



August 12, 2008

## PROTECTION FROM SECONDHAND SMOKE: MONITORING UPDATE

### What Is the Issue?

Research shows there is no safe level of exposure to secondhand smoke (U.S. D.H.H.S. 2006). Concentrations can be especially high in cars (Sendzik et al. 2008). In addition to causing heart disease, cancer and premature death in nonsmoking adults, secondhand smoke also causes sudden infant death syndrome, asthma and ear infections in infants. The Ontario Medical Association<sup>1</sup> recommends protection for children in cars and at home. Health Canada specifically advises youth to avoid exposure to secondhand smoke.<sup>2</sup>

### Ontario

Effective May 31, 2006, the *Smoke-Free Ontario Act* forbids smoking in enclosed public places and workplaces including bars, casinos and the common areas of multi-unit dwellings (Table SHS.1). Smoking is not allowed on bar or restaurant patios that have a roof structure.<sup>3</sup> Enclosed workplaces may have outdoor employee smoking shelters with no more than two walls and a roof. The *Smoke-Free Ontario Act* prohibits designated smoking rooms and designated smoking areas. Exceptions are allowed for residents of residential care, psychiatric and veterans' facilities. Smoking is banned within 9 metres of a hospital entrance or exit. The *Smoke-Free Ontario Act* entitles home healthcare workers to request no smoking in clients' homes while providing healthcare. Traditional use of tobacco as part of Aboriginal spirituality is permitted.

In 2008, Ontario along with Nova Scotia, British Columbia and the Yukon adopted laws banning smoking in vehicles with children. The Ontario legislation, to come into force in January 2009, defines children as less than 16 years old and imposes a fine of up to \$250 for each offence. Survey results show that 84% of Ontario adults agree smoking should not be allowed in cars with children (see footnote 4).

Compared to other Canadian jurisdictions, Ontario has reasonably strong protection from secondhand smoke (Table SHS.1). Yet many Ontario adults support further provisions: 79% agree smoking should not be allowed indoors in multi-unit dwellings; 78% agree parents should not be allowed to smoke at home if children are living there; 48% agree smoking should not be allowed in parks; and 41% agree smoking should not be allowed on sidewalks.<sup>4</sup> Municipalities such as Ottawa and Woodstock ban smoking near a bus stop or bus shelter. Collingwood, Orillia and Woodstock ban smoking near municipal playgrounds.

### International Jurisdictions

Arkansas, California, Louisiana, Maine, Puerto Rico and South Australia ban smoking in cars with children. In Minnesota, over 100 cities ban smoking in parks. At least ten cities in California ban smoking on beaches. The Framework Convention on Tobacco Control urges its 193 Member States to enact smoke-free legislation (Pierce and Léon 2008). Although many countries comply, the laws often allow for exceptions and are not enforced. The World Health Organization says only 5% of the world's population is adequately protected.<sup>5</sup>

<sup>1</sup> <http://www.oma.org/Health/tobacco/smoke2004.pdf>

<sup>2</sup> <http://www.hc-sc.gc.ca/hl-vs/tobac-tabac/youth-jeunes/second/index-eng.php>

<sup>3</sup> Municipalities like Brighton, Kingston and Thunder Bay have 100% smoke-free bar/restaurant patios; Woodstock bans smoking on sidewalk cafés

<sup>4</sup> 2007 CAMH Monitor Survey, "Panel A" Jan-Jun 2007 (n = 1000), analysis by OTRU

<sup>5</sup> [http://www.who.int/tobacco/mpower/mpower\\_report\\_global\\_control\\_2008.pdf](http://www.who.int/tobacco/mpower/mpower_report_global_control_2008.pdf)

**Table SHS.1: Smoke-Free Legislation by Federal, Provincial and Territorial Jurisdiction, August 2008**

Jurisdiction	Date in Effect	Complete Patio Ban*	Main Provisions
FEDERAL	06/1988 06/2008		No smoking on Canadian carrier flights since 1994, regulated for other transportation in Canada; no smoking in government workplaces or banks; no smoking inside federal prisons; no DSRs in federal workplaces as of Nov 2007; no smoking on prison property as of Jun 2008
Yukon	10/1994 05/2008	✓	No smoking in enclosed public places/workplaces including school grounds, bars, restaurants, patios, cars with children under 18, as of May 15, 2008
Nunavut	05/2004		No smoking in enclosed workplaces including bars, restaurants, casinos, within 3 m of entrances/exits and in all public places; no DSRs except for workers living in workplace; DSAs‡ allowed in some mines
Manitoba	10/2004		No smoking in enclosed public places/workplaces including bars, restaurants, casinos; no DSRs except for residents of group living facilities, hotel rooms, tobacconist shops and Aboriginal cultural purposes
New Brunswick	10/2004		No smoking in enclosed public places/workplaces including school grounds, bars, restaurants, casinos; no DSRs except for residents of group living facilities and hotel rooms
Saskatchewan†	01/2005		No smoking in provincial government workplaces and public places including bars, restaurants, casinos, sports facilities, entryways; DSAs‡/DSRs allowed in some workplaces§
Newfoundland and Labrador	07/2005	✓	No smoking in enclosed public places/workplaces including bars, restaurants, patios; no DSAs‡; DSRs not allowed except for residents of long-term care and psychiatric facilities
Alberta	01/2006 01/2008	✓	No smoking in provincial government workplaces and enclosed public places; no smoking within 5 m of doorway/window of any public place or workplace including patios, no DSRs, effective Jan 1, 2008
Prince Edward Island	01/2006 ??/2008		No smoking in enclosed public places/workplaces; no smoking in hospitals or school grounds Jul 1, 2006; DSRs allowed§; amendments to ban smoking in patios, cars with children under 19, provincial parks including beaches and eliminate DSRs, to be adopted fall 2008
<b>ONTARIO</b>	05/2006 01/2009		No smoking in enclosed public places/workplaces including school grounds, common areas of multi-unit dwellings, bus shelters, reserved seats at entertainment venues, bars, restaurants, casinos; no smoking within 9 m of entrance/exit to healthcare facility; patio smoking restricted; protection for home healthcare workers; no DSAs/DSRs except for hotel guests and residents of nursing homes, veterans' facilities, psychiatric hospitals; legislation banning smoking in cars with children under 16 adopted Jun 16, 2008, to come into force Jan 21, 2009
Québec	05/2006 05/2008		No smoking in enclosed public places/workplaces including school grounds, healthcare facilities, common areas of multi-unit dwellings, bars, casinos, taxis; patio smoking restricted; no DSRs as of May 31, 2008
Northwest Territories	09/2006		No smoking in enclosed public places/workplaces including bars, restaurants, casinos; patio smoking restricted; no DSRs except in mines, prisons, nursing homes and enclosed sites where workers live
Nova Scotia	12/2006 04/2008	✓	No smoking in enclosed public places/workplaces including school grounds, bars, restaurants, casinos, patios; no DSRs; smoking banned in cars with children under 19 effective Apr 1, 2008
British Columbia	09/2007 03/2008		No smoking on school grounds since Sep 2007; no smoking in enclosed public places/workplaces, within 3 m of public or workplace doorway or window, no DSRs as of Mar 31, 2008; no smoking in cars with children under 16 adopted May 29, 2008, to come into force at a later date

Notes: Ordered by first effective date; \*Restaurant/bar patios; †SK workplace protection covers government workplaces only; ‡DSA = Designated Smoking Area (unenclosed); §SK/PEI are the only provinces/territories that allow DSRs; Sources: Government websites, Canadian Cancer Society

Comments and suggestions are welcome and can be sent to: lise\_anglin@camh.net

## References

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