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PROTECTION FROM SECONDHAND SMOKE: MONITORING UPDATE

What Is the Issue?

There is no safe level of exposure to secondhand smoke. 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 (U.S. D.H.H.S. 2006). Concentrations can be especially high in cars (Sendzik et al. 2008). The Ontario Medical Association (2004) recommends protection for children at home. Health Canada specifically advises youth to avoid exposure to secondhand smoke.¹

Ontario

Effective May 31, 2006, the *Smoke-Free Ontario Act* forbids smoking in enclosed public places and workplaces including bars, casinos and common areas of multi-unit dwellings (Table SHS.1). Smoking is not allowed on bar or restaurant patios that have a roof structure.² Enclosed workplaces may have outdoor employee smoking shelters with no more than two walls and a roof. The *Smoke-Free Ontario Act* bans designated smoking rooms (DSRs) and designated smoking areas (DSAs). 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. Effective January 21, 2009, Ontario banned smoking in vehicles with children under age 16, with a fine of up to \$250 for each offence. (In 2008, 87% of Ontario adults agreed smoking should not be allowed in cars with children.³)

Protection from secondhand smoke in Ontario is comparable to that of other Canadian jurisdictions, except for those with a complete ban on smoking on open patios (Table SHS.1). Ontario adults support further provisions: in 2008, 83% said smoking should be banned in multi-unit dwellings, 78% said parents should not be allowed to smoke at home when children are present, 75% said smoking should be banned on patios, 50% said smoking should be banned in parks and on beaches and 47% said smoking should be banned on sidewalks.³ Ottawa and Woodstock ban smoking near a bus stop or bus shelter. Collingwood, Orillia, Woodstock and Cornwall ban smoking near municipal playgrounds. In January 2009, a Toronto bylaw banned smoking in parks within a 9-metre radius of a playground, splash pad or wading pool, or at Riverdale Farm or High Park Zoo, popular family-oriented recreational sites.

International Jurisdictions

International jurisdictions that ban smoking in cars with children include California, Louisiana, Maine, Puerto Rico, New South Wales and South Australia. In Minnesota, over 100 cities ban smoking in parks. Currently over 100 beaches in California ban smoking; legislation is under discussion to extend the ban to all beaches in the state. The Framework Convention on Tobacco Control urges 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.⁴

¹ <http://www.hc-sc.gc.ca/hc-ps/tobac-tabac/youth-jeunes/second/index-eng.php>

² Municipalities like Brighton, Kingston and Thunder Bay have 100% smoke-free bar/restaurant patios; Woodstock bans smoking on sidewalk cafés

³ 2008 CAMH Monitor Survey, "Panel A" Jan-Jun 2008 (n = 996), analysis by OTRU

⁴ http://www.who.int/tobacco/mpower/mpower_report_global_control_2008.pdf

Table SHS.1: Smoke-Free Legislation by Federal, Provincial and Territorial Jurisdiction, September 18, 2009

Jurisdiction*	Effective Dates	Complete Patio Ban†	Selected Provisions
FEDERAL	06/1988 06/1994 11/2007 06/2008		Regulations to the 1988 <i>Non-Smokers' Health Act</i> banned smoking on Canadian carrier flights as of Jun 1994; no smoking in government workplaces, banks or 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 01/2010		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; no smoking in cars with children under 16 effective Jan 1, 2010
Saskatchewan‡	01/2005 05/2009		Since 2005, no smoking in provincial government workplaces and public places; effective May 31, 2009, no smoking in any enclosed workplace, no DSRs except for long-term care facilities, underground mines, self-employed businesses and vehicles and camp-living accommodations
Newfoundland and Labrador	07/2005	✓	No smoking in enclosed public places/workplaces, including patios; no DSAs; DSRs allowed in some workplaces if they are not public places and 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 07/2006 09/2009		Since Jul 11, 2006, no smoking in enclosed public places/workplaces, in hospitals or on school grounds; effective Sep 15, 2009, smoking on patios restricted (allowed from 10 pm to 3 am), no DSRs in public places/workplaces (residents of long-term care and domestic violence shelters exempted), no DSAs on hospital grounds (patients of one psychiatric hospital exempted), and no smoking in cars with children under 19
ONTARIO	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; no smoking in cars with children under 16 effective 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; no smoking in cars with children under 19 effective Apr 1, 2008
British Columbia	09/2007 03/2008 04/2009		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 since Mar 2008; no smoking in cars with children under 16 effective Apr 7, 2009

DSA = Designated Smoking Area (unenclosed) as opposed to DSR = Designated Smoking Room (enclosed)

*Ordered by first effective date; †Refers to restaurant and bar patios; ‡The 2009 SK provisions were amendments to occupational health and safety regulations; §The 2009 PEI amendments mean all 13 provinces and territories now have bans or restrictions on DSRs

Sources: Government websites, Canadian Cancer Society [<http://www.cancer.ca>], Canadian Council for Tobacco Control [<http://www.cctc.ca>]

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