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PROHIBITION OF TOBACCO SALES IN SPECIFIC PLACES: MONITORING UPDATE

What Is the Issue?

Comprehensive tobacco control includes prohibition of tobacco sales in specific places in order to decrease the physical availability of tobacco products. A key aspect of availability is outlet density, meaning how many places sell tobacco per unit of population or geographic area (Cohen and Anglin 2009). Studies show an association between greater outlet density, higher likelihood of youth smoking (Novak et al. 2006) and higher overall smoking prevalence (Peterson et al. 2005). Leatherdale and Strath (2007) found that the more tobacco retailers there were surrounding a school the more likely underage smokers were to buy their own cigarettes.

Convenience influences where Canadians buy cigarettes: in a national survey, one-third of respondents, especially those aged 18 to 34, said if they had to travel further to buy cigarettes they would smoke less (Health Canada 2005).

Ontario

Ontario bans the sale of tobacco products in pharmacies and places connected to a pharmacy, public and private hospitals, psychiatric facilities (except parts of facilities under the *Mental Hospitals Act*), residential care facilities and by vending machine.¹ Ontario allows tobacco sales in universities, theatres, bars, restaurants, casinos and government buildings (Table SP.1) as well as convenience stores, grocery stores and gas stations. Provincially, Ontario does not currently use the option of a tobacco-specific retail license fee as a means of limiting outlet density. Locally, Ontario municipalities are authorized to require and charge a fee for a tobacco retail license. Examples of municipalities that charge an annual tobacco retail license fee are Ottawa (\$360), Markham (\$300), Barrie (\$220), Kingston (\$200), Brampton (\$195), Richmond Hill (\$150) and North Bay (\$50). It is not known whether these municipalities use such fees to limit outlet density.

In 2008², 30% of Ontario adults said the sale of cigarettes should be phased out over 5 to 10 years and 23% said sales should be stopped as soon as possible. Asked how tobacco products should be sold in Ontario, 35% said they should be sold in government stores similar to the way alcohol is sold in Ontario and 25% said tobacco products should not be sold at all. The majority of Ontario adults (63%) and almost three-quarters of women (72%) agreed with the statement, "The number of retail outlets that sell cigarettes should be greatly reduced."

International Jurisdictions

The Institute of Medicine (2007) recommends that tobacco outlets be licensed, monitored and restricted as part of the blueprint for ending the tobacco epidemic. The College of Physicians and Surgeons of Glasgow³ recommends that the sale of tobacco be restricted to licensed retailers with a penalty of permanent license revocation for repeated violation of minimum age laws. In France, exclusive rights to sell tobacco are given to licensed retailers in specified areas.⁴ Bhutan bans tobacco sales altogether. Vietnam bans the sale of cigarettes by vending machine, telephone, the Internet, in workplaces, schools and hospitals, and aboard public transit.

¹ http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_94t10_e.htm

² 2008 CAMH Monitor Survey, "Panel A" Jan-Jun 2008 (n = 996), analysis by OTRU

³ <http://www.rcpsg.ac.uk/TheCollege/consultations/Documents/Tobacco%20Bill%20Consultation%20Response.pdf>

⁴ http://www.smoke-free.ca/pdf_1/supplyside.pdf

Table SP.1: Prohibition of Tobacco Sales in Specific Places, by Provincial, Territorial and Federal Jurisdiction*, September 22, 2009

Place/Venue	NL†	PEI	NS	NB	QC	ON	MB	SK	AB‡	BC	YK	NWT	NU	FED
Vending machine		✓	✓	§	✓	✓		§				✓	✓	
Pharmacy	✓	✓	✓	✓	✓	✓			✓			✓	✓	
Hospital	2010	¶	✓		✓	✓		✓	✓	✓			✓	
Healthcare facility	2010	✓	✓		✓	✓		✓	✓	✓			✓	
Residential care facility	2010	✓	✓		✓	✓		✓	✓	✓			✓	
Child day care					✓								✓	
College/university	2010	✓	✓		✓				✓	✓		#		
Grade/high school		✓	✓		✓			✓	✓					
Sports/athletic facility	2010	✓	✓		✓					✓		✓		
Recreational facility	2010	✓	✓		✓			✓		✓		✓		
Theatre/cinema	2010	✓	✓		✓			✓						
Library/art gallery	2010		✓		✓									
Community centre			✓											
Temporary outdoor movable location	2010		✓		✓									
Bar			✓		✓									
Restaurant			✓		✓									
Gaming premises			✓											
Provincial government building	2010	✓	✓					✓		✓				
Municipal government building	2010	✓	✓					✓						
Crown corporation building	2010							✓		✓				

* Column headings show provincial jurisdictions east to west, then territorial and federal

† The NL ban on tobacco sales in several specific places (besides pharmacies) comes into force Jan 1, 2010

‡ The AB prohibitions came into force Jan 1, 2009

§ Provision more restrictive than federal policy but not total ban

|| The 1997 federal *Tobacco Act*, which all provinces and territories must uphold as a minimum requirement, allows two exceptions to the ban on tobacco sales by vending machine: (1) a place “to which the public does not have reasonable access” and (2) a bar, tavern or beverage room provided that the vending machine has a “prescribed security mechanism”

¶ PEI exempts psychiatric hospitals

NWT has only one college which on a voluntary basis does not sell tobacco products

Sources: Canadian Cancer Society and government websites

Comments and suggestions are welcome and can be sent to: lise_anglin@camh.net

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