

STEIN & VARGAS LLP

Overcoming Barriers | Ensuring Communication | Creating Access

IMMEDIATE RELEASE

December 28, 2016

Family of Nut Allergic Passenger Charges American Airlines with Discrimination

Washington, DC – The mother of a 7-year-old child with severe food allergies today filed a complaint with the United States Department of Transportation against American Airlines charging that the airline targets and excludes those with peanut and tree nut allergies from legal protections guaranteed them by the Air Carrier Access Act.

Nicole and Paul Mackenzie, whose daughter is severely allergic to peanuts, tree nuts, and seeds, made repeated requests in advance of their cross-country flight that American Airlines permit them to preboard so that they could wipe down their daughter's seating area to prevent an allergic reaction while in-flight. When exposed to her allergens, the Mackenzie's daughter is at risk of a serious allergic reaction called anaphylaxis. Anaphylaxis causes catastrophic compromise of multiple body systems and can result in death if not treated aggressively and quickly with epinephrine. The only way to prevent allergic reactions is to guard against exposure to allergens. Permitting preboarding for families like the Mackenzies to allow allergic travelers to wipe down and cover their seating areas and protect against nut residue that is commonly found on airplanes is standard practice in the United States. However, American Airlines refused all of the Mackenzie's requests pursuant to its explicit policy that denies preboarding and accommodations to individuals with peanut and tree nut allergies, rendering travel more difficult, more dangerous and more frightening for the Mackenzies and other families impacted by life threatening allergies. American Airlines' policy is in direct violation of the Air Carrier Access Act which requires airlines to let those with disabilities preboard as needed.

In her complaint, Nicole Mackenzie asks the United States Department of Transportation to require American Airlines to retract its discriminatory policy and assess civil penalties against the airline. "Air travel with an allergic child is scary enough," said Mackenzie. "Denying us the ability to preboard so we can do what is necessary to make the flight safer for our child creates unnecessary risk and prevents us from taking responsibility for our own child's safety."

"American Airlines is explicitly denying individuals with food allergies the right to do what is necessary to protect themselves," said Mary Vargas, of Stein & Vargas, LLP. "It is pure and simple discrimination targeted at those with a specific disability."

Nicole Mackenzie is represented by Stein & Vargas, LLP, a civil rights firm based in Washington, D.C. and committed to the principle that all people have full and equal access to all

parts of society. Stein & Vargas, LLP has a special interest in the rights of individuals with food allergies.

CONTACT:

Mary Vargas, Stein & Vargas, LLP

240-793-3185

mary.vargas@steinvargas.com