



27 July 2023

(23-5126)

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Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1.	<b>Notifying Member:</b> UNITED STATES OF AMERICA <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
2.	<b>Agency responsible:</b> Federal Aviation Administration (FAA) [2054] <b>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b> Please submit comments to: USA WTO TBT Enquiry Point, Email: <a href="mailto:usatbtep@nist.gov">usatbtep@nist.gov</a>
3.	<b>Notified under Article 2.9.2 [ ], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], other [X]:</b> FAA plans to issue a policy statement stating that a proposed design change to a transport category airplane that would materially alter safety critical information would have an appreciable effect on the airplane's airworthiness, and therefore would not qualify as a minor change.
4.	<b>Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Aircraft type design changes; Quality (ICS code(s): 03.120); Accident and disaster control (ICS code(s): 13.200); Aircraft and space vehicles in general (ICS code(s): 49.020)
5.	<b>Title, number of pages and language(s) of the notified document:</b> Draft Policy Statement Regarding Classification of Type Design Changes That Would Materially Alter Safety Critical Information as Major Type Design Changes; (2 page(s), in English)
6.	<b>Description of content:</b> Notification of availability; request for comments by 25 August 2023 - A draft policy statement would state that proposed type design changes that would materially alter safety critical information have the potential to affect airworthiness, and therefore do not qualify as minor design changes.
7.	<b>Objective and rationale, including the nature of urgent problems where applicable:</b> Protection of human health or safety; Quality requirements
8.	<b>Relevant documents:</b> 88 Federal Register (FR) 48142, 26 July 2023; Title 14 Code of Federal Regulations (CFR) Parts 21 and 25: <a href="https://www.govinfo.gov/content/pkg/FR-2023-07-26/html/2023-15853.htm">https://www.govinfo.gov/content/pkg/FR-2023-07-26/html/2023-15853.htm</a> <a href="https://www.govinfo.gov/content/pkg/FR-2023-07-26/pdf/2023-15853.pdf">https://www.govinfo.gov/content/pkg/FR-2023-07-26/pdf/2023-15853.pdf</a> This notice of availability; request for comments is identified by Docket Number FAA-2023-1383. The Docket Folder is available from Regulations.gov at <a href="https://www.regulations.gov/docket/FAA-2023-1383/document">https://www.regulations.gov/docket/FAA-2023-1383/document</a> and provides access to primary and supporting documents as well as comments received. Documents are also

accessible from [Regulations.gov](https://www.regulations.gov) by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](#) by or before [4pm Eastern Time](#) on 25 August 2023. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the regulator and will also be submitted to the [Docket](#) on Regulations.gov if received within the comment period.

Notified separately - Classification of Type Design Changes That Would Materially Alter Safety Critical Information as Major Type Design Changes; notice of availability; request for comments published 26 July 2023:

<https://www.govinfo.gov/content/pkg/FR-2023-07-26/html/2023-15821.htm>

<https://www.govinfo.gov/content/pkg/FR-2023-07-26/pdf/2023-15821.pdf>

**9. Proposed date of adoption:** To be determined

**Proposed date of entry into force:** To be determined

**10. Final date for comments:** 25 August 2023

**11. Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:**

[https://members.wto.org/crnattachments/2023/TBT/USA/23\\_11310\\_00\\_e.pdf](https://members.wto.org/crnattachments/2023/TBT/USA/23_11310_00_e.pdf)