

**OBESTAR SUBCOMMITTEE ON AVIATION
CABIN AIR QUALITY HEARING
MAY 18, 1994**

TESTIMONY BY JOYCE HAGAN-INTERNATIONAL FLIGHT ATTENDANT

I am testifying in strong support of a total ban on smoking on all U.S. carriers operating from the U.S., to and from international destinations, for both health and safety reasons. Although this hearing is to look at the health issues, there are also compelling safety reasons for banning smoking on international flights.

My name is Joyce Hagan. I am an international flight attendant. I am here on behalf of thousands of International Flight Attendants, who **CHOOSE NOT TO SMOKE**. This unhealthy combination of concentrated cigarette smoke and poor ventilation for hours at a time is our workplace.

Cigarette smoke is the single largest complaint by passengers and crew members concerning overall air quality on international flights. There is no wall, barrier, or even curtain to separate the smoking section from the non smoking section.

On virtually every flight, passengers, in the non smoking section, complain about drifting cigarette smoke. One family complained as smoke poured from the smoking section, behind him, his wife, and several small children, for 10 1/2 hours.

I have had many passengers ask for a wet cloth to put over their nose and mouth to filter out the smoke. One man slept with a wet handkerchief over his face. I have even seen a passenger wear a white face mask for the entire flight, removing it only to eat. Smoke drifts easily and we all breath it.

One businessman, who suffered hours from the drifting smoke of a chain-smoker, began to fan away the smoke. The chain-smoker became highly irritated by his fanning and began to deliberately blow smoke in his direction. The situation became very tense as the chain smoker asserted his "right to smoke" for the next 8 1/2 hours.

As I watched, I was struck by the fact that our work situation is unique. One cannot open a window, take a walk during your lunch hour, or step outside for a breath of fresh air. Our enclosed work environment is probably the worse case scenario for environmental tobacco smoke imaginable. Yet, in this situation, smokers, who are in the **minority**, are granted 100% of their right to smoke, 100% of the time. Non-smokers, who are in the **majority**, are granted 0% of their right to breath clean air, 0% of the time.

Any flight attendant or passenger, for that matter, who has been exposed to cigarette smoke on an international flight for hours and hours, knows that high

concentrations of cigarette smoke generated from the smoking sections cannot be compensated for by increased ventilation. You don't have to be an expert witness here today to know this is true, you only have to experience it. Airplanes are simply not designed to handle this situation. We have no separate ventilation system for smokers. If this were your workplace, and you chose not to smoke, this situation would be a nightmare.

The confined atmosphere in which we work is now known to be toxic and carcinogenic, causing respiratory disease, cancer, and heart disease. I can now see the effects of my own exposure to environment tobacco smoke for the past 8 years. On May 6, my doctor advised me that I have the beginnings of a lung disease commonly seen in smokers. It began with a chronic cough about 9 months ago. I must now use a steroid nasal spray, 3 times a day during flight, in addition to daily oral medication. I am not alone in this situation. Attorney Stanley Rossenblatt, from Miami, Fl., is currently representing thousands of flight attendants who have been injured by their years of exposure to environmental tobacco smoke on both domestic and international flights.

Since the EPA report in January 1993, my efforts to get appropriate action from the DOT/FAA in this regard have been frustrating. I have repeatedly written, faxed, and phoned, the FAA to request that they take some action.

I think what has angered so many flight attendants is that the EPA has determined that ETS, environmental tobacco smoke, is a major health risk, and yet, to date, there has been no initiation of ANY kind of action to even begin to CONTROL of smoke in an airliner cabin. Cumbersome bureaucracy and delay seem to be the rule. We cannot imagine a more appropriate health issue in which the FAA has authority to act. Why then, has the FAA failed to act?

I believe that the FAA is both unwilling and unable to act on our behalf because of conflicting objectives. The FAA has the responsibility for the occupational health of cabin attendants and the responsibility to promote commerce of the airlines. The result is that this health (and safety) hazard is being left unattended by the FAA, even though the FAA has authority to regulate it.

In my many conversations with the DOT/FAA, the responsibility to promote commerce is repeatedly mentioned as a reason why the FAA does not act on it's health responsibility and ban smoking. "Its purely economical" and "The FAA will not take any action that may render and U.S. carrier less competitive." I now know that the FAA supports whatever the airlines support.

ICAO, the International Civil Aviation Organization, is the multilateral agreement that the airlines, DOT, and FAA support. ICAO has proposed a smoking ban on all international carriers effective July 1, 1996. This agreement is not enforceable. It can do little more than "urge" and "request" participating airlines to act. Although progress is being made in other countries, Europe is not one of them.

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While a world-wide smoking ban would be preferable in that it would protect the health and safety of all airline crews and passengers, its time has not yet come. Many countries do not feel that smoking and environmental tobacco smoke is a serious health threat. Meanwhile, we are dying in the smoke while we are waiting for these countries to come around to our way of thinking. Although the FAA has chosen to embrace the ICAO agreement and support a multilateral ban on smoking on international flights, it is still incumbent upon the FAA to protect the affected U.S. aviation employees and traveling public, for which it is responsible, from hazards posed by this carcinogen on board U.S. carriers.

It is entirely possible that we (flight attendants) will work for another 2 years in the smoke, only to find out certain countries have decided not to comply with the agreement after all. We will then find ourselves in the exact position that we are today. U.S. carriers would then want smoking on competitive flights. I asked the FAA what action it would take if this situation occurred? The answer was "I don't know, we would have to evaluate what action is appropriate if that happens" More delays, more bureaucracy, more inaction. If smoking is not banned on U.S. international flights, I feel strongly that the American people should be warned of the health risks. Perhaps a sticker on each ticket purchased. "**Caution, international flying is hazardous to you health.**" This could be along the same lines as Senator Leahy's yellow sticker warning passengers that they may be sprayed with an insecticide.

The ICAO agreement also "urges all Contracting States, in the interim, to restrict smoking progressively on all international passenger flights with the objective of implementing complete smoking bans on July 1, 1996." We have seen very little restricting of smoking on flights to Europe since the agreement has been signed.

When I first began my efforts to get a smoking ban on international flights, I had no idea that the FAA was so strongly involved in the promotion of commerce of the airlines, even to the exclusion of other responsibilities. I believe that the responsibility to promote the airlines should not be in the realm of responsibilities of the FAA. All responsibilities of the FAA should be reviewed conflict of interest.

I have had several conversations with the DOT/FAA asking for some controls on smoking, until a ban could be accomplished.

I have asked the FAA to set some air quality standard concerning ventilation? Would the FAA at least require that the passengers be seated in order to smoke, for safety reasons? (Referring to the picture of cigarette butts on the carpet floor of a B767.) I was told that they would "need more than that to take action."

I have asked the FAA to ban smoking for both health and safety reasons. Smoking and the accompanied use of matches and cigarettes lighters in the airline cabin have posed, and continue to pose, a serious threat to the safety of

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passengers and crew. If we get into trouble, our alternatives are much less than a domestic flight. Most of the time there is no nearby airport in which to quickly land.

I asked that the FAA require that passengers must be seated to smoke for health reasons. This would eliminate the build up of concentrated smoke near lavatories and flight attendant work galleys.

I asked the FAA if they would require the passengers only be allowed to smoke for example 15 minutes out of the hour, in order to give the many non-smokers a right to breath smoke free air? I asked for initiation of any regulation to begin to restrict smoking for health and safety reasons. I asked for any good faith action that would demonstrate that they were interested in acting on their responsibility for health issues. The answer to all questions was "no." It would take just as long (years) to get a small regulation enacted as it would to get a total ban on smoking.

There is a "Petition for Rule Making" pending with the FAA to ban smoking on International flights. Docket #36566AGC-10 filed May 31, 1991. The FAA advised me that this is now about 117th on the list. I was also advised that even it were next, it would not be acted on because it may place U.S carriers at a competitive disadvantage, therefore the FAA will not act. Write your Congressman.

I asked what the FAA is doing on our behalf? The answer was "We are **evaluating what regulatory action is appropriate.**" I asked about how long this would take? Answer was "no time span has been set." I was told that the FAA would also be "looking into the process of petition to rule making" and "looking into moving up the ICAO date."

I asked what would be the action of the FAA if asbestos (another Group A carcinogen) were found in the seat cushions of each passenger seat. The answer was "I don't know, we would have to evaluate what regulatory action is appropriate."

I am now truly convinced that the decision to ban smoking on international flights SHOULD be in the hands of Congress. This decision cannot be left up to the bureaucracy and politics of the FAA or the vested interests of individual airlines. (Leaving it in the hands FAA is the same as putting it in the hands of the airline industry, with their vested interests.)

What about partial bans on smoking?

The current trend in the airlines is to ban smoking on selected flights is only a test. If this should however, become permanent, the suffering of some non-smoking passengers would be relieved, but nothing has been done to protect those who are at highest risk, the flight attendants, who do this for a living.

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Likewise, it does not solve the problem to, for example, legislate that just children and infants, cannot sit in the smoking section. On some airlines, passengers are permitted to book a non-smoking seat and then come to the back of the aircraft and smoke. The smoking parents would then book non-smoking seats and then stand and smoke in the back of the aircraft. Many smokers do not want to sit in the smoking section for various reasons:

- 1) It's too smoky and ventilation is poor,
- 2) One member of their party is a non-smoker and refuses to sit in smoking,
- 3) Couldn't get the window or aisle sit they wanted in the smoking section

They stand in the back of the aircraft and smoke. This situation creates a continuous flow of second hand smoke in the back of the airplane, near most lavatories (and often the accumulation of smoke sets off the smoke detectors) and flight attendant work galleys. It also poses a safety hazard as demonstrated by the pictures of cigarette butts on the carpet floor of a B&67. Anything short of a total ban on smoking would not protect flight attendants' workplace. A complete ban on smoking is needed for health and safety reasons to protect passengers and crew.

I do not believe that one can automatically assume that airlines will lose money if smoking is banned on international flights. I believe that the benefits will outweigh the costs.

There are many benefits and savings to a smoking ban in the area of:

- 1) Present and future health of employee,
- 2) Improved productivity, reduced absenteeism,
- 3) Increased comfort to the majority of the passengers,
- 4) Cleaning of cabin aircraft interior and air filters,
- 5) Elimination of odors and improving overall cabin air quality.
- 6) Savings to carriers from reduced risk associated with employee litigation stemming from the development of illnesses related to ETS
- 7) Eliminating the frequent conflicts passengers have over seating arrangements and their proximity to the smoking section.
- 8) Greatly reduced possibility of in-flight fires

While U. S carriers may loose some smoking passengers to foreign carriers who have smoking, so will we gain non smoking passengers from foreign carriers. Since the majority of passengers do not smoke, there is a larger available pool of passengers to draw from.

We are not denying passengers nicotine. Alternatives are available to smokers that are not available to non smokers. For example, nicotine gum and patches can be used by smokers to help them "get through the flight." But clean air is not available to the non smoking passengers to help them "get through the flight."

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It's easy to say "fly domestic" or "get another job" but else are harsh remedies for these economic times, and financially not possible for many. This does not solve the problem. Someone else would have to take my place and breath the second-hand smoke, perhaps also becoming sick. Many health problems take years of exposure to show up. There can be no justification to allow this to continue. Not knowing what we know today. The only solution is to ban smoking, as you did on domestic flights. The bottom line is that cigarette smoke makes people sick. It's making many of my colleagues sick. It's making me sick. It's about being able to breath.

I would like to say here that **smoking is not permitted in any building of my company for health reasons**. All employees of this company, except international flight attendants are provided a smoke free environment in which to work. International flight attendants are the only employees of my company that are required to work in a Group A carcinogen. We don't want to have to choose between our health and our job. We fell through the cracks once, when smoking was banned on domestic flights and not international flights. But because of the EPA report, we now know that environmental tobacco smoke is no longer just a nuisance.

We're testifying today to make sure that the uniqueness of our workplace does not somehow exclude us from legislation to ban smoking in public places. (I'm here to say that 250 or more people, crowded in a very small space for an extended period of time, is about as 'public place" as one gets.) This is about one's most basic right to work and breath. Ban smoking on international flights, it's the right thing to do.

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