

FRAGRANCE AND SCENT: The under-characterized population harm and disability access barriers related to consumer products and commercial scenting

NOTE: for the purpose of this submission any reference to “fragrance” includes all fragrance and scent. This includes all scents that do not fall under the legal labelling definition of fragrance and are disclosed by individual chemical name.

Key terms:

“Fragrance” – regulated labelling term. Perfume, parfum, aroma, flavor, odor, masking fragrance etc. It’s a blanket term covering an undisclosed number of chemicals used to impart, change, or mask the way a product smells.

“Scent” – unregulated term with multiple meanings. It is often used as a synonym for fragrance. It includes all chemicals used to impart fragrance where those chemicals do not fall under the legal labeling definition of “fragrance”. It includes essential oils and other additives that must be disclosed by name. Many manufacturers use scent chemicals, rather than fragrance, as it allows them to claim to be “fragrance free”. Unfortunately, scent causes the same acute reactions and long term health concerns as fragrance. It is not a safer alternative.

“Commercial scenting” – intentionally dispersing an air scenting product into an indoor or outdoor area for any reason including odor control, “air freshening”, branding, marketing, ambiance, or another purpose. This may be through scenting systems or stand-alone and decorative fragrance.

“Scenting system” – means a mechanical or powered device or installation designed to disperse an air scenting product continuously or intermittently. It may include HVAC-integrated, cold-air diffusion, nebulizing or atomizing, or automatic aerosol systems.

“Stand-alone and decorative fragrance” – automatic wall-mounted scent dispensers, candles, reed diffusers, electric and automated diffusers, manual room sprays and other devices used permanently or temporarily to scent a space.

“Fragrance layering” – the combined use of commercial scenting and fragranced cleaning and personal care products. Either by one or multiple parties.

Why does this belong in the Roadmap?

CARB has long acknowledged population-level health issues caused by fragrance. Building on the work you have already done to regulate and reduce fragrance harms, we would like CARB to commit to further reducing the use of fragrance in consumer products, particularly where these create disability access barriers for marginalized and at-risk populations.

In addition, we would like CARB to consider the use and regulation of commercial scenting, alone and in combination with consumer products.

Commercial scenting, sometimes known as “signature scent” deliberately adds fragrance and scent products into shared indoor and outdoor spaces. This is usually through out-of-view scenting systems, but may also include the use, and layering of, other decorative scents. This is in addition to the consumer products already used for cleaning and personal applications in these spaces.

Commercial scenting is used for branding, ambiance, and what businesses believe is “air freshening”. Fragrance has no cleaning or sanitizing properties and it is not needed for the functioning of any cleaning product. Alone or in combination, commercial scenting creates health issues and disability access barriers. This is done without advance notice or access to information about the products used, even though its prevalence, emissions, chemistry, and exposure risks remain poorly characterized.

Commercial scenting (and other fragrance) second and third hand exposure

Commercial scenting behaves similarly to smoke. Like smoke, the nature and transference of fragrance VOCs means that once a space is exposed to fragrance it may be contaminated indefinitely. It’s not possible to provide temporary fragrance free spaces, even where disability accommodations necessitate it.

The risks of first, second, and third hand smoke are well known. We can think of fragrance, particularly commercial scenting, in a similar way. For both the disabled community and the general population the harms of fragrance are amplified by the multiple touch point exposures of first, second, and third hand fragrance.

Second hand – fragrance that reaches someone else when fragrance is actively being used. This includes the dissemination of commercial scent, as well as the use of decorative scent, and fragranced cleaning and personal care products.

Third hand – fragrance that remains on a person or in a space after active scenting has ceased (temporarily or permanently). It includes contaminated surfaces, furniture, and people. In the same way that third hand smoke attaches to the clothes and persons of people who have been exposed to smoke, those who have been in areas with scenting transfer fragrance to other people and places. Seating, door handles, shared air etc all become contaminated and inaccessible.

Some people are more biologically responsive to fragrance exposure. When scenting is out of view, and notice is not posted, occupants cannot make an informed choice before entering an area. For someone who is susceptible and reacts quickly, the exposure has already occurred.

Population impacts

In addition to the population impacts and health risks that CARB already recognizes, there are at-risk populations who suffer additional harm and access barriers as a result of fragrance. I represent a community of 20,000 fragrance and scent affected people, many of whom are CA

residents. I'm also a person with lived experience of fragrance-related access barriers. Many people in this at-risk community are now housebound, many more face barriers to accessing essential services, including but not limited to:

- hospitals and other healthcare
- rehab and aged care
- gyms and other exercise facilities
- government services
- public transport, and private air and ground transport
- housing and accommodation
- education and employment
- grocery and retail
- parks and recreation
- dining and entertainment

There is no area of life, no building or service, not impacted by commercial scenting and the use of other fragrance. Even so, significant improvements to air quality and access can be made with simple, no/low cost changes and policy guidance.

I work with other regulators, as well as businesses, to assess the use of fragrance and establish policies to improve health and access for everyone. I would very much like the opportunity to discuss this with CARB and share these measures for your consideration.

The following is not an extensive list of conditions that experience additional harms from fragrance, but it helps to highlight that the number of people impacted by fragrance is much larger than usually allowed for in discussions about chemical sensitivities and fragrance risk:

- Asthma, COPD, and other respiratory diseases
- IgE allergies
- Autoimmune diseases
- Neurodiversity
- Mast Cell disorders (including MCAS)
- Migraine, seizure disorders, and other neurological conditions
- Multiple Chemical Sensitivity
- Chemotherapy patients
- Pregnant people

Unlike with some other kinds of disability accommodations, it's not possible to create cleaner air or fragrance free spaces at short notice or with the use of temporary measures i.e. there is no fragrance equivalent of a temporary ramp. Once a space is contaminated by fragrance it cannot be removed by simply switching off or even removing a scenting device. We have to get ahead of the use of fragrance to mitigate its harms.

Lived experiences from the community

Below are just a few recent examples of fragrance-related air quality issues and access barriers.

These are everyday occurrences for millions of Californians. Whilst not all CA specific, they highlight an immediate need for regulators in all jurisdictions to implement policies expressly controlling the use of consumer and commercial scenting.

Per community feedback and communications with a variety of businesses, we have confirmed the use of fragranced consumer products and commercial scenting is widespread and increasing. It's foreseeable that without policy these activities will continue to increase.

Outdoor spaces, public transport, and ride share

1. In 2025 NYC allowed several commercial scenting campaigns in indoor and outdoor spaces. These included:
 - the introduction of commercial scenting in selected subway stations
 - a Christmas scent-marketing campaign in Grand Central Terminal subway tunnels
 - the use of fake Christmas trees on 5th Avenue aerosolizing fragrance into pedestrian areas
2. In 2026 Governor Mikie Sherrill (NJ) announced the introduction of commercial scenting throughout NJ public transport. Doing so would expose all commuters to fragrance harm, as well as rendering the entire public transport system disability inaccessible, as did the events in NYC.
3. In addition to these out of state activities, the fragrance used in CA public transport and ride share providers creates similar health hazards and access barriers for Californians. Mostly ride share companies are not accommodating this access requirement at all, occasionally it's offered at a premium price. Breathable air should not incur a luxury tax, and a seat on public transport should not be inaccessible because of the risk of fragrance transfer.

Whether introduced temporarily or permanently, to select locations, or entire networks and fleets, the nature of scent results in widespread and indefinite contamination and transfer. Simply removing a scenting device does not remove the fragrance harms or access barrier. Further, the use of consumer fragrance and commercial scenting in transport is a significant source of second and third hand fragrance exposure.

While no policy exists to control the use of fragrance and commercial scenting these activities will continue and spread. Even if the intent behind these kinds of events is well meaning, these activities expose entire populations to health harms, as well as creating disability access barriers. We must get ahead of these known problems with regulation and policy.

Hotels and accommodation

Across CA it's standard for hotels and other accommodation providers to use commercial scenting, in addition to the use of fragranced cleaning products. This is often done at a brand level, with all locations following, and no ability to provide sufficient disability accommodations or respite from fragrance for workers, guests, and visitors. This is often in buildings with no opening windows or fresh air flow.

“Fragrance layering”, exacerbates the problem. Many Californians and would-be-visitors have no access to any accommodation solely because of commercial scenting, other fragrance use, and the lack of disclosure and information about the products used.

Requesting ADA accommodations fails when providers don’t understand the requirements or how to comply. This is especially problematic where appropriate cleaning solutions are difficult to procure. Compounding this, there’s currently no reasonable way to know whether a space is safe. This information needs to be easily accessible to allow people to make informed choices.

Mandating disclosures of the use and specifics of these products on websites would be a significant, no-cost, first step in assessing the scale of the problem and providing vital accessibility information.

Airports and airlines

Most airports, including those in CA, use commercial scenting and fragranced cleaning products in all their spaces including terminals, rest rooms, shops, eateries and airlines lounges. The risks and barriers created by airport management scenting, is significantly compounded by the many tenants who add their own scenting.

This fragrance issue carries into airline cabins. The use of signature scents, cabin sprays, fragranced cleaning and personal care products in this kind of enclosed space creates additional risk. Regulators recognize the increased risk in relation to smoke and have implemented strict no smoking laws in all aircraft cabins (and indoor spaces).

Policies limiting the active use and application of fragrance during air travel is a reasonable step given the additional risk associated with VOCs in closed environments.

I have approached airports and airlines to request policies and / or reasonable accommodations for myself and others, but none have been willing to engage about meaningful accommodations or change. As a result, like ground transport, all air travel poses a particular health risk and is inaccessible for a significant number of people.

Shopping malls and retail premises (including grocery stores)

The use of commercial scenting in malls, individual stores, and rest rooms renders whole malls inaccessible. I was recently unable to access a store inside a mall or even exit my vehicle because of the mall fragrances. I tried 3 locations, including a store not located inside a mall. These mall and store brands have locations in CA which present the same risks and barriers. In the end I had to have another person return the items via post (as I am also unable to access the post office because of fragrance).

This is also an issue in grocery stores and eateries, both in mall and stand-alone locations. Not being able to secure food, clothing, medications etc creates serious harm.

Hospitals and medical facilities

Unfortunately, most hospitals, medical practices, and allied health services use fragranced cleaning products and have no policy regarding commercial scenting, or fragrance use by staff, patients or visitors. Especially in health care settings all people should be able to access care.

In addition to hospitals, we have medical buildings housing hundreds of individually managed health providers in the same shared air space. Whole hospitals and medical buildings become inaccessible due to a mix of management and tenant scenting. This is compounded by the use of fragranced cleaning products in individual suites and shared rest rooms. Asking one practitioner to remove the scent in their space does not address the scents and cleaning products being used by other parties.

Even where individual practioners or hospitals want to establish fragrance free premises it's challenging due to the lack of fragrance free cleaning products. There may also be regulator restrictions on the specific products allowed in these spaces.

I have spent 18 months negotiating with a hospital for access to surgery. To gain access I had to find and facilitate the onboarding of a fragrance free hospital grade cleaning product. The distributor wanted indemnification and an NDA to share product ingredients (not the formula, just proof of ingredients). This is not how disability access is meant to work. Beyond that we need to know what's in the cleaning products we're exposed to in all spaces.

The feedback from manufactures and distributors is that they don't carry, or carry many, fragrance free options simply because they don't have to. Thus, the chicken and egg cycle of improving air quality and accessibility continues. Many governments enter into statewide procurement arrangements, which locks all facilities into limited options and makes it incredibly difficult for alternative products to enter the market, or get to the providers who wish to use them. There's no impetus or even space for change. The majority of the hospitals and health providers I've contacted in my advocacy work would be willing to switch. Unfortunately, the lack the policy necessitating that spaces be accessible hinders voluntary change.

We urgently need regulatory enforcement of fragrance free access requirements to push manufacturers to increase access to fragrance free cleaning options. Following that, all medical providers, and other businesses, will be easily able to decrease air pollution and increase access to their spaces via the use of safer products.

Conclusion:

We need stronger policy protections against all consumer and commercial scenting. While this impacts all Californians, this has a devastating impact on vulnerable populations.

We currently don't have a sufficient policy framework to support even voluntary change. Providers and businesses that wish to improve air quality and switch to fragrance free need support and guidance to do so.

As a first step, regulators could utilize current ADA access requirements to facilitate the creation of more fragrance free solutions. Additionally, providing recommended guidance covering

cleaning, personal, commercial and decorative scenting would facilitate an easier move to safer shared air environments.

Without policy support and recommendations businesses who would otherwise be willing to make change find it too difficult. I have created these kinds of recommendations and policies and I would be happy to speak with you about how this could be done without requiring significant resource from CARB. Even published recommendations would make a significant impact.

Leveraging the ADA or other current regulations has worked well to improve population-level shared spaces in other ways. For example, the necessity to provide wheelchair accessibility means that all buildings are automatically safe and accessible for all people who can't navigate stairs well. Everyone benefits from improved accessibility and transparency. The same is true in relation to better air quality.

Requested CARB action:

1. Include additional reductions in consumer fragrance in the 2026 Roadmap (leveraging ADA and other existing regulations where useful)
2. Include commercial scenting in the 2026 Roadmap as an under-characterized emissions and exposure pathway (leveraging ADA and other existing regulations where useful)
3. Mandate online disclosure of the use, and specifics, of all fragrance use in all premises. This is a no/low cost mechanism to investigate the scale of the problem and provide vital accessibility information. This can then better inform future policy and protections.
4. Establish a policy position on fragrance use and provide guidelines for establishing fragrance free spaces. (I would be happy to help with this).