], is found to be in a condition for safe operation, and has undergone a final operational check."

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. A listing of EASA type certification bases are available on the FAA Internet at: http://www.faa.gov/certification/aircraft/InfoaboutEASA.stm. EASA will issue a new EASA TC and TCDSs to new products, including amended TCs, validated after EASA becomes operational. 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 certfication 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 (see figure 4-3):

(1) ***New aircraft, aircraft engines, and propellers*** with an FAA Export C of A.

(2) ***New TSO article*** 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, or their designee when agreed, 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. Our notification process to the EU Member State NAA remains the same. However, EASA may be involved in the approval of exceptions, such as, for a non-validated major design change. The NAA or EASA needs to reply in writing to accept the exception before we can export the product.

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. The Community will notify us of the continued airworthiness focal points for U.S. products operating in Europe. 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.

(2) The FAA will provide copies of ADs for U.S. products to EASA headquarters for action. We will also provide a copy to the 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. For Annex II products, this notification will go directly to the NAAs.

(3) EASA, or the NAAs for Annex II products, will take action based on our AD. The FAA may informally communicate with the EU focal point for the affected product to explain our corrective action. The EASA Director of Certification and the responsible FAA directorate management representative manages 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. Because the JAA also supports other countries that are not members of the Community, the FAA will continue to work with the JAA on regulatory and policy coordination until the JAA informs us otherwise. At a minimum, JAA will continue to publish rules, policy, and guidance for aircraft operations and flight crew licensing. The JAA may also assist EASA in developing their rulemaking program and drafting rules.

b. EASA Rulemaking Process. The EASA rulemaking process will retain 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 will 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 will include one NAA representative per EU Member State responsible for applying the Basic Regulation and its implementing rules. EASA will publish all materials, including membership, procedures, meeting agendas, minutes, and related documentation, from both groups.

c. Working with EASA on Rulemaking. The FAA and EASA will work together as the EASA rulemaking process is finalized to maintain an open process and promote U.S. participation on advisory groups. 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. 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	
EASA maintains:	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. **NOTE:** EASA may permit NAAs to retain records locally in the areas of responsibility they are performing on behalf of EASA.
NAA maintains all records on:	Products the NAA approved before EASA became operational. Production approvals issued and overseen by the NAA. Annex II products. Airworthiness, oversight, and standardization activities that the NAA conducts with or on behalf of EASA. **NOTE:** NAAs may retain other records locally in the areas of responsibility they are performing on behalf of EASA.

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 European 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 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. NAAs will transfer responsibilities to EASA case by case. 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 One 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 authorization 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):

European Aviation Safety Agency
European Commission
Mailing address:
G-12 03/032
B-1049 Brussels
Belgium

Physical location
Rue de Geneve 12
Brussels, Belgium

Fax: 32-2-298-6649

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 – all categories	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	NO	NO	NO
	Supplemental Type Certificates (STC)	NO	NO	NO
	Replacement parts (Austria is State of Design, FAA has validated Type Certificate (TC) for the aircraft, etc.)	X	X	X
	Modification parts by TC holder	NO	NO	NO
	Comments on component conformity and test witnessing: 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 – all categories	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	STCs	NO	NO	NO
	Replacement parts (Belgium is State of Design, FAA has validated TC for the aircraft, etc.)	X	X	X
	Modification parts by TC holder	X	X	X
DENMARK	Aircraft – all categories	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts	X	X	X
	STCs	NO	NO	NO
	Modification parts by TC holder	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
FINLAND	Gliders only	NO	NO	X
	Engines	NO	NO	NO
	Propellers	NO	NO	NO
	Appliance	NO	NO	X
	Replacement parts (for appliances and gliders)	NO	NO	X
	STCs	NO	NO	NO
	Modification parts	NO	NO	NO
FRANCE	Aircraft – all categories	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) **NOTE:** 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
GERMANY	Aircraft – all categories	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)	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
ITALY	Aircraft – all categories	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
NETHERLANDS	Aircraft – all categories	X	X	X
	Engines	NO	NO	NO
	Propellers	NO	NO	NO
	Appliance	X	X	X
	Replacement parts (Netherlands is the State of Design for the product, and/or the part holds an FAA approval and is manufactured by a Dutch 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 Netherlands State of Design products)	X	X	X
	Modification parts (where Netherlands is the State of Design for the product and the design change, and/or the part is manufactured by a Dutch POA holder who 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
SPAIN	Aircraft – all categories	NO	NO	X
	Engines	NO	NO	NO
	Propellers	NO	NO	NO
	Appliance	NO	NO	X
	Replacement parts (for aircraft and appliances only)	NO	NO	X
	STCs	NO	NO	NO
	Modification parts (by the original FAA approval holder for aircraft and appliances only)	NO	NO	X
SWEDEN	Aircraft – all categories	X	X	X
	Engines	NO	NO	NO
	Propellers	NO	NO	NO
	Appliance	X	X	X
	Replacement parts	X	X	X
	STCs (Sweden is State of Design for the product, and FAA has validated the product's STC)	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 who 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
UNITED KINGDOM	Aircraft – all categories	X	X	X
	Engines	X	X	X
	Propellers	X	X	X
	Appliance	X	X	X
	Replacement parts (on products for which the United Kingdom is the State of Design, and/or the part holds an FAA approval and is manufactured by a U.K. 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 U.K. State of Design Products)	X	X	X
	Modification parts (where the United Kingdom is the State of Design for the product and the design change, and/or the part is manufactured by a U.K. POA holder who has an arrangement with a U.S. design change approval holder for the manufacturing rights)	X	X	X
The following are applicable as EU products after May 2004 only.				
CZECH REPUBLIC	Aircraft – All categories	NO	NO	X
	Engines	NO	NO	X
	Propellers	NO	NO	X
	Appliance	NO	NO	X
	STCs	NO	NO	NO
	Replacement parts (for Czech products and appliances only)	NO	NO	X
	Modification parts by TC holder	NO	NO	NO
	Comments: 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. **NOTE:** 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
POLAND	Aircraft – gliders, small fixed-wing aircraft of 12,500 lbs or less, and helicopters	X	X	X
	Engines – piston engines of 1,000 horsepower (H.P.) or less, turbine engines	X	X	X
	Propellers – associated with piston engines of 1,000 H.P. or less	X	X	X
	Appliance	NO	NO	NO
	Replacement parts (for products for which Poland is the State of Design)	X	X	X
	STCs	NO	NO	NO
	Modification parts by TC holder	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.

APPENDIX 5. EASA FORMS (Continued)

EASA Form 15 Airworthiness Review Certificate

Competent authority of
a Member State of the
European Union

AIRWORTHINESS REVIEW CERTIFICATE

ARC REFERENCE: MS-YY-000

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:

Aircraft type: .....
Aircraft registration: .....
Aircraft serial Number: .....

is considered to be airworthy at the time of the issue.

Date of issue: .....
Signed: ..... **Authorisation Nr:** .....

EASA Form 15

APPENDIX 5. EASA FORMS (Continued)

EASA Form 25 Certificate of Airworthiness

EASA LOGO Competent authorityLOGO

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

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*	*
NOISE CERTIFICATE		
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 certificating 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 authorityLOGO

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		
5. This Certificate of Airworthiness is issued pursuant to the Convention on International Civil Aviation dated 7 December 1944 ar Regulation (EC) No 1592/2002, Article 5(3)(b) in respect of the abovementioned aircraft which is considered to be airworthy whe maintained and operated in accordance with the foregoing and the pertinent operating limitations. In addition to above the following restrictions apply: The aircraft may be used in international navigation notwithstanding above restrictions. 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 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

Competent authority logo	**PERMIT TO FLY**
*	
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)

EASA Form One – Authorised release Certificate

1. Approving Competent authority Country	2. AUTHORISED RELEASE CERTIFICATE EASA FORM ONE				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. Qty	11. Serial/Batch No	12. Status/Work
13. Remarks						
14. Certifies that the items identified above were manufactured in conformity to: ☐ approved design data and are in condition for safe operation ☐ non-approved design data specified in block 13				19. ☐ Part 145A.50 Release to Service ☐ Other regulation 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 One – Issue 1 * Installer must cross-check eligibility with applicable technical data

APPENDIX 5. EASA FORMS (Continued)

EASA Form One (reverse side)

AUTHORISED RELEASE CERTIFICATE – EASA FORM ONE
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 ensures 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 must contain an installation certification issued in accordance with the national regulations by the user/installer before the aircraft may be flown.

APPENDIX 6. ACRONYMS

AC Advisory Circular

ACO Aircraft Certification Office

AD Airworthiness Directive

AGNA Advisory Group of National Authorities

AIR Aircraft Certification Service

AMC Acceptable Means of Compliance

ANDR Additional National Design Requirement

ANR Additional National Requirement

BAA Bilateral Airworthiness Agreement

BASA Bilateral Aviation Safety Agreement

C of A Certificate of Airworthiness

CAMO Continuing Airworthiness Management Organisation

CAS Calibrated Air Speed

CFR Code of Federal Regulations

CMO Certificate Management Office

CPR Changed Product Rule

DAR Designated Airworthiness Representative

DER Designated Engineering Representative

DOA Design Organisation Approval

EASA European Aviation Safety Agency

EPA European Part Approval

EU European Union

ETSO European Technical Standard Order

FAA Federal Aviation Administration

APPENDIX 6. ACRONYMS (Continued)

FSDO FAA Flight Standards District Office

ICAO International Civil Aviation Organization

ICSSP International Cooperative Supplier Surveillance Program

IPA Implementation Procedures for Airworthiness

JAA Joint Aviation Authorities

JAR Joint Aviation Requirements

JIP Joint Implementation Procedures

JTSO Joint Technical Standard Order

MCAI Mandatory Continued Airworthiness Information

MIDO Manufacturing Inspection District Office

MIO Manufacturing Inspection Office

MISO Manufacturing Inspection Satellite Office

MTOM Maximum Take-off Mass

NAA National Aviation Authority

NPA Notice of Proposed Action

ODAR Organizational Designated Airworthiness Representative

PMA Parts Manufacturer Approval

POA Production Organisation Approval

PTVP Post Type Validation Principles

SDR Service Difficulty Report

SSCC Safety Standards Consultative Committee

STC Supplemental Type Certificate

SUP Suspected Unapproved Part

TC Type Certificate

APPENDIX 6. ACRONYMS (Continued)

TCDS Type Certificate Data Sheet

TDS Technical Data Sheet

TSO Technical Standard Order

TVP Type Validation Principles

U.S. 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 8100.14

To: Directive Management Officer, AIR-500

(*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.

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