

## Letter 2

Draft

Mr. Paul Hudson  
Executive Director  
Aviation Consumer Action Project  
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Washington, DC 20045

Weak  
opening  
wastes the  
reader's  
time by  
repeating  
what he  
already  
knows

Dear Mr. Hudson:

This letter responds to your February 10, 2003, request that the Federal Aviation Administration (FAA) task the Aviation Rulemaking Advisory Committee (ARAC) to review health and sanitation issues with respect to such items as cabin surfaces, cabin air, tap water, and linens on board airplanes. You further requested that as an alternative the FAA yield regulatory authority in this area to the U.S. Department of Health and Human Services (HHS) and the Environmental Protection Agency (EPA).

Long  
cumbersome  
paragraph;  
hard to  
follow.

The FAA has authority over most aspects of aircraft safety; however, responsibility for regulatory oversight and enforcement of drinking water standards on board aircraft is shared between the EPA and the HHS Food and Drug Administration (FDA). The FAA is aware of a FDA working group that is looking at drinking water issues in all forms of transportation, not just aviation. The FAA plans to monitor the working group's efforts and provide assistance as necessary. Additional information can be found on the EPA's website, <http://epa.gov/safewater/wsg/subject.html#interstate> and the FDA website, [http://www.fda.gov/ora/inspect\\_ref/fmd/fmd122.htm](http://www.fda.gov/ora/inspect_ref/fmd/fmd122.htm). As a result of the comprehensive and long-standing regulatory scheme that already exists, and the history of the oversight by two other Federal agencies, the issue of drinking water is not appropriate for tasking to the ARAC. Because the FDA regulates the cleanliness of conveyances including aircraft, it is outside of FAA's jurisdiction. The pertinent FDA regulations are contained at 21 CFR Part 1250.

The FAA is interested in cabin air standards and is in the process of reviewing the National Research Council Report on The Airliner Cabin Environment and the Health of Passengers and Crew (published December 2001). The report responds to a requirement in the Wendell H. Ford Aviation Investment and Report Act for the 21<sup>st</sup> Century (Public Law 106-181). Following our internal

deliberations, we will make a decision on whether to task ARAC.

Sincerely,

Marion C. Blakey  
Administrator