



Federal Aviation Administration

Memorandum

Date: April 22, 2016

To: Directorate Offices
Aircraft Certification Offices (ACOs)
Manufacturing District Offices (MIDO)

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

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

Subject: Previously Approved Parts Manufacturer Approval (PMA) Data

Memo: AIR100-16-110-PM03

Regulatory and Policy Ref.: 14 CFR part 21, Subpart K, and FAA Order 8110.42D

Background

There have been recent instances where the approval of PMAs, purchased by another PMA holder in good standing, resulted in lengthy delays to reapprove the previously FAA-approved data for the new owner. This has caused a delay in getting airworthy replacement parts to market and potentially compromised the safe continued operation of many popular models of general aviation aircraft. As per policy, the sale of these PMAs required the new owners to undergo a MIDO audit, verifying their ability to produce under an approved quality system. However, ACOs also took the opportunity to review the design data package, which prior to the sale was considered FAA-approved data. In these instances the ability to produce the PMA article ceased, while the ACO reviewed data and requested changes.

In each case, the FAA did not intend to request design or production changes to existing inventories. Additionally, there were no Safety Difficulty Reports (SDRs), no safety issues warranting an airworthiness directive (AD) for the existing articles, and no known non-compliances or changes to the PMA design.

Issue requiring policy clarification

Historically, the regulatory language has precluded PMA transfers. Guidance found in 8110.42D is not contrary to this, but it does offer up methods for the ACO to accept data related to PMAs from a previous owner to a new owner. The complete process results in a new application for PMA due to the inherit MIDO requirements for establishing new production approvals. However, the previously approved data still carries a pedigree of FAA approval that must be honored.

Policy and Guidance

AIR-100 hereby reaffirms that the PMA process related to data review provides the ACOs an “opportunity” to review data package. However, ACOs should use their discretionary authority and

utilize risk-based decision-making and the new compliance philosophy when presented with previously FAA-approved design data. There are instances when ACO review is necessary such as changes to the original PMA design by the new owner-- changing from PMA via Identity to PMA via Test Reports and Computations. In this case, the ACO is directed, within their discretionary authority, to accept as much of the identity data as is reasonable and only review the compliance findings associated with the product specific regulations that were not previously considered under the previous approval.

If the PMA article was approved and considered safe immediately before the sale to a new owner, i.e., there were no identified SDRs, no known non-compliances, or AD action in work, then the ACO data review should focus solely on new methods of showing compliance, if any are proposed, from the new PMA owner. Absent design changes, non-compliances and safety issues, previously approved data is to be treated as such. Cosmetic changes to drawings and data packages may be worked with the new owner on an agreed upon schedule, but definitely should not hold up the issuance of the new PMA approval.

Summary

There are three basic reasons under which an ACO should revisit or re-check previously approved PMA data and they are:

- 1) A change in design;
- 2) Knowledge of a non-compliance; or
- 3) Knowledge of a safety issue.

Please be mindful that if the sale of the PMA design did not occur, the current design data would still be in use by the original owner. Delays caused by re-approving previously approved data interrupts the flow of new and airworthy replacement parts and has a negative safety impact. This clarification on previously approved FAA data will be incorporated in the next revision of FAA Order 8110.42D. If you require any additional information or have questions concerning this memorandum, please feel free to contact Mr. Robert Sprayberry at robert.sprayberry@faa.gov or at 202-267-1575.