



European Ombudsman

Emily O'Reilly
European Ombudsman

Capt. Tristan Lorraine
Global Cabin Air Quality Executive (GCAQE)

gcaqe@gcaqe.org

Strasbourg, 11/12/2018

Complaint 1802/2016/CEC

Subject: Decision of the European Ombudsman in the above case on how the European Commission handled a call for tenders concerning air quality inside the cabin of large transport aeroplanes (N° MOVE/C2/2016-36)

Dear Capt. Lorraine,

The Global Cabin Air Quality Executive (GCAQE) submitted a complaint to the European Ombudsman against the European Commission concerning the above issue.

After a careful analysis of all the information submitted to me, I have decided to close my inquiry with the following conclusion:

There was no maladministration by the European Commission.

I would like to apologise for the time taken to complete the inquiry.

I would also like to use this opportunity to address certain points you raised in your comments of 6 April and 3 October 2018, that were not raised in your complaint and therefore not included in the scope of my inquiry.

In your comments on the content of the call for tenders, you noted that contrary to what was mentioned in the tender documents and what the European Aviation Safety Agency (EASA) stated in the past, you had been informed that the FACTS study would not address low-dose chronic exposure to contaminants.

It will be for the Commission to assess whether the work performed by the consortium complies with the requirements set out in the call for tenders and the contract. Since this work has not yet been completed, it may be premature to raise this with the Commission. If, at a future stage, you do so and are not satisfied with the Commission's reply, you can submit a new complaint to my Office.



You also expressed concerns that a member of the Scientific Committee was the lead scientist for one of the two EASA studies. You considered that the wording used in the EASA study in question showed that that member was biased and that he had a pre-determined view on the outcome of the FACTS study. You stated that another division (Fraunhofer IBP) of the institute to which that member belongs (Fraunhofer ITEM) is a member of the FACTS consortium.

I note that you raised these concerns with the Commission as well, on 22 December 2017. If you are dissatisfied with the Commission's response on this matter, you may consider submitting a new complaint to my Office.

Finally, you asked that (i) the Commission, EASA and the FACTS consortium meet with GCAQE and discuss its concerns, (ii) the final report of the FACTS study mention that it had not addressed GCAQE's concerns, and (iii) the Commission organise a further study that addresses GCAQE's concerns. You also asked me to suggest to EASA that it participate in the next aircraft cabin air conference to be held during 2019.

These requests fall outside the scope of my inquiry and it would not be appropriate for me to follow up on them at this stage. That said, in my letter to the Commission closing this inquiry, I have drawn its attention to your point about the importance of ensuring that all stakeholders, whatever their positions, are heard by the Commission on the issue of cabin air quality.

Please find enclosed my decision on your complaint.

Yours sincerely,

Emily O'Reilly
European Ombudsman

Enclosures:

- Decision on complaint 1802/2016/CEC