International Actions

The International Civil Aviation Organization (ICAO) has approved two methods of disinsection. In the aerosolized method, an insecticide is sprayed while passengers and crew are on board. ICAO specifies that an insecticide approved by the World Health Organization be used for this method of disinsection.

The U.S. Environmental Protection Agency (EPA) had required that the product (d-phenothrin) used by U.S. carriers for the aerosolized method of disinsecting aircraft be labeled to show that it can be sprayed in airliner cabins to disinsect the aircraft but also warned that it is hazardous to humans. This inconsistency caused considerable public concern over aircraft spraying. In September 1994, the registrant of this insecticide submitted a labelling change indicating that the product is to be used only when passengers and crew are not on board. EPA accepted this change but has permitted the continued use of the product while passengers and crew are on board until the current inventory is exhausted.

For the residual method, the insecticide permethrin is applied to the interior surfaces of the airplane cabin periodically (typically once every six to eight weeks) when passengers and crew are not on board. Having received no applications for the use of permethrin to disinsect aircraft, EPA has not approved the use of permethrin for this purpose. Accordingly, U.S. carriers electing this option must apply the permethrin abroad.

U.S. Actions

On April 14, 1994, the Department requested that the Department of State forward a letter, through its diplomatic and consular posts, from the Secretary of Transportation to the ministers of transportation of every nation recognized by the United States. The letter requested information on each of these nation's disinsection requirements and also urged nations that require spraying while passengers and crew are on board to consider terminating that requirement.

Based upon the response to these letters and from information provided by the airlines, the following nations* require spraying of insecticide while passengers and crew are on board for all aircraft landing in their territory:

- a. Argentina
- b. Antigua and Barbuda
- c. Barbados
- d. Congo

- e. Costa Rica
- f. Dominican Republic
- g. Grenada
- h. India
- i. Kenya
- j. Kiribati
- k. Madagascar
- l. Mauritius
- m. Mexico n. Mozambique
- o. New Caledonia
- p. Nicaragua
- q. Seychelles
- r. Trinidad and Tobago
- s. Yemen

Five other countries, Australia, Fiji, Jamaica, New Zealand and Panama indicated that they require disinsection but leave the method—direct or residual—up to the airline. Some other countries require spraying only on flights coming from countries affected by malaria, yellow fever, dengue fever or encephalitis.

The Department has adopted a fourfold approach to addressing this issue. First, the Department has urged countries that require spraying while passengers and crew are on board to reconsider their practice and spray only when passengers and crew are not on board.

Secondly, the Department provided immediate notice of countries that require spraying. On July 21, 1994, the Secretary conducted a press conference in which he distributed the names of countries that require the disinsection of inbound aircraft. Through letters to six medical associations, the Department notified the medical community of the practice and the names of the insecticides used for both the aerosolized and residual methods of disinsection. A number of interviews with the press and the travel community were conducted.

Thirdly, the Department initiated this rulemaking to require that consumers be given notice of spraying at the time of booking of transportation.

Finally, the Department requested that ICAO include disinsection on the agenda for the next meeting of the Facilitation Division, which is scheduled for April 1995. The Department is also providing funding to the World Health Organization (WHO) to sponsor a technical symposium in October 1995 on aircraft disinsection, in order that the practice be reviewed in light of current medical knowledge.

Proposa.

The Department proposes to issue a rule that would require U.S. airlines, foreign airlines and their agents to provide oral notice to individuals purchasing tickets to destinations for which the spraying of aircraft while

passengers are on board is required, that the aircraft will be sprayed with insecticide while passengers are on board. The specific wording of the notice would be as follows:

Federal regulations require that we warn you that during Flight number [identify flight number], the airplane cabin will be sprayed with insecticide while passengers are on board. This is a requirement of the Government of [identify name of country].

The Department also proposes that upon request, the airlines and their agents shall immediately provide the name of the insecticide used.

The rule would apply only to the initial outbound flight segment of flights from the United States.

The Department of Transportation proposes to be responsible for maintaining the list of countries that require spraying. The Department would publish the list in the **Federal Register** and update it as necessary.

The proposal may benefit travelers with severe allergies or multiple chemical sensitivities, as well as those travelers who find exposure to insecticides to be discomforting.

Additional Options

Although public comment is invited on all aspects of the proposal, the Department, in particular, seeks comments to the following questions: Because of the difficulty of maintaining an accurate data base of the disinsection requirements of all nations that receive air service, particularly given that in some cases a country's disinsection requirements are a function of the country of origin of the flight, the proposed rule would not require the giving of notice of the spraying requirements of countries that are included in a passenger's itinerary beyond the initial out bound flight segment from the United States. Should notice be required for all flights on a traveler's itinerary?

Practical considerations would make it difficult and of limited effectiveness to apply the proposal to foreign air carrier flights that are booked outside of the United States. Therefore, the proposed rule would not require notice for flights booked abroad. Should notice be required for flights booked abroad?

The rule as proposed would require notice of only those flights in which an insecticide is sprayed while passengers and crew are on board. Should notice also be required for flights that are disinsected while passengers are not on board?

The rule as proposed provides only for oral notice. Should the rule be expanded to require notice in schedules,

^{*}This list is complete as of December 22, 1994.