European Union Aviation Safety Agency

FAQ n.19218

FAQs:

International cooperation

Question:

Which statements on the FAA Form 8130-3 are acceptable for the import of US PMA parts by a European Maintenance, Repair and Overhaul company (MRO)?

Answer:

First of all it is important to emphasise that the implementation of the bilateral aviation safety agreement (BASA) between the US and the EU as well as its implementation procedures is the responsibility of the States for their own regulated entities. The EU, its Member States and EASA have no authority over US manufacturers exporting to the EU. It is up to the FAA to ensure that US companies correctly apply the provisions of the BASA.

One also has to bear in mind that EASA is not the sole authority implementing the BASA on the European side; this responsibility is shared with the Member States. MROs based in Europe are under the oversight of the National Aviation Authority (NAA) of the Member State. If the MRO identifies that its US suppliers do not implement the BASA correctly this should be reported to its NAA who should inform the FAA, via or with copy to the EASA.

In addition the MRO has the possibility under its contractual relationship with its suppliers, to request the supplier to correctly implement the BASA.

There is a degree of flexibility in the acceptance of release forms with statements that slightly differ from those required by the BASA.

The technical implementation procedures (TIP) allow three statements on the FORM 8130-3 in the case of exported PMA parts:

(i) For a PMA part which is not a “critical component”, the following statement should be written in the remarks block of the FAA Form 8130-3: “This PMA part is not a critical component.”

(ii) For a PMA part conforming to design data obtained under a licensing agreement from the TC or STC holder according to 14 CFR Part 21, the following statement should be written in the remarks block of the FAA Form 8130-3: “Produced under licensing agreement from the holder of [INSERT TC or STC NUMBER].”

(iii) If the PMA holder is also the holder of the EASA STC design approval which incorporates

the PMA part into an EASA certified or validated product, the following statement should be written in the remarks block of the FAA Form 8130-3: “Produced by the holder of the EASA STC number XXXXX.”

The intent of these statements is to clearly identify that the exported PMA part can be accepted under the conditions as stipulated in the BASA. These conditions are (see TIP §2.8.2):

1. The PMA is not a critical component; or
2. The design of the PMA part is obtained by a licensing agreement with the (FAA) TC or STC holder; or
3. The PMA part is approved under an EASA STC.

The above statement (i) is needed for the above case 1. The MRO can accept statements that clearly indicate that the concerned part is a PMA (or part of a PMA) and that the PMA is not a critical component.

The statement (ii) is needed to address case 2. The MRO can accept statements that clearly indicate that the design of the PMA part is obtained by a licensing agreement with the (FAA) TC or STC holder. If the particular PMA part is included in the illustrated parts catalogue (IPC) or equivalent of the TC or STC holder, this can also be used as evidence for compliance with case 2.

The statement (iii) is needed to address case 3. The MRO can accept statements that clearly indicate that the PMA part is approved under an EASA STC, referring to the EASA STC number.

Multiple statements were not envisaged, but are acceptable if they provide at least one of the required information and do not contradict each other.

Inacceptable Forms 8130-3, e.g. when none of the required statements is present, should be refused and the parts rejected.

The Agency considers the conditions for acceptance and its resulting administrative burden in the current text of the TIP related to the export and acceptance of PMA parts as proportionate to the related safety risks and commercial interests. Of course the Agency will continue working together with the FAA to improve the implementation of the BASA and to monitor any needs for improvements in the arrangement or its implementing procedures.

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https://www.easa.europa.eu/en/faq/19218