



November 19, 2007

FACT SHEET 1.6: PROTECTION FROM SECONDHAND SMOKE

What Is the Issue?

Secondhand smoke is a health hazard associated with heart disease, cancer and premature death in nonsmoking adults. In infants, it causes sudden infant death syndrome, respiratory problems, ear infections and asthma attacks. There is no safe level of exposure (U.S. D.H.H.S. 2006). Health organizations such as the Canadian Medical Association¹ see protection of children from secondhand smoke at home and in cars as an issue of concern. Comprehensive tobacco control policy includes legislation that protects nonsmokers from exposure to secondhand smoke.

Ontario

Effective May 31, 2006, the *Smoke-Free Ontario Act* forbids smoking in enclosed public places and workplaces including bars, restaurants, casinos, schools, school grounds, daycares, workplace vehicles and the common areas of condominiums and apartment buildings (Table 1.6). Smoking is not allowed on the patio of a bar or restaurant if the patio has a roof structure.² Enclosed workplaces may have outdoor smoking shelters for employees provided the shelter does not have 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 as long as the designated smoking room meets structural and ventilation guidelines. Smoking is banned within 9 metres of an entrance or exit to a hospital. The *Smoke-Free Ontario Act* enables home healthcare workers to request no smoking in clients' homes while providing healthcare and allows traditional use of tobacco as part of Aboriginal spirituality and culture.

Compared to other Canadian provinces and territories, Ontario has relatively strong protection from secondhand smoke (Table 1.6). Yet many Ontario adults support further provisions: 64% agree smoking should not be allowed on the patio of a bar or restaurant; 70% agree parents should not be allowed to smoke inside their home if children are living there; 73% agree smoking should not be allowed indoors in multi-unit dwellings; and 78% agree parents should not be allowed to smoke inside their car if children are present.³

International Jurisdictions

The Framework Convention on Tobacco Control urges parties to adopt smoke-free legislation, especially in workplaces, public places and public transport. Many jurisdictions have enacted varying degrees of such legislation including England, France, Ireland, Italy, Portugal, Scotland, South Africa, Spain, Sweden, several U.S. states and Vietnam. Laws against smoking in vehicles carrying children are in effect in Arkansas, Louisiana, Puerto Rico and South Australia and will come into effect in California in 2008. Some cities like Santa Monica, California, ban smoking on beaches and in parks.

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

² Some Ontario municipalities have 100% smoke-free bar/restaurant patios, including Brighton, Kingston and Thunder Bay.

³ 2006 CAMH Monitor Survey of Ontario Adults, analysis by OTRU

Table 1.6: Federal, Provincial and Territorial Smoke-Free Legislation, November 2007

Jurisdiction	Date in Effect	DSRs Not Allowed*	Main Provisions
FEDERAL	06/1988 11/2007	✓	Smoking banned on Canadian carrier flights since 1994 and regulated for other transportation within Canada; no smoking in government workplaces or banks; no smoking inside prisons since 2006; amendments to <i>Non-Smokers' Health Act</i> ban DSRs in federal workplaces as of Nov. 14, 2007
Yukon†	10/1994		Smoking banned on premises owned or leased by Yukon government including vehicles; no legislation for public places/workplaces
Nunavut	05/2004	✓	Smoking banned in enclosed workplaces including bars, restaurants, casinos; smoking banned within 3 m of entrances/exits and in all public places; DSRs not allowed except for workers living within workplace (e.g., elders' homes, fly-in mine sites); DSAs‡ allowed in some mines
Manitoba	10/2004	✓	Smoking banned in enclosed public places/workplaces including bars, restaurants, casinos; DSRs not allowed except for residents of group living facilities, hotel rooms, tobacconist shops and Aboriginal cultural purposes
New Brunswick	10/2004	✓	Smoking banned in enclosed public places/workplaces including schools, school grounds, bars (indoor and outdoor), restaurants, casinos; DSRs not allowed except for residents of group living facilities and hotel rooms
Saskatchewan†	01/2005		Smoking banned 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	✓	Smoking banned in enclosed public places/workplaces including bars, restaurants, patios; DSAs not allowed; DSRs not allowed except for residents of long-term care and psychiatric facilities
Alberta†	01/2006 01/2008		Smoking banned in provincial government workplaces and enclosed public places except bars, bingo halls, casinos; smoke-free legislation for all public places and workplaces, with no DSRs, to come into effect Jan. 2008
Prince Edward Island	01/2006		Smoking banned in enclosed public places/workplaces; no smoking in any building on hospital or school grounds as of July 1, 2006; DSRs allowed
ONTARIO	05/2006	✓	Smoking banned in enclosed public places/workplaces including daycares, schools, school grounds, university residences, common areas of condominiums, stores, pharmacies, banks, bus shelters, reserved seats at sports/entertainment venues, bars, restaurants, casinos; no smoking at exits to healthcare facilities; patio smoking restricted; protection for home healthcare workers; DSAs/DSRs not allowed except for residents of nursing homes, veterans' facilities, psychiatric hospitals and hotel guests
Québec	05/2006 05/2008		Smoking banned in enclosed public places/workplaces including schools, school grounds, healthcare facilities, daycares, common areas of multi-unit dwellings, bars, restaurants, casinos, public transit, taxis; patio smoking restricted; DSRs allowed for employers/employees except for schools, nurseries, daycares, community centres; DSRs to be banned May 31, 2008
Northwest Territories	09/2006	✓	Smoking banned in enclosed public places/workplaces including bars, restaurants, casinos; patio smoking restricted; DSRs not allowed except in mines, prisons, nursing homes and enclosed sites where workers live
Nova Scotia§	12/2006	✓	Smoking banned in enclosed public places/workplaces including bars, restaurants, casinos, patios, school grounds; DSRs not allowed except for residents of long-term care facilities
British Columbia	09/2007 ??/2008		No smoking on school grounds as of Sept. 2007; at unspecified date in 2008, smoking will be banned in enclosed public places/workplaces, including bars and restaurants; DSRs will not be allowed

Notes: Ordered by first relevant effective date (month/year)

*DSR = Designated smoking room with separate ventilation; ✓ = DSRs banned with only a small number of defined exceptions

†In the Yukon, Saskatchewan and Alberta, workplace protection covers government workplaces only; protection in Alberta to be expanded in 2008

‡DSA = Designated smoking area (unenclosed)

§Newfoundland/Labrador and Nova Scotia are the only provinces/territories where patios of bars and restaurants are 100% smoke-free

Sources: Federal, provincial and territorial government websites

Reference

U.S. Department of Health and Human Services (U.S. D.H.H.S.). The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006. [http://www.surgeongeneral.gov/library/secondhandsmoke]

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