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PROHIBITION OF TOBACCO SALES IN SPECIFIC PLACES: MONITORING UPDATE

What Is the Issue?

Comprehensive tobacco control policy includes prohibition of tobacco sales in specific places in order to decrease physical availability. Physical availability can be measured in terms of outlet density, meaning how many places sell tobacco per unit of population or geographic area (Cohen and Anglin, in press). Studies show an association between greater outlet density, increased youth smoking (Novak et al. 2006) and higher overall smoking prevalence (Peterson et al. 2005). The more tobacco retailers there are near a school the more likely students are to buy their own cigarettes (Leatherdale and Strath 2007). Convenience is important in determining 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

At the provincial level, the 1994 *Tobacco Control Act* banned tobacco sales in pharmacies and places connected to a pharmacy, public and private hospitals, psychiatric facilities (except for parts of facilities under the *Mental Hospitals Act*) and residential care facilities. It also banned tobacco sales by vending machine. These provisions were retained under the *Smoke-Free Ontario Act* effective May 31, 2006. Ontario still allows tobacco sales in universities, theatres, bars, casinos, etc. (Table SP.1). Locally, Ontario municipalities are authorized to require tobacco retailers to be licensed and to charge an annual tobacco retail license fee. Examples of municipalities that charge such a fee are Ottawa (\$300), Kingston (\$200) and North Bay (\$50).

In a 2007 survey, 38% of Ontario adults said the sale of cigarettes should be phased out over 5 to 10 years and 15% said the sale of cigarettes should be stopped as soon as possible. Another item in the survey showed that 35% of Ontario adults believe tobacco products should be sold in government stores similar to the way alcohol is sold in Ontario and 23% said tobacco products should not be sold at all.¹

International Jurisdictions

The U.S. Institute of Medicine (2007) recommends that tobacco sales outlets be licensed, monitored and restricted as part of the blueprint for reducing tobacco use. In the United Kingdom, the College of Physicians and Surgeons of Glasgow² similarly 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. However, international activity prohibiting the sale of tobacco in specific places is limited. In France, exclusive rights to sell tobacco are given to licensed retailers in specified areas.³ Bhutan – a small country bordering northeast India – 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 2007 CAMH Monitor Survey, "Panel A" Jan-Jun 2007 (n = 1000), analysis by OTRU

² <http://www.rcpsg.ac.uk/TheCollege/consultations/Documents/Tobacco%20Bill%20Consultation%20Response.pdf>

³ <http://www.smoke-free.ca/pdf>

Table SP.1: Prohibition of Tobacco Sales in Specific Places, by Provincial, Territorial and Federal Jurisdiction*, November 2008

Place/Venue	NL	PEI	NS	NB	QC	ON	MB	SK	AB†	BC	YK	NWT	NU	FED
Vending machine		✓	✓	‡	✓	✓		‡				✓	✓	§
Pharmacy	✓	✓	✓	✓	✓	✓			2009			✓	✓	
Hospital		✓	✓		✓	✓		✓	2009	✓			✓	
Healthcare facility		✓	✓		✓	✓		✓	2009	✓			✓	
Residential care facility		✓	✓		✓	✓		✓	2009	✓			✓	
Child day care					✓								✓	
College/university		✓	✓		✓				2009	✓		§		
Grade/high school		✓	✓		✓			✓	2009					
Sports/athletic facility		✓	✓		✓					✓		✓		
Recreational facility		✓	✓		✓			✓		✓		✓		
Theatre/cinema		✓	✓		✓			✓						
Library/art gallery			✓		✓									
Community centre			✓											
Temporary outdoor movable location			✓		✓									
Bar			✓		✓									
Restaurant			✓		✓									
Gaming premises			✓											
Provincial government building		✓	✓					✓		✓				
Municipal government building		✓	✓					✓						
Crown corporation building								✓		✓				

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

†Effective Jan 1, 2009, AB will ban sale of tobacco products in pharmacies and stores that contain a pharmacy, healthcare facilities, colleges, universities and schools under the *Smoke-Free Places (Tobacco Reduction) Amendment Act*

‡ 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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