

ORDER: 8300.10

APPENDIX: 4

BULLETIN TYPE: Flight Standards Information Bulletin (FSIB)
for Airworthiness (FSAW)

BULLETIN NUMBER: FSAW 97-21

BULLETIN TITLE: Acceptable Means of Maintaining Cargo
Containers, Pallets, and Netting Installed on
Transport Category Aircraft

EFFECTIVE DATE: 09-05-97

1. SUBJECT. This Flight Standards Information Bulletin (FSIB) outlines the Federal Aviation Administration's (FAA) national policy regarding the acceptable means of dealing with cargo containers, pallets, and netting installed in transport category aircraft.

2. BACKGROUND. During routine surveillance aviation safety inspectors (ASI) have increasingly observed what may be unserviceable cargo containers, pallets, netting, and other restraint devices loaded into air carrier aircraft. In many cases, the restraint systems identified above and cargo loading personnel are provided by a freight forwarding company under a lease agreement. This has caused some confusion and concerns about who is responsible for the restraint systems and the training of the cargo loaders. Further, questions have arisen regarding the services provided by the freight forwarding company being considered contract maintenance.

A. Title 14 of the Code of Federal Regulations (14 CFR) part 121, section 121.153(a)(2) provides that each certificate holder must operate civil aircraft in an airworthy condition. The airworthiness of the aircraft, includes cargo containers, pallets, and any other restraint system installed on the aircraft.

B. Section 121.363 holds each certificate holder responsible for the airworthiness of the aircraft, including airframes, aircraft engines, propellers, appliances, and parts thereof. Parts thereof include Type Certificate (TC) or Supplemental Type Certificate (STC) cargo containers, pallets, and restraint systems.

C. The air carrier is ultimately responsible for training their personnel to the requirements of their manual. Section 121.135(a)(1) requires the air carrier to provide instructions and information (manuals) necessary to allow personnel to perform their duties and responsibilities with a high degree of safety.

D. Ground support equipment and cargo loading personnel

should not be considered contract maintenance. 14 CFR part 1 defines maintenance as; inspection, overhaul, repair, preservation, and replacement of aircraft parts. The service traditionally provided by a freight forwarding company does not lend itself to any of these foregoing activities.

3. ACTION. Consistent with the foregoing discussion and as part of their normal surveillance, principal inspectors should ensure that adequate procedures are in place in the operator's manual to ensure cargo restraint equipment conform to proper standards and are in condition to perform their intended function.

A. If maintenance is required on any of the TC or STC cargo containers or restraint devices, it must be accomplished in accordance with appropriate regulations.

B. Geographic inspectors, performing air carrier surveillance, should follow handbook guidance and report discrepancies in cargo handling/restraint devices through the program tracking and reporting system (PTRS) for follow-up action by the principal inspector.

4. INQUIRIES. This FSIB was developed by AFS-300. Questions regarding this information bulletin should be directed to AFS-330 at (202) 267-3440.

5. EXPIRATION DATE. This bulletin will expire on 09-30-98.

/s/ Leo Weston, Acting Manager
Aircraft Maintenance Division