



European Aviation Safety Agency

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To all associated EU Member States
and associated countries NAA's

Subject: EASA Decision to not adopt FAA AD 2008-16-01

Dear Sir or Madam,

FAA AD 2008-16-01 has been identified by EASA as a 'State of Design' AD for the affected General Electric CF34 engines, as installed at this time only on Embraer ERJ-170 series aircraft. However, EASA has already adopted ANAC (State of Design Brazil) AD 2008-03-01R1, applicable to Embraer ERJ-170 series aircraft, which addresses the same unsafe condition. Without a deviating decision from the Agency, by force of ED Decision 2/2003, both these State of Design ADs would automatically apply to aircraft registered in Europe. The respective dates on which these ADs become (or have become) effective, are approximately one month apart and the required compliance time is also not identical. This situation, if not properly addressed, could lead to confusion for the affected aircraft owners and operators.

To avoid such confusion, considering that both these ADs contain temporary measures only and that a further FADEC software update is expected to become the subject of a new 'State of Design' AD, the Agency has decided not to adopt FAA AD 2008-16-01. Consequently, ANAC AD 2008-03-01R1 remains the adopted AD for the subject unsafe condition and remains applicable to Embraer ERJ-170 series aircraft (which have CF34 engines with the affected FADEC software installed), registered in European Member States and associated countries.

Yours sincerely,



A. LEROY

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