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GCAQE withdrawal from CEN TC 436 process

Dear Director General Santiago,

As you will likely know, the Global Cabin Air Quality Executive (GCAQE) announced at the last TC 436 meeting on 17 June 2021, that it was going to leave the CEN TC 436 process. Please take this letter as official notification of our withdrawal.

This is a particular shame, as it was the GCAQE that first approached CEN in around 2011/2012 to advise of our concerns with the previous standards, which were subsequently withdrawn. We thought long and hard about taking up the CEN offer to start a new standard, which subsequently commenced in around 2014. Our concerns were that this process may not be possible with the ongoing intractable industry attitude towards the cabin air contamination issue, that we had observed over decades. However, we elected to give it a go and have been working with CEN for 7 years now on the draft standard PrEN17436. It is a real shame that we appear to be back at the starting point and the GCAQE sees no way forward within the CEN process as it currently stands. Our concerns have remained ongoing throughout the intervening years, however it is very clear now that we must withdraw from this very flawed CEN process for the following reasons.

1. Faith lost in the CEN process:

This has been an ongoing issue, however it has become particularly clear since the TC 436 meeting on 1/12/20 and since then. Specific examples include the following:

- Consensus was achieved on a draft document via hard work, perseverance based on an inclusionary basis with industry. This has since been revoked by selected parties (manufacturers, airlines, trade bodies and affiliated parties, ANEC...) both before and during the 2nd public inquiry;

- CEN management failed to support the unanimous TC 436 call (even though through different routes) for the document being sent for a formal vote, with CEN BT instead recommending a 2nd public inquiry;
- Cen Management/CEN BT bowed to industry pressure within and outside the CEN process (2nd extensive batch of external letters, EASA), which consequently led to the 2nd public inquiry, which as we now know failed to move forward with the standard;

CEN management and CEN BT claimed it was necessary to go to a 2nd public inquiry, in order to get a consensus based worthwhile standard, that would be used by all. This is despite our advice to them that consensus on a worthwhile document on this topic was and is clearly not possible;

- Given the failure of the 2nd public inquiry, leading to the cessation of the process to adopt an EN standard, CEN management and the TC 436 leadership demonstrated a complete failure to follow the CEN rules, which are nebulous and poorly drafted, leading to continual reinterpretation. An example is the definition of consensus, and another relates to what happens next;

Consensus has contradictory interpretations on some individual national levels and CEN levels. Fragmented responsibilities and authorities in combination with nebulous definition of consensus leads to consensus being interpreted depending on the situation that suits leadership on national or EU level. CEN has no mechanism in place to address these national – EU contradictions;

- CEN national bodies (NSBs) have not adhered to the CEN process. In many cases NSBs have been influenced by the industry pressure, failed to listen to the worker voice, failed to abstain when faced with ‘sustained opposition’ and altered votes during the public inquiry process. CEN management has failed to address this problem via their CEN internal system;
- Since the failure of the 2nd public inquiry, it has become a free for all on what happens next. There were 8 differing options put forward on what should happen next at the June 2021 TC 436 meeting. The GCAQE would have accepted (*see two options in bold below*) the document to be downgraded to a technical report (without addressing comments, but requirements downgraded to recommendations) or a complete discontinuance of the work, but none of the other options, which were presented at the TC meeting on 17/6/21:
 - **Discontinue the work**
 - **CEN TR (technical report) with no comments addressed (*except shalls downgraded to should, but otherwise current draft remains unchanged*) - we would have accepted this but we realised there would be almost no chance to get this alone.**
 - CEN TR with (1250+ comments / 350 pages) comments addressed;
 - CEN TR with partial comments reviewed & then a TS (technical specification) with full comments reviewed at same time or later;
 - CEN TS with comments addressed;
 - CEN TS & TR with document split into various bits;
 - A series of TSs;
 - Eventual EU standard in maybe 10 years’ time.

2. Inability to achieve consensus:

It has been clearly demonstrated that many within the aviation industry are not interested in developing a pathway forward to address the cabin air quality/ supply air contamination issue. The real issue at heart of this work was contamination of the ventilation supply air, however the industry has done all it can to move away from this emphasis, particularly as demonstrated in the last public inquiry.

- It is becoming evidently clear since 1/12/20 (TC 436 meeting) that it is not possible to achieve consensus with industry on this topic;
- Many within the aviation industry (EASA, IATA, trade bodies, ANEC, manufacturers, airlines and associated experts) have clearly demonstrated their will to dismiss or delay the development of the standard via their comments both within the CEN public inquiry process and via letters sent to CEN; These letters (led by IATA and EASA) demonstrate a complete failure to acknowledge their obligations under EU regulations, standards and associated means of compliance and directives;
- Negationism: It is clear from the 2nd public inquiry comments, that there is a clear intent to negate oil contamination of the bleed air during normal operation from the document in its entirety. This is despite the scope of the standard and the overwhelming documentation supporting that oil contamination of the bleed air has the 1) highest impact on flight safety and 2) highest priority on risk mitigation from a manufacturer and operator perspective in line with the duties of the EU directives. The objection to the use of the precautionary principle within the standard, similarly, demonstrates a complete failure to meet these obligations under EU formal laws;
- The process to develop an effective document (in whatever format: EN, TS, TR) has now been reduced to an almost impossible position.

3. TC 436:

- Faith lost in TC 436 leadership (Chairman & Secretariat);
- Poor management of meetings, poor record keeping;
- Poor management of critical consensus issues;
- Refusal to actively lead the many attempts to include a methodology and rules for conflict management.

The GCAQE no longer believes a worthwhile document can be obtained. If the comments are to all be addressed (many of which were presented during the 1st public inquiry), it is our opinion that consensus can never be achieved. The industry would stand firm refusing to accept the document as it currently stands, despite the scientific and documented evidence supporting the document, which clearly demonstrates most of the comments are unsubstantiated. Therefore, in order to achieve the realisation of some form of CEN document, much of the current documented text would need to be negated. The GCAQE as a leading expert in the area of aircraft ventilation supply air contamination, is not willing to put its name to such a document. Neither is the GCAQE willing to put more time into work, which it no longer sees as achievable. We think the CEN TC 436 process has to date failed to look after the real interests of aircrew and consumers. Our concerns are validated when taking into account that air is supplied unfiltered to aircraft cabins via the engine or auxiliary power units (APU), with no warning or detection systems in place to advise when the air is contaminated. The assurances provided by the aviation industry are hollow, flawed and not protective of those utilizing air travel.

The GCAQE will however, continue to work in a number of differing ways in which the problem of cabin air contamination will be recognised and resolved.

We are very sad that it has come to this, but as your predecessor Jean-Paul Vetsuypens said to us at our very first meeting with CEN in 2012, this type of standard (involving occupational health and safety) is unusual for CEN and may not in reality be achievable.

Sincerely,

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A global coalition of health and safety advocates committed to raising
awareness and finding solutions to poor air quality in aircraft

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