

In Canada, eight out of thirteen provinces and territories currently have implemented 100 % smoke-free legislation, whereby smoking is prohibited in enclosed public places and enclosed workplaces:

Northwest Territories	(May 1, 2004)
Nunavut Territory	(May 1, 2004)
New Brunswick	(Oct.1, 2004)
Manitoba	(Oct.1, 2004)
Saskatchewan	(Jan.1, 2005)
Newfoundland and Labrador	(July 1, 2005)
Ontario	(May 31, 2006)
Quebec	(May 31, 2006)
*Nova Scotia	(Dec.1, 2006)

This means over 21 million Canadians are protected from involuntary smoke exposure in workplaces and public places.

By the end of 2006, Nova Scotia will have also put such legislation in place and close to another million Canadians will be protected.

The harmful effects of secondhand smoke have been well documented. Among adults, secondhand smoke exposure causes heart disease, lung cancer, and nasal sinus cancer. It has also been linked with stroke, breast cancer and cervical cancer, among other diseases and conditions. With children, it can cause sudden infant death syndrome, bronchitis, pneumonia and middle ear disease. It is also associated with, among other conditions, a negative impact on cognition and behaviour, decreased lung function, and onset of asthma. <sup>i</sup>

### Background

Tobacco use results in the death of more than 37,000 Canadians every year.<sup>ii</sup> It is the primary cause of death and disease in Canada. In addition, the Ontario Tobacco Research Unit estimates that between 1100 and 7800 deaths can be attributed to secondhand smoke exposure every year.<sup>iii</sup>

Secondhand smoke has been identified as a human carcinogen by the United States Environmental Protection Agency, and the IARC Programme in Carcinogenic Risk Assessment.<sup>iv</sup> In January, the California Air Resources Board identified secondhand smoke as a toxic air contaminant (TAC), an airborne toxic substance that may cause or contribute to death or serious illness.<sup>v</sup>

In light of the evidence, smoke –free legislation aims to protect the public and employees from the harms of secondhand smoke. Air quality, and thus the respiratory health of those working in the hospitality field have been ameliorated with smoke-free legislation.<sup>vi</sup>

Workplace restrictions have also been correlated with a positive impact on smoking activity. For example, a 2004 study indicated that workers employed in workplaces with no smoking restrictions were more than twice as likely to be daily smokers, relative to those who were employed in a completely smoke-free environment.<sup>vii</sup>

In addition, workplace bans have also been linked with a reduction in smoking prevalence. A study published in the British Medical Journal demonstrated that comprehensive workplace smoking bans were correlated with a 3.8% decrease in smoking prevalence and 3.1 fewer cigarettes consumed per day per continuing smoker.<sup>viii</sup>

Separately ventilated rooms or designated smoking rooms (DSR's) do not provide employees or members of the public adequate protection from secondhand smoke. Findings from a study conducted by James Repace, a leading authority on secondhand smoke, indicate that ventilation technology is not effective enough to bring about acceptable indoor air quality where smoking is occurring, thus stating that smoking bans are the only alternative.<sup>ix</sup>

While the definition of public places and workplaces can sometimes be cause for debate, the Smoke-Free Ontario Act defines them as the following:

Enclosed public place: "...any enclosed area of a building or structure to which the public has access, including retail shops, indoor shopping malls, restaurants, bars, places of entertainment, casinos, bingo and billiard halls, taxicabs and limousines".<sup>x</sup>

A workplace: "...any enclosed area of a building, structure or vehicle that an employee works in or frequents during the course of their employment (whether or not they are acting in the course of their employment at the time), and includes common areas such as washrooms, lobbies and parking garages".<sup>xi</sup>

#### Close-ups

The city of Victoria, British Columbia carries the distinction of being the first city in Canada to implement a municipal smoke-free bylaw. Put into place before any provincial or territorial legislation had been enacted, this bylaw has no allowance for designated smoking rooms. In fact, it also has one of the highest compliance rates in the world. Dianne Stevenson, Regional Manager of Tobacco Control for the Vancouver Island Regional Health Authority, contributes the bylaw's success to many factors: proper enforcement, involvement of all the players in the process, equal treatment of all involved, and effective monitoring of public support.<sup>xii</sup>

#### Priorities and Actions

By the end of 2006, nine provinces and territories will have implemented 100% smoke-free legislation, with no allowances for DSR's. This leaves four provinces/territories without such complete legislation (British Columbia, Alberta, Prince Edward Island and the Yukon Territory) and leaves over 7 million Canadians unprotected from secondhand smoke in workplaces and public places.

British Columbia: DSR's are permitted and they do not have to be separately enclosed;

Alberta: smoking is prohibited only in places where children under 18 years of age are permitted;

Prince Edward Island: DSR's are permitted, but they are independently ventilated;

Yukon Territory: no territorial law exists, however the Yukon Worker's Compensation Health and Safety Board is examining a territorial standard.<sup>xiii</sup>

Yet, there is still more to be done. Many federal government employees are still exposed to secondhand smoke in the workplace. Enclosed smoking rooms are still present and in older buildings, there is no requirement that these rooms be separately ventilated. Smoke can then drift out of these rooms and can also be circulated throughout the building by the ventilation system.<sup>xiv</sup> Last month, the Senate of Canada passed a motion to introduce legislation banning smoking areas in enclosed workplaces under federal jurisdiction. This motion is now before the House of Commons for debate.<sup>xv</sup>

Other tobacco control issues that still need to be addressed include: tobacco retail displays; tobacco sales in pharmacies; tobacco vending machines; tobacco taxes, smoking cessation, smoking prevention, and tobacco industry denormalization. Other emerging issues include smoke-free homes, vehicles and smoke free outdoor spaces (patios, beaches, playgrounds, parks).

## Resources

For more information, please visit the following websites:

Canadian Council for Tobacco Control (CCTC)  
[www.cctc.ca](http://www.cctc.ca)

Ontario Ministry of Health Promotion. Smoke-Free Ontario Act  
[http://www.mhp.gov.on.ca/english/health/smoke\\_free/legislation.asp](http://www.mhp.gov.on.ca/english/health/smoke_free/legislation.asp)

Ontario Campaign for Action on Tobacco (OCAT)  
[www.ocat.org](http://www.ocat.org)

Ontario Tobacco Research Unit (OTRU)  
[www.otru.org](http://www.otru.org)

Non-Smokers' Rights Association (NSRA)  
[www.nsra-adnf.ca](http://www.nsra-adnf.ca)

California Air Resources Board  
<http://www.arb.ca.gov/toxics/ets/ets.htm>

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<sup>i</sup> Protection from second-hand tobacco smoke in Ontario : a review of the evidence regarding best practices  
[http://www.otru.org/pdf/special/special\\_ets\\_eng.pdf](http://www.otru.org/pdf/special/special_ets_eng.pdf)

<sup>ii</sup> The Costs of substance abuse in Canada : 2002 : highlights  
<http://www.ccsa.ca/NR/rdonlyres/18F3415E-2CAC-4D21-86E2-CEE549EC47A9/0/ccsa0113322006.pdf>

<sup>iii</sup> Protection from second-hand tobacco smoke in Ontario : a review of the evidence regarding best practices  
[http://www.otru.org/pdf/special/special\\_ets\\_eng.pdf](http://www.otru.org/pdf/special/special_ets_eng.pdf)

<sup>iv</sup> IARC monographs on the evaluation of carcinogenic risk of chemicals to humans : Vol.83 : tobacco smoke and involuntary smoking  
<http://www-cie.iarc.fr/htdocs/indexes/vol83index.html>

and

Eliminating smoking in bars, taverns and gaming clubs : the California smoke-free workplace act.  
<http://www.dhs.ca.gov/tobacco/documents/smokefreeworkplacecasestudy.pdf>

<sup>v</sup> California Air Resources Board

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<http://www.arb.ca.gov/toxics/ets/ets.htm>

<sup>vi</sup> Submission to the standing committee on finance and economic development

<http://www.cancercare.on.ca/documents/Bill164Submission.pdf#search='importance%20of%20smokefree%20legislation%20in%20canada'>

<sup>vii</sup> Workplace restrictions on smoking : are they good for the smoker, too?

[http://www.otru.org/pdf/updates/update\\_oct2004.pdf](http://www.otru.org/pdf/updates/update_oct2004.pdf)

<sup>viii</sup> Effect of smoke-free workplaces on smoking behaviour : systematic review

<http://bmj.bmjournals.com/cgi/content/abstract/325/7357/188>

<sup>ix</sup> Controlling tobacco smoke pollution

<http://www.repace.com/pdf/iaqashrae.pdf>

<sup>x</sup> Smoke-free Ontario act – how it affects enclosed public places

[http://www.mhp.gov.on.ca/english/health/smoke\\_free/fact\\_sheets/enclosed\\_public\\_places.asp](http://www.mhp.gov.on.ca/english/health/smoke_free/fact_sheets/enclosed_public_places.asp)

<sup>xi</sup> Smoke-free Ontario act – how it affects employers and employees

[http://www.mhp.gov.on.ca/english/health/smoke\\_free/fact\\_sheets/employersandemployees.asp](http://www.mhp.gov.on.ca/english/health/smoke_free/fact_sheets/employersandemployees.asp)

<sup>xii</sup> Canada's first clean air bylaw – and never a provision for DSR's !

<http://www.nnsw.ca/sfc.html>

<sup>xiii</sup> Information compiled by Rob Cunningham, Canadian Cancer Society.

<sup>xiv</sup> Protection from second-hand tobacco smoke in Ontario : a review of the evidence regarding best practices

[http://www.otru.org/pdf/special/special\\_ets\\_eng.pdf](http://www.otru.org/pdf/special/special_ets_eng.pdf)

<sup>xv</sup> Letter from the Honourable Mac Harb

<http://www.cctc.ca/imagesforhomepage/harb.pdf/>