

## § 21.6

cooling operating limitations in the Flight Manual.

[Amdt. 21-46, 43 FR 2316, Jan. 16, 1978, as amended by Amdt. 21-92, 74 FR 53385, Oct. 16, 2009]

### § 21.6 Manufacture of new aircraft, aircraft engines, and propellers.

(a) Except as specified in paragraphs (b) and (c) of this section, no person may manufacture a new aircraft, aircraft engine, or propeller based on a type certificate unless the person—

(1) Is the holder of the type certificate or has a licensing agreement from the holder of the type certificate to manufacture the product; and

(2) Meets the requirements of subpart F or G of this part.

(b) A person may manufacture one new aircraft based on a type certificate without meeting the requirements of paragraph (a) of this section if that person can provide evidence acceptable to the FAA that the manufacture of the aircraft by that person began before August 5, 2004.

(c) The requirements of this section do not apply to—

(1) New aircraft imported under the provisions of §§ 21.183(c), 21.184(b), or 21.185(c); and

(2) New aircraft engines or propellers imported under the provisions of § 21.500.

[Doc. No. FAA-2003-14825, 71 FR 52258, Sept. 1, 2006]

### § 21.7 Continued airworthiness and safety improvements for transport category airplanes.

(a) On or after December 10, 2007, the holder of a design approval and an applicant for a design approval must comply with the applicable continued airworthiness and safety improvement requirements of part 26 of this subchapter.

(b) For new transport category airplanes manufactured under the authority of the FAA, the holder or licensee of a type certificate must meet the applicable continued airworthiness and safety improvement requirements specified in part 26 of this subchapter for new production airplanes. Those requirements only apply if the FAA has jurisdiction over the organization re-

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sponsible for final assembly of the airplane.

[Doc. No. FAA-2004-18379, Amdt. 21-90, 72 FR 63404, Nov. 8, 2007]

### § 21.8 Approval of articles.

If an article is required to be approved under this chapter, it may be approved—

(a) Under a PMA;

(b) Under a TSO;

(c) In conjunction with type certification procedures for a product; or

(d) In any other manner approved by the FAA.

[Doc. No. FAA-2006-5877, Amdt. 21-92, 74 FR 53385, Oct. 16, 2009]

### § 21.9 Replacement and modification articles.

(a) If a person knows, or should know, that a replacement or modification article is reasonably likely to be installed on a type-certificated product, the person may not produce that article unless it is—

(1) Produced under a type certificate;

(2) Produced under an FAA production approval;

(3) A standard part (such as a nut or bolt) manufactured in compliance with a government or established industry specification;

(4) A commercial part as defined in § 21.1 of this part;

(5) Produced by an owner or operator for maintaining or altering that owner or operator's product;

(6) Fabricated by an appropriately rated certificate holder with a quality system, and consumed in the repair or alteration of a product or article in accordance with part 43 of this chapter; or

(7) Produced in any other manner approved by the FAA.

(b) Except as provided in paragraphs (a)(1) through (a)(2) of this section, a person who produces a replacement or modification article for sale may not represent that part as suitable for installation on a type-certificated product.

(c) Except as provided in paragraphs (a)(1) through (a)(2) of this section, a person may not sell or represent an article as suitable for installation on an aircraft type-certificated under