

**Minutes**  
**Fog and Smoke Working Group**

November 23, 1996

Omni Rosen Hotel

Orlando, FL

Larry Schoeneman, Chair

Karl G. Ruling, Acting Secretary

In attendance:     Adrian Segeren, Le Maitre Special Effects  
                      Bill Hektner, USITT  
                      Brad Dittmer, Associated Theatrical Contractors  
                      Eric Tishman, Rosco Laboratories  
                      Florian von Hofen, VPLT  
                      Gary Fails, City Theatrical  
                      Martin Michaud, MDG Fog/Smoke Generators  
                      Michael Wood, High End Systems  
                      Nathan Kahn, Theatre Effects, Inc.  
                      Tony Douglas-Beveridge, PLASA  
                      F. Lee Iwanski, Four Star Lighting (voted in at this meeting)

Visiting:            Heinz Siller, RST Präsentationssysteme

1. Opening Remarks

Larry Schoeneman called the meeting to order at 6:40 p.m.

2. Attendance and Membership

2.1. Introductions of Those Present

2.2. Requirements for Membership

2.3. Processing of New Membership Requests

F. Lee Iwanski accepted as a principal member from Four Star. by unanimous vote.

Hugh Rose had asked for membership but then withdrew. Ruling will contact him to see if he will be an observer.

3. Approval of Minutes from the Previous Meeting

Bill Hektner moved, Mike Wood seconded. Unanimous.

4. Call for Patents & Anti-Trust statements

The following statements were read by Schoeneman:

### **Anti-Trust Statement**

The ESTA Board of Directors, the Technical Standards Committee, and the leadership of this Working Group will reject or nullify any actions that restrain trade. Anyone who feels that an action restraining trade is being or has been taken is requested to bring the matter to the attention of the chair immediately. Anyone who feels that actions in restraint of trade have been taken and not properly annulled is requested to notify the TSC chair or ESTA president immediately.

ESTA legal counsel has informed us that any member of this working group may be found individually liable for any action that restrains trade taken by this working group. An individual convicted of a violation of the Sherman Act may be fined as much as \$100,000 and be imprisoned for up to three years. An easy to read pamphlet describing restraint of trade is available from the Technical Standards Committee.

### **Call for Patents Statement**

ESTA intends to publish no standard that contains protected intellectual property, unless that property can be licensed by anyone for a reasonable fee. ESTA uses a process of open patent disclosures to implement this intent. ESTA does not conduct patent searches and does not warrant that its standards contain no protected intellectual property. In keeping with the open disclosure policy, I ask if anyone present wishes to notify the working group of the existence of a patent that might protect material in a standard being developed by the working group. You need not be the holder of the patent in order to notify the working group of its existence.

## 5. Approval of Agenda

Approved without amendment.

## 6. Glycol Study RFQ Status [Ruling]

### 6.1 Selection of bids

Larry Schoeneman move that we accept the bids from HSE and Cohen, provided that HSE confirm in writing they are putting a toxicologist on the task. Failing that, we select B,B & L and Cohen. Larry will ask the TSC and Board for additional funding and Florian will ask the VPLT for funding to cover the costs of the second suite of bids. Seconded by Eric Tishman. Unanimous.

### 6.2 Review progress toward setting industry standards

The consensus is that we need to wait for the study results before moving further.

## 7. Uniform nomenclature in ads (requested by TSC)

Schoeneman presented this as a "heads up." Some members of the TSC are unhappy with some members of the F&S Work Group adopting terminology not defined in the Introduction to Atmospheric Effects, thus reducing the value of the book.

## 8. Liaison Reports

### 8.1 PLASA [Douglas-Beveridge]

Tony Douglas-Beveridge reported that fog is not a big issue with Equity in the UK, and they have tried to find out with little success US equity's position. The HSE has an advisory for fog, which puts the onus if it goes into the audience on the user and manufacturer to warn people and minimize the risk.

### 8.2 JATET [Schoeneman]

No report.

### 8.3 VPLT [von Hofen]

Little controversy.

#### 8.4 Labor unions [Roman/Fails]

Fails reported that Ruling mailed copies of the fog booklet to the unions he listed. (Ruling did, too.)

Lee Iwanski reported that Local 1 wants a resolution. Not shocked by Equity's intransigence. That's the way Equity is.

Romans not present, so no report.

Brad Dittmer moved that we convey to the TSC our strong feelings that Equity should be formally invited to join the F&S working group. Nathan Kahn second. Unanimous. Schoeneman given the job of conveying our strong feelings.

#### 8.5 AEA position on fog

##### 8.5.1 In Chicago [Schoeneman]

Schoeneman was told by his local Equity office that that dry ice and liquid nitrogen are okay, and Rosco and Theatre Magic fluids are okay for now, but that Rosco and Theatre Magic will be removed because glycol is not good.

##### 8.5.2 On Broadway [Tishman]

Tishman explained that the Equity and Broadway producers contract has been negotiated. It contains no ban on glycol fog, but there is an agreement that a professional representative from Equity and from the League will get together to create a protocol for an epidemiological study of theatrical fog. If they can't agree, they will go to an outside consultant. If they still can't agree, they will take it to the National Arbitration Board. When a plan is agreed upon, they will undertake the study. The full project will probably extend into the next century. This report is as Harriet Slaughter of the League described it.

Eric said that some lighting designers, members of USA local 829, met in NY. A third-hand report has it that Monona Rossol got up and said that "We have to do something about glycol fog. Actors are dying!" A group of lighting designers got together to look at it, and it was their feeling that the rhetoric is getting out of hand. They do not want to see fog disappear.

Schoeneman says Stan Pressner says that the LD's think Rossol is way off base, and that they do not want fog banned. Schoeneman is a member of 829 and will try to go to a meeting.

## 9. New Business

### 9.1 Selection of literature [Fails/Ruling]

Ruling present two documents listing articles and reports on theatrical fog, and presented big stacks of literature.

Schoeneman move that we deal with this pile of information by putting information of three types on the web:

- 1) Scanned and typed in versions of documents that are not readily available.
- 2) Information on how to get other documents which we are not in a position to put up on the web site.
- 3) A list of stuff we won't post and we can't suggest how to get it.

Martin Michaud second. Unanimous

Ruling will send notices to Hektner for Sightlines and to TCI/LD when the information is available on the web.

### 9.2 Review of ESTA documents and above literature package

#### 9.2.1 Concentrations [Schoeneman]

The Introduction to Modern Atmospheric Effects needs to be reviewed and revised. Schoeneman wants to publish PELs and relevant standards in the book. Ruling will distribute electronic text versions of the book to WG members so they can be prepared for the next meeting.

Suggested changes to the Introduction to Modern Atmospheric Effects must be brought to the next meeting in writing. WG members are requested to bring copies of the suggested changes for the other members of the working group.

Ruling will investigate the legal meaning of "water-based."

## 10. Other Business

Nada

## 11. Schedule for Future Meetings

No meeting in January in Irving, TX. Next meeting at USITT.

12. Adjournment

Tishman moved to adjourn. Seconded by Wood. Acclimation. Adjourned at 8:35 p.m.