

# NOTICE

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

N 8900.444

National Policy

Effective Date:  
11/28/17

Cancellation Date:  
11/28/18

**SUBJ:** Meaning of the Terms “Acceptable to” and “Accepted by” for Use by  
Aviation Safety Inspectors

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- 1. Purpose of This Notice.** This notice provides guidance to the Flight Standards Service aviation safety inspectors (ASI) in applying the terms “acceptable to” and “accepted by.”
- 2. Audience.** The primary audience for this notice is responsible Flight Standards office ASIs who have certificate management oversight responsibilities. The secondary audience includes all Flight Standards divisions, branches, and offices.
- 3. Where You Can Find This Notice.** You can find this notice on the MyFAA employee website at [https://employees.faa.gov/tools\\_resources/orders\\_notices](https://employees.faa.gov/tools_resources/orders_notices). Inspectors can access this notice through the Flight Standards Information Management System (FSIMS) at <http://fsims.avs.faa.gov>. Operators can find this notice on the Federal Aviation Administration’s (FAA) website at <http://fsims.faa.gov/>. This notice is available to the public at [http://www.faa.gov/regulations\\_policies/orders\\_notices](http://www.faa.gov/regulations_policies/orders_notices).
- 4. Background.** The terms “acceptable to” and “accepted by” have been inconsistently applied in guidance material, which has generated confusion. FAA Order 8900.1, Volume 3, Chapter 1, Section 1, Safety Assurance System: General, currently describes the general process for “approval” or “acceptance” of certain operations, programs, documents, procedures, methods, or systems. The term “acceptable to” is not addressed in that guidance, but is used in many sections of the regulations.
- 5. Definitions and Guidance.** This notice explains the terms “acceptable to” and “accepted by.” These terms are used in FAA regulations and guidance material to address whether an action, procedure, process, etc., satisfies the FAA’s regulations and whether the FAA must affirmatively make a determination to that effect. The terms, as explained below, are used across the Flight Standards Service.
  - a. Acceptable To.** The terms “acceptable to the Administrator” and “acceptable to the FAA” appear numerous times in the FAA’s regulations. If an item is required to be acceptable to the FAA, the FAA’s active review and acceptance prior to use is not normally required. However, in exercising its oversight responsibilities, the FAA may make case-specific determinations as to a particular item’s acceptability. A person or certificate holder should be able to reference some standard or publication as the basis for the acceptability of the intended application, procedure,

method, etc. The standard or publication used should be an accepted industry practice previously found acceptable by the FAA, or, at a minimum, the person using it should be able to articulate a clear and reasonable basis for the action taken being an acceptable practice or procedure. This could include, but is not limited to, a practice or procedure contained in an FAA-issued advisory circular (AC) or other published guidance, information contained in the Original Equipment Manufacturer's (OEM) published procedures for performing a maintenance task, or relevant information from an ASTM International standard. However, if a regulation requires that a submission to the FAA must be acceptable to the FAA as a precondition for the FAA to act, the FAA may exercise discretion as to whether the determination must be made before or after the FAA acts. For example, operations specifications (OpSpecs), which contain authorizations, typically necessitate an item be acceptable to the FAA before the FAA issues the authorization.

**Note:** A person should be able to demonstrate, if called upon to do so, that the method, technique, practice, etc., would in fact be acceptable to the FAA. For example, it would not be an acceptable practice for a maintenance provider to torque bolts by "feel" when Title 14 of the Code of Federal Regulations (14 CFR) part 43, § 43.13(a) states that each person performing aircraft maintenance must use "methods, techniques, and practices acceptable to the Administrator." Instead, an acceptable industry practice is to use a properly calibrated torque wrench to ensure the required torque values are achieved. The practice of failing to use a torque wrench and hoping for the best would be a practice the FAA would not find acceptable.

**b. Accepted By.** The terms "accepted by the FAA" or "accepted by the Administrator" appear infrequently in the FAA's regulations. Where the term is used, it means that the item at issue must be submitted to the FAA for review and acceptance prior to use. By whatever means the FAA's acceptance of an item is communicated to the submitter, the acceptance means that the item meets the FAA's applicable criteria, and that the FAA has no objection to the submitted item. Unless the context of the situation clearly provides otherwise, "accepted by the FAA" does not simply mean receipt by the FAA (i.e., that the item was given to a representative of the FAA and that person received (accepted) it on behalf of the FAA).

**Note:** If an operator implements an item that should have been submitted for FAA review and acceptance, but was not submitted, that circumstance alone does not mean the person would be in violation of the underlying regulation requiring the item to be "acceptable." That determination would require an independent analysis of acceptability. At a minimum, however, the person may be in violation of a regulation requiring that the item be submitted.

**6. Disposition.** We will incorporate the information in this notice into FAA Order 8900.1 before this notice expires. Direct questions concerning the information in this notice to the General Aviation Branch (AFS-350) at 202-267-1675.



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