

Standards Committee  
February 20<sup>th</sup>, 2019  
Market Office

Attending: Teresa Pitzer, Gary Becker, Colleen Bauman, Sue Theolass, Don Parker, Tym Mazet, Bill Goldsmith, Chuck Roehrich, Jessie Gustafson

Staff: Kirsten Bolton, JJ Hendrix (recorder)

Please note: Items may not appear in consecutive order as they were addressed at the meeting, but may have been rearranged for clarity. Points of discussion are statements of individual members and not necessarily the consensus of the whole committee. All approvals and pending the provision of all required licenses, labeling requirements, and payment of fees in a timely manner.

Introductions and Announcements:

First screening is before Board of Directors meeting on March 6<sup>th</sup>, 2019 at 4:15pm. Need six committee members. Create sign-in sheet to assure that there are always enough people to screen.

Kareng Fund Art Bingo was a screaming success.

Board Members must try to abstain from "hot" issues in Standards meetings.

No new Members joining committee today.

Approve agenda:

**Motion to approve agenda: Teresa/Colleen 8-0-0**

Pressing Member issues:

None

Approve minutes from 1/2/19

Edit minutes to show correct spelling of Colleen's name

**Motion to approve amended minutes: Sue/Tym 5-0-3**

Final decisions on pressing Member issues:

None

Admin report:

Reading of Holiday Market 2019 Notices of Concern

12 Notices of Concern were turned in. If you would like more information, please see Kirsten.

**Motion to approve Admin report: Teresa/Bill 7-0-1**

Old Business:

Review of Craft Specific Guidelines/Clarifications

- Correct spelling and grammar
- Edit to keep section continuity
- Change wording under Prepackaged Food Requirements section to say "Sold in a Craft Booth"
- Change wording under Feather section to "Feathers must be purchased or collected....."
- Change wording under Pipes to "Pipes or smoking devices for legal substances may be sold."

**Motion to approve Craft Specific Guidelines: Teresa/Bill 8-0-0**

## New Business:

Scent. (Individual comments are in bullet points, have been edited to remove names, and are not verbatim. Discussion of plastic wrappings has also been removed.)

- Packaging is not something that should be a case by case basis, it is a category specific thing. Packaging is an important part of a person's business model. To target one Member in a category and require a higher level of packaging over another is a form of discrimination. I would lobby the committee to remove the word packaging or to address it more thoroughly. Make it a standard that is required by all, or not at all.
- Would like to see a sentence that includes the Market General Manager will make reasonable accommodation. This is legal ADA compliance language.
- Packaging in this case can be important. In respect to the business model and the fact that the packaging is impervious, it could be a way of mitigating the problem. If you package your soap in paper it off-gasses all over the place. If you package in another wrapper, you mitigate a potential problem.
- Agrees about packaging being needing to be equal. Keeping it under the General Manager's purview. A whole Market season can go by with an unlevelled playing field. Need to research and address. As far as ADA, we are not under any obligation to ADA. We are a business to business relationship. This is not accessibility issues.
- I've had some vendors set up near me that have sickened me, seriously sickened me to the point where I do the Park Blocks, I come home, I go to bed, and maybe by Wednesday the irritation, the migraine, however it has affected, me has passed. There are other soap vendors who are near me at Holiday Market whose soaps are wrapped in cardboard and I have no problem with these soaps because I think they have their formulations down really well. Because of a couple of soap vendors who are using other formulations, there is an entire section of Holiday Market that I cannot go to because I would get sick. I will get physically ill. I know that I am not the only one affected and it's galling that some people just think, "Oh well, just get used to it." As far as packaging goes, some soaps don't need packaging, but some need to do something. I understand that the vendors want people to smell their soap, but it should be in the confines of their booths. We need to deal with this in a kind and loving and firm way. I don't think it's proper that any vendor can bring a product to Market that's going to sicken other Members.
- Other Market contacted couldn't see why it's a problem as it's outside. Nuisance Laws being introduced by the City of Eugene in regards to marijuana farm scent could be applied here. Wording includes, "individuals of normal sensitivity" along with more specifics. (Available on City of Eugene website.)
- I don't think there is a way for both people to be satisfied that works. I think there are a lot of people that have scent issues and they are all over the place. It doesn't have to be scent, it could be a chemical that you can't even smell. Soap isn't the only product with scent, even though we're talking a lot about soap it could be anything. It seems there are two extremes. One, we say, "no changes" because we are a glass business, a jewelry business, a pottery business, a hat business, a candle business, a soap business. We are a soap business because we have a lot of people who sell soap. Somebody who has bad allergies wouldn't go to work at a soap business. The other way is to create a scent free area. We can't do that in the Main Hall, but I think it's probably possible to in the Holiday Hall. It could be fairly scent free because there is hardly anyone in there already that has scented products. That's one option. It may not be the primary place to work, but if you're life or your health is being affected and you still want to be there, it's one way that we could accommodate that and not ever allow scented products in that room. It's important to try to apply by the ADA guidelines and we want to try to help everyone that we can. We can continue to look at packaging soap, but that's just one product. Some people want the heavily scented soap. Some booths you can't smell the soap until you're at the booth, and some you can smell before you even see the booth. I think our best option is to create a scent free area. That room also has easy access to the outside if someone needs the fresh air.
- Problem with definitions centering on what's included and what isn't. There are all kinds of things that cause problems for different people. Flower smells, food smells, natural and unnatural smells can create issues. It

could be a real quagmire if we start making definitions of what kind of smells, and how much, and at what level. So much of this is subjective, just like questions of normal sensitivity. What does that mean? How do we decide what is okay and what isn't? Hard to make that line for a lot of different reasons. If we start instigating guidelines for one product but not another with similar components but doesn't draw any complaints, that's not fair to people. Maybe we should try to define scents more clearly first. Find out what's included and what's not. Are natural products okay? What's natural? It needs to be fair for everybody, with clear distinctions in our process and our guidelines.

- Same idea of Holiday Hall. There are three Members in Holiday Hall that make soap, but two have stopped making soap and the other is new. Maybe she could be offered a spot in the Main Hall. It would be doable to make Holiday Hall scent free. Where do we want to see this going?
- The problem with scent is that a little bit might not annoy people, but a lot would. Would it be possible to suggest to these people who have odiferous displays that they limit the amount on display?
- This is what was done at Holiday Market this year. It was the reasonable mitigation. First, we didn't want this to become a problem of magnitude at Holiday Market, and second it's important that we treat everybody equally. The Member complied without issue.
- By the time mitigation had occurred, the scent had already permeated the curtains and cloths. If it had been done before, it would have helped.
- I encouraged every Board Member to go around the entire Market and become aware of scents of all origins and several told me that when they went by this particular booth, the scent wasn't there anymore.
- Stinky soap is hawking. If you aren't chemically sensitive, you may not be affected. If you are chemically sensitive it's a problem. The Market is my livelihood, and if I lose my livelihood because of somebody else's livelihood then I feel that none of us who are chemically sensitive are being treated fairly. They need to find a way to make their product okay.

Discussion of pros and cons for mitigation v/s accommodation

**Accommodation** would include having a scent free Holiday Hall, health and safety issue.

Allow family members to sell for the scent sensitive individual in the Main Hall.

This would be opt-in.

**Mitigation** would include control of packaging and display, i.e. wrapping and glass cases.

The soap curing process is proprietary, we cannot ask Members to disclose trade secrets.

Scent sensitive Members can use walls and fans to help keep scent from their booth.

Carry on with discussion in March.

Formally invite Members to the May meeting, invitations in April newsletters.

Recommendation would be made in the May standards meeting.

Board of Directors would put scent as New Business in May.

Board of Directors would have recommendation from Standards to vote on in June.

Homework:

Reach out to stores and other Markets to see how they deal with scent issues.

Research what makes a scent cause issues. Natural/unnatural, curing process, etc.

Meeting evaluation:

Wonderful. Gary did a great job. Appreciate the ideas and exchanges.

Adjourn. Next meeting on 3/20/19