



Federal Aviation
Administration



Transport
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“Reciprocal Acceptance” Frequently Asked Questions (FAQs)

Q1) What is reciprocal acceptance?

Reciprocal Acceptance actually has two parts. First, in plain language “acceptance” is when an importing authority acknowledges an exporting authority’s issuance and treats it with the same validity as if they had made the issuance. Because of this, the exporting authority’s issuance can be used within the import authority’s jurisdiction without further action. As such, the importing authority will no longer issue an approval letter (or similar) for the exporting authority’s issuance to be used within the importing authority’s jurisdiction.

For example, FAA will accept TCCA CAN Letter of TSO Design Approvals (LODA) for articles from Canada and no longer issue a Letter of TSO DA for the same CAN-TSO. Likewise, TCCA will accept the FAA’s TSOA for an article from the United States without issuing a CAN-TSO LODA. Likewise, FAA will accept an EASA ETSOA for an article from the European Union (EU) and the FAA will no longer issue a Letter of TSO LODA, per the current procedure. Likewise, EASA will accept the FAA’s TSOA for an article from the United States without issuing an ETSOA.

Reciprocal is simply when both authorities agree to do this mutually with each other’s same type of issuances.

Q2) How is reciprocal acceptance conducted?

As with all agreements, the procedures between authorities are identified in the implementation procedures under the bilateral executive agreement. These procedures will identify exactly which issuances will be accepted by each authority and the procedures to be followed between the authorities.

Q3) What agreements are currently in place that supports reciprocal acceptances?

The U.S.-Canada and U.S.-EU, are the only two agreements that currently include reciprocal acceptance.

Q4) What started this whole idea of reciprocal acceptance?

For many years, industry has requested that FAA, TCCA, and EASA each accept the exporting authority’s TSO approval and eliminate their approval and issuance step as the importing authority. It has been believed that no additional safety to the article is achieved by the importing authority’s approval action.

As a result, the FAA, TCCA, and EASA have acknowledged industry’s concerns and been mutually working toward this goal. Based on more than a decade of experience between the

FAA and both these authorities, enough confidence in each other's systems has been developed to support the reciprocal acceptance of TSO-approved articles.

Q5) What is the regulatory basis to allow reciprocal acceptance between the FAA TSOAs and TCCA CAN-TSOAs?

The regulatory justification is provided in the following references:

Basis for approved Approval of TSO Articles

- 14CFR 21.1(b)(2):
Article means a material, part, component, process, or appliance;
Approved, unless used with reference to another person, means approved by the FAA or any person to whom the FAA has delegated its authority in the matter concerned, or approved under the provisions of a bilateral agreement between the United States and a foreign country or jurisdiction.

- 14CFR 21.8(d): *If an article is required to be approved under this chapter, it may be approved—*
(d) In any other manner approved by the FAA.

Basis for acceptance of Articles

- 14CFR 21.502 Acceptance of articles.
An article (including an article produced under a TSO LODA) manufactured in a foreign country or jurisdiction meets the requirements for acceptance under this subchapter if—
 - (a) That country or jurisdiction is subject to the provisions of an agreement with the United States for the acceptance of that article;
 - (b) That article is marked in accordance with part 45 of this chapter; and
 - (c) An export airworthiness approval has been issued in accordance with the provisions of that agreement for that article for import into the United States.

Regarding Marking of Articles

- 14CFR 45.10 Marking.
No person may mark a product or article in accordance with this subpart unless—
 - (a) **That person produced the product or article —**
 - (1) Under part 21, subpart F, G, K, or O of this chapter; or
 - (2) **For export to the United States under the provisions of an agreement between the United States and another country or jurisdiction for the acceptance of products and articles;** and
 - (b) That product or article conforms to its approved design, and is in a condition for safe operation; and, for a TSO article; that TSO article meets the applicable performance standards.

NOTE: this is NOT an FAA TSO approval so TSO marking per 45.15 does NOT apply.

Q6) How will reciprocal acceptance be implemented?

The reciprocal acceptance between the FAA and any foreign authority will be implemented in accordance with the terms of the Agreement in place between the U.S. and partner State.

Specific procedures for reciprocal acceptance will be included in the implementation procedures for airworthiness between the FAA and partner CAA.

Q7) Have all of the appropriate FAA and foreign authority's regulations, policy, and guidance been reviewed to address how reciprocal acceptance will be implemented?
FAA AIR and AFS policy offices have spent more than a year in discussion with both TCCA and EASA counterparts reviewing and preparing this path. We are confident that current regulations, policy, and guidance fully support reciprocal acceptance with each authority.

Q8) How will an FAA TSO approved article be marked under reciprocal acceptance?
An FAA TSO article will be marked as required by the TSO minimum performance standards (MPS) and the TSO regulations and policy; there will be no corresponding "TCCA CAN-TSO marking" or "EASA ETSO marking"

Q9) How will an FAA TSO approved article be exported under reciprocal acceptance?
An FAA TSO approved article will be exported under normal exportation rules and regulations and in accordance with each Agreement, as appropriate. The article must be marked according to its approved design (i.e. TSO MPS) and it must be accompanied by an FAA Authorized Release Certificate (8130-3) completed for export per the requirements of each Agreement.

Q10) How will a TCCA or EASA TSO approved article be marked under reciprocal acceptance?
A TCCA or EASA approved article will be marked as required by their appropriate MPS in concurrence with their respective regulations and policy; there will be no corresponding "FAA TSO marking".

For articles which had been approved by European National Authorities prior to foundation of EASA (Sept. 28, 2003) the article is marked with the appropriate national marking.

For articles which had been approved by TCCA as Article Type Certificates prior to the introduction of CAN-TSO LODAs (December, 2009) the article is marked with the appropriate national marking.

Q11) How will a foreign CAA approved article be exported to the U.S. under reciprocal acceptance?
An approved article will be exported to the United States under normal exportation rules and regulations and in accordance with the appropriate Agreement. The article must be marked according to its approved design and it must be accompanied by an Authorized Release Certificate Form completed for export per the requirements of the appropriate Agreement.

Articles which had been approved by European National Authorities prior to foundation of EASA (Sept. 28, 2003) are marked with the appropriate national marking and must be accompanied by an EASA Authorized Release Certificate (Form1) completed for export per the requirement of the U.S.-EU Agreement.

Articles which had been approved by TCCA prior to the introduction of CAN-TSO LODAs (December, 2009) are marked with the appropriate national marking and must be accompanied

by a TCCA Authorized Release Certificate (Form1) completed for export per the requirement of the U.S.-CANADA Agreement.

Q12) What happened to the “old” TSO article validation process?

The old validation process will no longer be required for those authorities the FAA have signed an Agreement for reciprocal acceptance unless exceptions have been identified regarding the acceptance of TSO articles. In the case of reciprocal acceptance, applications for TSO article DA will not be accepted by either authority. The old validation process is still in place to approve specific articles (exceptions) as listed in the TIP.

Q13) Can the old validation processes be used after reciprocal acceptance is implemented?

Only articles explicitly listed in the TIP are allowed to be processed under the old article validation process. Neither FAA, EASA, or TCCA offices and/or their TSO/ETSO applicants are allowed to decide which process they wish to use.

Q14) What happens to previously “validated” TSOA, CAN-TSO and ETSOAs?

The previous TSOAs, CAN-TSO, and ETSOAs, as well as previously issued TCCA Article Type Certificates remain valid. However, major changes to these TSO articles will require reciprocal acceptance process to be used. Minor changes to existing TSOAs, CAN-TSO, and ETSOAs will continue to be managed through the process under which they were originally approved. Nevertheless, for articles where the exporting authority issues a revised certificate based on a minor change the reciprocal acceptance process shall be used.

Q15) How does reciprocal acceptance work when the FAA has a TSO for which there is no foreign equivalent?

In this case, the ‘reciprocal’ aspect of the agreement does not apply per se, but FAA TSO articles may be eligible for acceptance without the need for an application to be processed.

When EASA does not have a corresponding ETSO to that of the FAA, an approval coming into their system by EASA under the provisions of Part 21.A.305 may be made similar to current processes. See the TIP for the specific process.

Q16) How does reciprocal acceptance work when a foreign CAA has a TSO for which there is no FAA TSO equivalent?

When the FAA does not have a corresponding TSO to that of a partner CAA, the provisions of 14 CFR 21.8(d) may be employed by the FAA to issue an approval, similar to current process. See the applicable implementation procedures for the specific process.

Q17) Is there a common listing or comparison chart of the different FAA TSOs and TCCA CAN-TSOs or EASA ETSOs?

No. There are no official listings detailing the similarities or differences between TSO and foreign design standards as all TSO articles manufactured and approved to those standards from both countries are accepted.

Q18) Is FAA/TCCA reciprocal acceptance the same as EASA/TCCA reciprocal acceptance?

No. Currently the agreement between EASA and TCCA is based on “commonality” between their unique technical standards. Under that process, only ETSOs and CAN-TSOs for which there is sufficient similarity established (via a listing) are reciprocally accepted. The FAA/TCCA IPA Amendment 1 introduces full reciprocal acceptance of TSO/CAN-TSO articles between Canada and the United States based upon the approval(s) issued by the authority of the exporting State.

Q19) Are the end users ready to accept a TSO approved article that has one label (FAA TSO or TCCA CAN-TSO) and airworthiness tag (FAA 8130-3, TCCA Form One, or EASA Form 1)?

The end user may need to adapt their system to deal with potential differences (if any) between the articles approved under a TSOA versus a CAN-TSOA or ETSOA as it pertains to installation into an approved type design.

Q20) How will FSDOs, MIDOs, ACOs, DERs, DARs, repair stations, airlines, etc. be informed on the TSO reciprocal acceptance process. Will training/education be provided prior to the release of the revised TIP?

Yes. AIR and AFS are both working on a series of general and targeted notifications along with training opportunities for our various field offices slated to be released just prior to or concurrently with the signing of the TIP and the TCCA IPA amendment. Both EASA and TCCA are planning to do the same within their organizations and their geographical jurisdiction(s).

Q21) For repair stations that mainly focused on repairing/overhauling TSO components/equipment, how will this impact their ops spec and other line of business?

There will be corresponding guidance in 8900.1 issued to notify the field inspectors of the AIR policy change.

Q22) Will the authorities be required to notify each other of design changes to an approved TSO article?

Except for APUs (EASA only), there are no notification requirements moving forward under reciprocal acceptance or previously validated TSO articles unless specifically identified as remaining under the validation process.

Q23) How does reciprocal acceptance account for non-TSO functions?

Non-TSO functions are processed in the same manner as they always have been, reciprocal acceptance doesn't alter that in any way.

Q24) Are deviations also covered by the reciprocal acceptance?

Yes. Deviations are covered as part of the reciprocal acceptance of TSOAs/CAN-TSOAs /ETSOAs. Partner authorities have evaluated the system of the bilateral partner to assess deviations and found their systems to be equivalent.

Q25) How will reciprocal acceptance be reviewed to ensure confidence in each authority's certifying statements to their TSOs?

AIR is setting up a new process of “confidence-keeping” to be effective for all facets of our bilateral agreements with partner authorities. This program will address general issues as well as specific processes such as TSO article reciprocal acceptance.

Q26) Our company is the holder of FAA TSOAs for several articles none of which have received the equivalent approval (with either TCCA or EASA). These articles are part of a major type certificate (TC) project where the TC applicant has requested us to pursue an approval from TCCA or EASA. Will these articles be grandfathered under the reciprocal acceptance agreement so there is no need to pursue an approval?

With the signing of these new procedures, validation of U.S. designs for either a CAN-TSO or ETSOA and validation of EU or TCCA designs for an FAA TSO LODA will not be required or allowed. Previously issued TSOAs/ETSOAs/CAN-TSOAs for articles that did not receive the corresponding approval from the importing authority will now be recognized by the importing authority as approved articles under reciprocal acceptance.

Q27) Our company has already submitted a validation request prior to the signing of TIP Revision 5 and TCCA IPA Amendment 1, the FAA, EASA, and TCCA will. How will this request be handled?

If a validation request has been submitted prior to the signing of TIP Revision 5, the FAA, TCCA, and EASA will continue processing those applications until complete unless the applicant requests that the application be cancelled. The FAA, TCCA, and EASA will no longer accept validation requests unless the article is specifically listed in the agreement as requiring validation by the importing authority.

Q28) As a TSOA holder, if we make a TSO major change for only one of the TSOs applicable to a given multi-TSO article, and therefore do not upgrade to the latest versions of the rest of the TSOs applicable to the article, does reciprocal acceptance apply only to the affected TSO? How does this affect the article marking?

If the TSOA holder makes a major change to their article, a new TSOA for the article is required to the TSO that resulted in the major change classification. When the FAA issues the new TSOA for the article that was previously approved to multiple TSOs, the new TSOA letter would only allow the article to be marked with the FAA TSO. The article would not be eligible for CAN-TSOA and under reciprocal acceptance would be recognized by TCCA as an “approved” article.

Q29) I have a question that wasn't answered. Where can I submit additional questions to the FAA and TCCA on TSOA/CAN-TSOA reciprocal acceptance?

You can submit additional questions to:

- for CANADIAN applicants: richard.loewen@tc.gc.ca;
- for EU applicants: etsoa@easa.europa.eu
- for U.S. applicants: 7-AWA-AVS-AIR-040@faa.gov.

The FAA, EASA, and TCCA will jointly review your question and provide you a coordinated reply. If we believe your question will benefit others, we will add it to this FAQ list.

Q30) Will EASA now recognize FAA TSOs for industry standard parts (i.e. TSO-C148, -C149, -C150, and -C171 articles)?

No. EASA will continue to recognize only the industry standards and not the FAA TSOA articles.

Q31) What other concerns/areas might be a problem out in the field?

While it is not possible to address every scenario beforehand, unforeseen issues will be addressed as they occur and raised to AIR-400. FAA will work with TCCA and EASA to

continue to improve the process based on feedback from within our respective organizations and from the aviation community.

Q32) Are articles approved with an EASA ETSOA for a non-EU country recognized under the US/EU reciprocal acceptance?

No. EASA may issue ETSOAs to manufacturers in those countries. For non-EU countries EASA provides the production facilities oversight. Nevertheless the territorial provisions of the EU-US agreement only recognizes ETSOAs for which EASA act as the Technical Agent as the state of design and state of manufacture. Non-EU manufacturers are required to use the prefix "EASA.xxx" in their POA, which is listed on the EASA Form 1. The "EASA" indicates that the article was produced in a non-EU country.