

From: Deaderick, DK (FAA)
Sent: Wednesday, July 20, 2016 3:46 PM
To: 'andy@myfcf.com'
Cc: Dorr, Les (FAA); Moates, Stephen (FAA)
Subject: FAA position on the: spAIRtray

Mr. Andy Bernadette,

Thank you for your phone call regarding the spAIRtray.

The Federal Aviation Administration (FAA) Office of Communications asked me to respond to your inquiry. I am an Aviation Safety Inspector (ASI) with the Flight Standards Service, Air Transportation Division. Flight Standards is responsible for promoting safe air transportation by setting standards (Code of Federal Regulations), providing certification and conducting oversight of airmen, air operators, air agencies and designees.

The FAA has:

- established minimum standards that all airlines must follow for the safety of passengers. I have conducted a cursory review of the product that is identified on your website as the spAIRtray. This item is considered a passenger carry on item and subject to the carry-on baggage regulations.
- The FAA requires an air carrier to have an approved carry-on baggage program that limits the number of items/bags an individual passenger can bring on the airplane, and requires a crewmember to verify these bags are properly stowed prior to aircraft movement. “Properly stowed” means not only that the bags are secured in a bin, closet or under a passenger seat, but that the bags do not exceed the placarded weight limitation of the bin or closet in which they are stowed.
- The carry-on baggage regulation is: 14CFR §121.589. The Federal Aviation Administration (FAA) requires each air carrier to develop a program to handle carry-on baggage. Each air carrier carry-on baggage program is reviewed and approved by the FAA. (note: some regional jets have a “no carry-on baggage” policy, in which case, passengers are only allowed personal items, such as a purse, laptop computer or small backpack)

http://www.faa.gov/passengers/prepare_fly/baggage/

- You may also review the content of 14 CFR§ 121.589 at the following website:

http://www.ecfr.gov/cgi-bin/text-idx?SID=8cb4245801bde1cc8f3a904742307289&mc=true&node=se14.3.121_1589&rgn=div8

The Federal Aviation Administration does not prohibit passenger comfort items such as the spAIRtray. FAA certified air carriers are required to train their crewmembers to conduct safety risk assessments during all phases of flight. An airline could for example have concerns about inflight use of this item. An air carrier may perceive that this item could contribute to damage to the aircraft window shade tracking due to an improper installation or removal of the spAIRtray and therefore prohibit its use onboard their aircraft. Another carrier may be concerned about the use of this passenger convenience item at an emergency window exit due to the movement of the window shade in an upward position. One example of **an airline prohibited** passenger comfort device is the infamous “knee defender,” based on a series of incidents of passenger misconduct.

The Federal Aviation Administration (FAA) is responsible for establishing safety regulations however, an air carrier may implement a corporate safety policy that is **more restrictive than FAA regulations**. The FAA recommends you contact your airline, Regional Airline Association (RAA) or Airlines for America (A4A) to solicit feedback on air carrier policies for passengers interested in using the spAIRtray.

I hope that this answers your question. If you have additional questions regarding FAA’s **cabin safety regulations** you may contact me directly @ FAA’s Flight Standards Service ([202\) 267-7480](tel:2022677480))

Thank you for your interest in aviation safety.

Inspector DK Deaderick

DK DEADERICK, ASI

Air Transportation Division

121 Air Carrier Operations Branch, AFS-220

Survival Factors Project Coordinator

800 Independence Ave, SW