



10 May 2021

To: EU National and
Trans-National Consumer
Organisations

By E Mail

Dear Consumer Colleagues

**Aircraft Cabin Air Quality - Call to support draft European Standard
(Second Letter)**

I apologise for having to write to you again. As I did on 6 May, I write again as an Independent Consumer Campaigner and Advocate, with a considerable track record in advocacy for Consumers. For the sake of clarity, whether it was under the umbrella of HolidayTravelWatch or latterly, in my role as an Independent Consumer Campaigner & Advocate, I have never been a member of any formal Consumer Body nor would I show disrespect to any such Body by seeking to pass myself off as representing their views. I operate I hope to a very high degree of Public and Professional ethic.

In my letter to you on 6 May 2021, I sought to be discreet and respectful as to the sensitive issues at hand. I spoke in general terms about some of the issues, not wanting to cause any potential embarrassment for any individuals or organisation. You saw from my letter the extent of my experience and of my consistent approach in the work on Cabin Air Quality.

Since I wrote to you, I have become aware of a further letter you may have received, which in many respects appears to be dismissive of my intervention, and for some bizarre reason, seeks to apologise for my writing to you initially?

I have always believed that there is room for all voices in any Consumer debate, whether those voices exist within the 'Consumer-Establishment' or within the many thousands of individual Consumer Campaigners or Charities that exist across Europe. As Consumer advocates we should always remember that there is no exclusivity or sole agency on any question concerning Consumer Rights nor indeed the Health & Safety of Consumers; all voices should be heard.



The originator of the letter(s) that prompted my engagement with you, has been held by me in high regard for many years, but sometimes, as you know from your Consumer work, it is necessary to agree to disagree.

The progress of the work in the Cabin Air Quality Standards arena, has in this past 12 months, witnessed a dialogue from some within the Industry, for example, who complain that there is no Consumer representation in the room, despite the fact that they have worked with me since 2015. This alone should concern all Consumer colleagues. This is just one of the many Industry false-narratives that we are all facing in this work, in my case I have been more than able in correcting that misinformed narrative!

I have always believed that in carrying out our role, for and on behalf of Consumers, we should always seek to listen to our fellow colleagues from across Europe, be they from the Aviation Industry or from Aviation Users. There are many that will attest that I have ensured on many occasions that no voice has been left behind.

On the issue of Cabin Air Quality and this Standards work, I can assure you that I have been a consistent advocate for Consumers and I have attended every single meeting since 2015. I have chaired an important task-group and indeed several drafting Ad-Hoc Drafting Committee's. I am bringing my knowledge and experience to the table.

I can also assure you that I have relished the engagement with the Regulator, Scientists, Manufacturers, Airlines, Unions and ensured that on all aspects of this work, the Consumer voice has been heard.

If I have added to any confusion about how to deal with this important issue, I am simply saying that, from whatever source you may receive representations from, I am asking that you:

- 1. Consider the general issues and reflect on the points I have made;**
 - 2. In the current Public Enquiry, there are 4 questions attached to the Public comments received by each of the National Standards Bodies. There is a wide confusion about those questions because it is in my view that they are misplaced against the undetermined Public Enquiry comments. The National Standards Bodies are being asked if they support the Standard going forward for eventual**
-



publication as an EN, alongside having to approve the Public comments received by each Member State;

3. **On EN question alone, I would suggest that whatever reservations exist within Consumer Organisations, the Industry or the Aviation User's cohort, the answer to that question should not be mired by external concerns that are expressed. I would expect to see those concerns wrapped up within the Public Enquiry comments from all the Member States when they have been submitted to CEN and eventually resolved, leading potentially to a changed text of the draft Standard. At that stage, Member States will again be asked to offer their approval in a formal vote for the document to travel forward as an EN;**
4. **At this stage, even if the vote delivers approval to the current draft Standard as an EN, that does not in my opinion, prejudice any concerns, the second-round Public comments nor indeed any wider concern;**
5. **The secondary concern, which again should not be mired within the EN question, relates to the Regulator's letter of 18 November, 2020. I will deal with that below;**
6. **So as you can see, with the facts I have previously presented, along with this unexpected response that I am now giving, I am asking all European Consumer Organisations to simply reflect on the issues I have raised and make their decisions accordingly.**

So, in noting the response you have subsequently received to my letter, one aspect relates I believe to the said Regulator's Letter.

Within my first letter I would point you to my commentary, where I speak about the Regulators Letter of 18 November 2020.

I can assure you that within TC436 (21/4/21), I made some very clear and direct comments about how this Standard should proceed in light of that letter. My intervention has not proved popular (from both sides of the divide), but I believe that my advocacy on those issues and of the future path to follow, is in the best interests of all stakeholders, including Consumers, whilst protecting the current draft and text of the Standard.



As I stated previously, ultimately this will be a decision for TC436 and it is not one that I as a Consumer representative can influence any further.

But, irrespective of the letter from the Regulator, it is my opinion that :

- 1. The rationale I have seen represented does not produce a sufficient set of reasons to reject the publication of this Standard in its current form as an EN;**
- 2. Because of my concern for Consumers, my approach to European Consumer Organisations is quite legitimate and reflects my extensive experience this area;**
- 3. I repeat my call to you to follow the path I recommended, ultimately it is of course a matter for you to decide, and**
- 4. I would strongly recommend that in each and every country, each European Consumer Organisation not only registers their interest in their respective Standards Body for this work, but actively engage on those Committees for the benefit of Consumers.**

Irrespective of what happens to this draft Standard, ultimately this issue may require full-blown formal Regulation which both myself and several European colleagues are exploring.

I assure you that the purpose of my letter of 6 May 2021 was to ensure that the very best outcome for Consumers is not only heard, but delivered.

I also assure you that I am writing to you again for the very best professional and respectful reasons. If you would like to discuss this further, or the work of TC 436 and my Consumer advocacy within, then please do not hesitate to contact me directly

In Solidarity,

Frank Brehany

Consumer Campaigner & Advocate - Media Commentator
