

FAA Technical Standard Order Authorization (TSOA) and EASA European TSOA (ETSOA) Reciprocal Acceptance Frequently Asked Questions (FAQs)

Q1) What is TSOA/ETSOA reciprocal acceptance?

A1) TSOA/ETSOA reciprocal acceptance is the process by which the importing authority will accept the exporting authority's approval of a TSO article without the importing authority issuing an approval. In plain language, this means the 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 Design Approval, per the current procedure. Likewise, EASA will accept the FAA's TSOA for an article from the United States without issuing an ETSOA.

Q2) When does TSOA/ETSOA reciprocal acceptance go into effect?

A2) The FAA and EASA have developed new procedures for TSOA/ETSOA that will become effective when the FAA-EASA Technical Implementation Procedures (TIP) Revision 5 is signed. The FAA and EASA expect to sign this agreement on September 14, 2015. Once signed, the FAA will post TIP Revision 5 at:

http://www.faa.gov/aircraft/air_cert/international/bilateral_agreements/baa_basa_listing/

under the European Union listing.

EASA will post TIP Revision 5 at:

<http://easa.europa.eu/document-library/bilateral-agreements/eu-usa>

Q3) What started this whole idea of reciprocal acceptance?

A3) For many years, industry has requested the FAA and EASA accept the exporting authority's TSO approval and eliminate the approval by the importing authority. Industry believes the importing authority approval added no safety to the article but created unnecessary duplication of work between the FAA and EASA. The FAA and EASA acknowledged industry's concerns and this path has been years in the making between the FAA and EASA leadership. Based on more than a decade of experience between the FAA and EASA have the confidence in each other's systems necessary to ensure safety through the reciprocal acceptance of TSO-approved articles.

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Q4) What is the regulatory basis to allow reciprocal acceptance between the FAA TSOAs and EASA ETSOAs?

- A4) 14CFR 1.1→21.8(d)→21.502(b)→14CFR part 45→14CFR 45.10
- 14CFR 1.1: *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.*
 - 14CFR 21.502(b): *That article is marked in accordance with part 45 of this chapter;...*
 - 14CFR 45.10: *(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.

Q5) Under what provisions will the reciprocal acceptance of TSO approved and ETSO approved articles be implemented?

A5) The reciprocal acceptance of TSO approved and ETSO approved articles will be implemented under the terms of the Agreement between United States of America and the EU on Cooperation in the Regulation of Civil Aviation Safety (U.S.-EU Agreement). Specific procedures for reciprocal acceptance will be included in the Technical Implementation Procedures for Airworthiness and Environmental Certification between the FAA and EASA (TIP), Revision 5.

Q6) Have all of the appropriate FAA and EASA regulations, policy, and guidance been reviewed to address how TSO reciprocal acceptance will be implemented?

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A6) FAA AIR and AFS policy offices have spent more than a year in discussion with our counterparts inside of EASA reviewing and preparing this path. We are confident that all necessary regulations, policy, and guidance are in place or imminently due to be published to ensure reciprocal acceptance runs as smooth as or even smoother than our previous TSO article validation process.

Q7) How will an FAA TSO approved article be marked under reciprocal acceptance?

A7) 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 “EASA ETSO marking”.

Q8) How will an FAA TSO approved article be exported to Europe under reciprocal acceptance?

A8) An FAA TSO approved article will be exported under normal exportation rules and regulations and in accordance with the U.S.-EU Agreement. 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 requirement of the U.S.-EU Agreement

Q9) How will an EASA ETSO approved article be marked under reciprocal acceptance?

A9) An EASA ETSO approved article will be marked as required by the ETSO MPS in concurrence with the ETSO regulations and policy; there will be no corresponding “FAA TSOA 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.

Q10) How will an EASA ETSO approved article be exported to the US under reciprocal acceptance?

A10) An EASA ETSO approved article will be exported under normal exportation rules and regulations and in accordance with the U.S.-EU Agreement. The article must be marked according to its approved design (i.e. ETSO MOPS) and it must be accompanied by an EASA Authorized

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Release Certificate (Form 1) completed for export per the requirement of the U.S.-EU 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.

Q11) Is there a difference under reciprocal acceptance between EASA member states and non-EASA states that have working agreements with EASA or use EASA as their Technical Agent?

A11) Yes. Only EASA member states, under the terms of the U.S.-EU Agreement, are eligible for operating under this reciprocal acceptance agreement.

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

A12) The old validation process is still in place to approve specific articles as listed in the TIP.

Q13) Can the old TSO/ETSO article validation process continue to be used after reciprocal acceptance is implemented?

A13) Only articles explicitly listed in the TIP are allowed to be worked outside of the reciprocal acceptance process and are eligible for the old article validation process. Neither FAA or EASA offices and/or their TSO/ETSO applicants are allowed to decide which process they wish to use.

Q14) What happens to previously “validated” TSOAs and ETSOAs?

A14) Nothing; the previous TSOAs and ETSOAs are still valid. However, major changes to those articles will require the reciprocal acceptance process to be used. Minor changes to existing TSOAs and ETSOAs will continue to be managed under the validation process they were originally approved.

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

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A15) 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 EASA has an ETSO for which there is no FAA TSO equivalent?

A16) When the FAA does not have a corresponding TSO to that of EASA, an approval coming into our system by the FAA under the provisions of 14CFR 21.8(d) may be made similar to current process. See the TIP for the specific process.

Q17) Will EASA now recognize FAA TSOs for industry standard parts (i.e. TSO-C148, -C149, -C150, and -C171 articles)?

A17) No. EASA will continue to recognize only the industry standards and not the FAA TSOA articles.

Q18) Is there a common listing or comparison chart of the different FAA TSOs and EASA ETSOs?

A18) No. There are no official listings detailing the similarities or differences between TSO and ETSO articles.

Q19) Is FAA/EASA reciprocal acceptance the same as TCCA and EASA reciprocal acceptance?

A19) No. Currently the agreement between TCCA and EASA is based on “commonality” between their unique technical standards. Under that process, only CAN-TSOs and ETSOs for which there is sufficient similarity established (via a listing) are reciprocally accepted.

Q20) Once the TIP is revised, are the end users ready to accept a TSO approved component that has one label (FAA TSO or EASA ETSO) and airworthiness tag (FAA 8130-3 or EASA Form 1)?

A20) The end user may need to adapt their system to deal with potential differences (if any) between the articles approved under a TSOA versus an ETSOA as it pertains to installation into an approved type design.

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Q21) 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?

A21) 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. EASA is planning to do the same within their organization and within the EU.

Q22) For repair stations that mainly focused on repairing/overhauling TSO components/equipment, how will this impact their ops spec and other line of business?

A22) There will be corresponding guidance in 8900.1 issued to notify the field inspectors of the AIR policy change.

Q23) Has FSDO management been contacted to obtain feedback?

A23) The regions are notified through the draft policy routing, their advanced input has not been solicited.

Q24) Will the FAA be required to notify EASA of design changes to an FAA approved TSO article?

A24) Except for APUs, there are no notification requirements moving forward under reciprocal acceptance or previously validated TSO articles unless specifically identified as remaining under the validation process.

Q25) Will EASA be required to notify the FAA of changes to an EASA approved ETSO article?

A25) Except for APUs, there are no notification requirements moving forward under reciprocal acceptance or previously validated ETSO articles unless specifically identified as remaining under the validation process.

Q26) How does reciprocal acceptance account for non-TSO functions?

A26) Non-TSO functions are processed in the same manner as they always have been, reciprocal acceptance doesn't alter that in any way.

Q27) Are deviations also covered by the reciprocal acceptance?

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A27) Yes. Deviations are covered as part of the reciprocal acceptance of TSOAs/ETSOAs. FAA and EASA have evaluated the system of the bilateral partner to assess deviations and found both systems to be equivalent.

Q28) How will FAA/EASA TSO/ETSO reciprocal acceptance be reviewed to ensure confidence in each authority's certifying statements to their TSOs?

A28) AIR is setting up a new process of "confidence-keeping" to be effective for all facets of our bilateral agreements with all countries including EASA. This program will address general issues as well as specific processes such as TSO/ETSO reciprocal acceptance.

Q29) What other concerns/areas might be a problem out in the field?

A29) While we cannot be sure that every scenario has an answer from day one, the FAA and EASA team believes that this process is ready to implement. The unforeseen issues will be addressed as encountered and the FAA and EASA will continue to improve the process based on feedback from within our respective organizations and from the aviation community.

Q30) I have a question that wasn't answered. Where can I submit additional questions to the FAA and EASA on TSOA/ETSOA reciprocal acceptance?

A30) You can submit additional questions to:

for EU applicants: etsoa@easa.europa.eu

for U.S. applicants: 7-AWA-AVS-AIR-040@faa.gov

The FAA and EASA 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.