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specifications, necessary to define the configuration and the design features of the product shown to comply with the requirements of that part of this subchapter applicable to the product;

(b) Information on dimensions, materials, and processes necessary to define the structural strength of the product;

(c) The Airworthiness Limitations section of the Instructions for Continued Airworthiness as required by parts 23, 25, 26, 27, 29, 31, 33 and 35 of this subchapter, or as otherwise required by the Administrator; and as specified in the applicable airworthiness criteria for special classes of aircraft defined in §21.17(b); and

(d) For primary category aircraft, if desired, a special inspection and preventive maintenance program designed to be accomplished by an appropriately rated and trained pilot-owner.

(e) Any other data necessary to allow, by comparison, the determination of the airworthiness, noise characteristics, fuel venting, and exhaust emissions (where applicable) of later products of the same type.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-27, 34 FR 18363, Nov. 18, 1969; Amdt. 21-51, 45 FR 60170, Sept. 11, 1980; Amdt. 21-60, 52 FR 8042, Mar. 13, 1987; Amdt. 21-68, 55 FR 32860, Aug. 10, 1990; Amdt. 21-70, 57 FR 41368, Sept. 9, 1992; Amdt. No. 21-90, 72 FR 63404, Nov. 8, 2007]

§21.33 Inspection and tests.

(a) Each applicant must allow the Administrator to make any inspection and any flight and ground test necessary to determine compliance with the applicable requirements of the Federal Aviation Regulations. However, unless otherwise authorized by the Administrator—

(1) No aircraft, aircraft engine, propeller, or part thereof may be presented to the Administrator for test unless compliance with paragraphs (b)(2) through (b)(4) of this section has been shown for that aircraft, aircraft engine, propeller, or part thereof; and

(2) No change may be made to an aircraft, aircraft engine, propeller, or part thereof between the time that compliance with paragraphs (b)(2) through (b)(4) of this section is shown for that aircraft, aircraft engine, propeller, or

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part thereof and the time that it is presented to the Administrator for test.

(b) Each applicant must make all inspections and tests necessary to determine—

(1) Compliance with the applicable airworthiness, aircraft noise, fuel venting, and exhaust emission requirements;

(2) That materials and products conform to the specifications in the type design;

(3) That parts of the products conform to the drawings in the type design; and

(4) That the manufacturing processes, construction and assembly conform to those specified in the type design.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-17, 32 FR 14926, Oct. 28, 1967; Amdt. 21-27, 34 FR 18363, Nov. 18, 1969; Amdt. 21-44, 41 FR 55463, Dec. 20, 1976; Amdt. 21-68, 55 FR 32860, Aug. 10, 1990; Amdt. 21-68, 55 FR 32860, Aug. 10, 1990]

EFFECTIVE DATE NOTE: By Amdt. No. 21-92, 74 FR 53386, Oct. 16, 2009, §21.33(a) introductory text was amended by removing the words “the Federal Aviation Regulations” and adding, in their place, the words “this subchapter”, effective Apr. 14, 2010. This amdt. was postponed to Apr. 16, 2011 at 75 FR 9095, Mar. 1, 2010.

§21.35 Flight tests.

(a) Each applicant for an aircraft type certificate (other than under §§21.24 through 21.29) must make the tests listed in paragraph (b) of this section. Before making the tests the applicant must show—

(1) Compliance with the applicable structural requirements of this subchapter;

(2) Completion of necessary ground inspections and tests;

(3) That the aircraft conforms with the type design; and

(4) That the Administrator received a flight test report from the applicant (signed, in the case of aircraft to be certificated under Part 25 [New] of this chapter, by the applicant's test pilot) containing the results of his tests.

(b) Upon showing compliance with paragraph (a) of this section, the applicant must make all flight tests that the Administrator finds necessary—