



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2026-3877; Project Identifier MCAI-2026-00437-T;

Amendment 39-23333; AD 2026-08-52]

RIN 2120-AA64

Airworthiness Directives; Embraer S.A. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Embraer S.A. Model EMB-545 and EMB-550 airplanes. The FAA previously sent this AD as an emergency AD to all known U.S. owners and operators of these airplanes. This AD was prompted by reports of in-service pitch trim actuator failures on one load path. This AD requires an operational check of the pitch trim actuator of the horizontal stabilizer, an option to do a pitch trim verification, and applicable on-condition actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. Emergency AD 2026-08-52, issued on April 20, 2026, which contains the requirements of this amendment, was effective with actual notice.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

The FAA must receive comments on this AD by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- Federal eRulemaking Portal: Go to [regulations.gov](https://www.regulations.gov). Follow the instructions for submitting comments.

- Fax: 202-493-2251.

- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- Hand Delivery: Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2026-3877; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Agência Nacional de Aviação Civil (ANAC) material identified in this AD, contact ANAC, Aeronautical Products Certification Branch (GGCP), Rua Dr. Orlando Feirabend Filho, 230 - Centro Empresarial Aquarius - Torre B - Andares 14 a 18, Parque Residencial Aquarius, CEP 12.246-190 - São José dos Campos - SP, Brazil; telephone 55 (12) 3203-6600; email pac@anac.gov.br. You may find this material on the ANAC website at sistemas.anac.gov.br/certificacao/DA/DAE.asp.

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2026-3877.

FOR FURTHER INFORMATION CONTACT: Gabriel Kim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516-228-7343; email: Gabriel.D.Kim@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written data, views, or arguments about this final rule. Send your comments using a method listed under the ADDRESSES section. Include “Docket No. FAA-2026-3877; Project Identifier MCAI-2026-00437-T” at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this final rule because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to regulations.gov, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this final rule.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this AD contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this AD, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public

docket of this AD. Submissions containing CBI should be sent to Gabriel Kim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516-228-7343; email: Gabriel.D.Kim@faa.gov. Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued Emergency AD 2026-08-52, dated April 20, 2026 (the emergency AD), to address an unsafe condition on all Embraer S.A. Model EMB-545 and EMB-550 airplanes. The FAA sent the emergency AD to all known U.S. owners and operators of these airplanes. The emergency AD requires an operational check of the pitch trim actuator of the horizontal stabilizer, an option to do a pitch trim verification, and applicable on-condition actions.

The emergency AD was prompted by ANAC Emergency AD 2026-04-02, effective April 20, 2026 (ANAC Emergency AD 2026-04-02) (also referred to as the MCAI), issued by ANAC, which is the aviation authority for Brazil, to correct an unsafe condition on all Embraer S.A. Model EMB-545 and EMB-550 airplanes. The MCAI states there have been reports of failures on one load path of the pitch trim actuator of the airplane horizontal stabilizer, during the accomplishment of the scheduled maintenance task: operational check of pitch trim actuator irreversibility. This failure increases the risk of failure on both load paths of the pitch trim actuator, and may leave the airplane horizontal stabilizer free to move according to aerodynamic loads, which may result in loss of control of the airplane. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2026-3877.

Material Incorporated by Reference Under 1 CFR Part 51

ANAC Emergency AD 2026-04-02 specifies procedures for an operational check of the pitch trim actuator of the horizontal stabilizer, an option to do a pitch trim verification, and applicable on-condition actions. The on-condition actions include replacing the pitch trim actuator if the operational check fails (i.e., either the TEST STATUS field is TEST FAILED after five minutes, or the TEST STATUS field is TEST ABORTED after repeating the operational check five times) or if the pitch trim verification fails, and performing an operational check on the replaced pitch trim actuator. ANAC Emergency AD 2026-04-02 also specifies reporting the data from the operational check and pitch trim verification.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

FAA's Determination

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe condition described in the MCAI described above. The FAA is issuing this AD after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

AD Requirements

This AD requires accomplishing the actions specified in ANAC Emergency AD 2026-04-02 described previously, except for any differences identified as exceptions in the regulatory text of this AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, ANAC Emergency AD 2026-04-02 is incorporated by reference in this AD. This AD requires compliance with ANAC Emergency AD 2026-04-02 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this AD. Material required by ANAC Emergency AD 2026-04-02 for compliance will be available at [regulations.gov](https://www.regulations.gov) under Docket No. FAA-2026-3877 after this AD is published.

Interim Action

The FAA considers that this AD is an interim action. The inspection reports required by this AD would enable the manufacturer to obtain better insight into the nature, cause, and extent of the unsafe condition and eventually to develop final action to address the unsafe condition. Once final action has been identified, the FAA might consider further rulemaking.

Justification for Immediate Adoption and Determination of the Effective Date

Section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) authorizes agencies to dispense with notice and comment procedures for rules when the agency, for "good cause," finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under this section, an agency, upon finding good cause, may issue a final rule without providing notice and seeking comment prior to issuance. Further, section 553(d) of the APA authorizes agencies to make rules effective in less than thirty days, upon a finding of good cause.

An unsafe condition exists that required the immediate adoption of Emergency AD 2026-08-52 issued on April 20, 2026, to all known U.S. owners and operators of these airplanes. The FAA found that the risk to the flying public justified forgoing notice and comment prior to adoption of this rule because of reports of in-service pitch trim actuator failures on one load path, which, if not addressed, could increase the risk of losing both load paths of the pitch trim actuator, potentially allowing the horizontal stabilizer to move freely under aerodynamic loads and could result in loss of control of the airplane. Additionally, the compliance time in this AD is shorter than the time necessary for the public to comment and for publication of the final rule. These conditions still exist, therefore, notice and opportunity for prior public comment are impracticable and contrary to the public interest pursuant to 5 U.S.C. 553(b).

In addition, the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days, for the same reasons the FAA found good cause to forgo notice and comment.

Regulatory Flexibility Act

The requirements of the Regulatory Flexibility Act (RFA) do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because the FAA has determined that it has good cause to adopt this rule without notice and comment, RFA analysis is not required.

Costs of Compliance

The FAA estimates that this AD affects 294 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

Estimated costs for required actions

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
2 work-hours X \$85 per hour = \$170	\$0	\$170	\$49,980

Estimated costs for optional actions

Labor cost	Parts cost	Cost per product
1 work-hour X \$85 per hour = \$85	\$0	\$85

The FAA estimates the following costs to do any necessary on-condition actions that would be required based on the results of any required or optional actions. The FAA has no way of determining the number of aircraft that might need these on-condition actions:

Estimated costs of on-condition actions

Labor cost	Parts cost	Cost per product
44 work-hours X \$85 per hour = \$3,740	\$150,000	\$153,740

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some or all of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected operators.

Paperwork Reduction Act

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0056. Public reporting for this collection of information is estimated to take approximately 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering

and maintaining the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

Authority for this Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866, and
- (2) Will not affect intrastate aviation in Alaska.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39 - AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2026-08-52 Embraer S.A.: Amendment 39-23333; Docket No. FAA-2026-3877; Project Identifier MCAI-2026-00437-T.

(a) Effective Date

The FAA issued Emergency Airworthiness Directive (AD) 2026-08-52 on April 20, 2026 (also referred to as the emergency AD), directly to affected owners and operators. As a result of such actual notice, the emergency AD was effective for those owners and operators on the date it was received. This AD contains the same requirements as the emergency AD and, for those who did not receive actual notice, is effective on [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Embraer S.A. Model EMB-545 and EMB-550 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 27, Flight controls.

(e) Unsafe Condition

This AD was prompted by reports of in-service pitch trim actuator failures on one load path. The FAA is issuing this AD to address pitch trim actuator failures. The unsafe condition, if not addressed, could increase the risk of losing both load paths of the pitch trim actuator, potentially allowing the horizontal stabilizer to move freely under aerodynamic loads, which could result in loss of control of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, Agência Nacional de Aviação Civil (ANAC) Emergency AD 2026-04-02, effective April 20, 2026 (ANAC Emergency AD 2026-04-02).

(h) Exceptions to ANAC Emergency AD 2026-04-02

(1) Where ANAC Emergency AD 2026-04-02 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where paragraph (a)(1)(i) of ANAC Emergency AD 2026-04-02 specifies “in case of fail of the airplane HS PTA OPC”, this AD requires replacing that text with “in case of failure of the airplane HS PTA OPC (i.e., either the TEST STATUS field is TEST FAILED after five minutes, or the TEST STATUS field is TEST ABORTED after repeating the operational check five times)”.

(3) Where paragraph (a)(1)(i) of ANAC Emergency AD 2026-04-02 specifies, in case of failure, to replace the pitch trim actuator and perform an operational check, this AD requires doing those actions before further flight.

(4) Where paragraph (a)(1)(ii)(1) of ANAC Emergency AD 2026-04-02 specifies “it is prohibited to take-off the airplane. Report the failure to the applicable maintenance service and replace the PTA P/N 492600-1017 by another airworthy PTA with the same P/N, and perform a new OPC on the new PTA”, this AD requires replacing that text with “before further flight, report the failure to the applicable maintenance service and replace the PTA P/N 492600-1017 by another airworthy PTA with the same P/N, and perform a new OPC on the new PTA”.

(5) Paragraph (b) of ANAC Emergency AD 2026-04-02 specifies to report data from the operational check and pitch trim verification. For this AD, report the data at the applicable time specified in paragraph (h)(5)(i) or (ii) of this AD.

(i) If the operational check or pitch trim verification was done on or after the effective date of this AD: Submit the report within 10 days after accomplishing the operational check or pitch trim verification, as applicable.

(ii) If the operational check or pitch trim verification was done before the effective date of this AD: Submit the report within 10 days after the effective date of this AD.

(i) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (j) of this AD and email to: AMOC@faa.gov. Before using any approved AMOC, notify your appropriate

principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer*: For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or the Agência Nacional de Aviação Civil (ANAC); or ANAC's authorized Designee. If approved by the ANAC Designee, the approval must include the Designee's authorized signature.

(j) Additional Information

For more information about this AD, contact Gabriel Kim, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516-228-7343; email: Gabriel.D.Kim@faa.gov.

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) Agência Nacional de Aviação Civil (ANAC) Emergency AD 2026-04-02, effective April 20, 2026.

(ii) [Reserved]

(3) For ANAC material identified in this AD, contact ANAC, Aeronautical Products Certification Branch (GGCP), Rua Dr. Orlando Feirabend Filho, 230 - Centro Empresarial Aquarius - Torre B - Andares 14 a 18, Parque Residencial Aquarius, CEP 12.246-190 - São José dos Campos - SP, Brazil; telephone 55 (12) 3203-6600; email pac@anac.gov.br.

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

Issued on April 28, 2026.

Steven W. Thompson,
Acting Deputy Director, Compliance & Airworthiness Division,
Aircraft Certification Service.
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