

Travelers With Nut Allergies Clash With Airlines

By Lindsey Sugimoto, J.D. Candidate 2019 | February 15, 2017

Tensions between airline staff and those with food allergies are [rising](#) in the last few years as airlines have modified their policies. In the past, airlines used to allow pre-boarding for people with food allergies to be able to wipe down the seats and surrounding area. Now, special requests, such as pre-boarding, are being denied.

One family recently was ordered off the plane upon informing the crew that their son was allergic to nuts. Despite offering to sign a waiver, having the necessary medication, and indicating that they were comfortable on the flight, American Airlines stood by its decision to remove the family, stating that it was for their best interest and that monitoring the allergy would be burdensome. Air France also dealt with a similar situation in the same way, releasing a statement that it was for the passenger's safety.

Families who have experienced this treatment are now taking action, evident from the two formal complaints that were filed just last month with the Department of Transportation. Specifically, the lawsuits target America Airline's [nut allergy policy](#) that prohibits pre-boarding or "buffer zones." Nut allergies are considered a disability if it impacts "major life activity" and therefore may be protected under the Air Carrier Access Act.

While it is understandable that airlines are cautious, research suggests that in-flight medical emergencies are uncommon among the estimated 3.6 billion passengers who fly yearly. Additionally, according to a [2013 study](#), allergic reactions make up less than 4 percent of all the medical emergencies.

Yet, the experiences for those with nut allergies vary from airline to airline. For example, [Delta](#) and [Southwest](#) indicate that they will not serve peanuts if anyone onboard is allergic. Jet Blue goes even further by offering to create a nut-free "buffer zone" for those with nut allergies. While on a Delta flight, the flight attendant learned of a child's allergies when the child was wiping down her seat. The flight attendant then asked the people around the child if they could refrain from eating nuts, as well as made a statement on the intercom to the rest of the flyers.

While policies differ amongst airlines, the lawsuits may trigger standardization to avoid future legal action.