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

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

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Mr. Dickstein:

The FAA is responding to your March 24, 2009, request for clarification of whether aircraft owners, operators, or certificate holders must retain in their records a complete audit trail to the origin of their aircraft parts. This audit trail is commonly known in the aircraft industry as traceability, and you maintain that traceability is not mandated by Title 14 of the Code of Federal Regulations (14 CFR).

In the absence of specific facts, we assume a particular scenario gives rise to your request --- modification or replacement parts of unknown origin are being presented for use on type certificated aircraft. You are correct in stating that there is no Federal Aviation regulation that requires traceability of an aircraft part to its origin. Thus, the question is what showing of proof is necessary to establish that modification or replacement parts of unknown origin are approved or acceptable for use on type certificated aircraft.

Before a part may be approved or accepted for use on a type certificated aircraft the airworthiness of that part must be established. One method of accomplishing this is to establish positive traceability to the production approval holder and then determining that the airworthiness of the part has not been compromised. New production parts are approved for use on type certificated aircraft if they are produced pursuant to a parts manufacturer approval or otherwise meet the production requirements of 14 CFR § 21.303(b). A modification or replacement part produced under a PMA must contain detailed marking information that identifies the part as PMA produced, identifies the producer, and identifies the part number as well as the product on which it is eligible for installation. See 14 CFR § 45.15.

New production parts sometimes may be accompanied by identifying documentation from the manufacturer such as a shipping document, a manufacturer's certificate of conformance or material certification, or an FAA Airworthiness Approval Tag, Form 8130-3 evidencing that the part conforms to its design data and is airworthy. In the absence of identifying documentation, the markings required by § 45.15 may suffice to identify the origin of the part. If both the markings and other identifying documentation are absent the airworthiness of the part must otherwise be established. If positive traceability to the production approval

holder cannot be made, the part may be submitted for inspection and testing to determine conformity. Once inspection and testing results confirm that the part conforms to its type design and is in a condition for safe operation, the part may be considered acceptable for use on a type certificated aircraft.

Used parts that are being returned to service may be identified by the records required by 14 CFR § 43.9 for approval for return to service. The data used to identify a part must be traceable to a person authorized to perform the maintenance or alteration and approve the part for return to service. An FAA airworthiness approval tag may also serve as approval for return to service after maintenance or alteration by an authorized part 145 Repair Station or a U.S. Air Carrier having an approved Continuous Airworthiness Maintenance Program. An approval for return to service substantiates that the work performed on the part was accomplished in accordance with the requirements of part 43 of the regulations. While use of Form 8130-3 is not mandatory, it does help the end user determine the airworthiness approval status of parts. Many times part numbers are applied in a non-permanent manner or they may be removed or obscured during maintenance. To preserve this information, persons performing maintenance must document the part markings on maintenance records before performing work on the part. In these instances Form 8130-3 may be considered as the part identification.

As in the case of new production parts, if a used part does not have documentation that identifies its manufacturer and it does not have identifying markings indicating part number or manufacturer, the part's acceptability must be substantiated through other means. That is usually accomplished through demonstration and testing of the part to determine its conformity.

This response was prepared by Angela Washington, an attorney in the Regulations Division of the Office of Chief Counsel, and coordinated with the Aircraft Maintenance Division of the Flight Standards Service. We hope this response has been helpful to you. If you have additional questions regarding this matter, please contact us at your convenience at (202) 267-7556.

Sincerely,

Rebecca B. MacPherson
Assistant Chief Counsel for Regulations, AGC-200