

Formative Evaluation of the *Smoke-Free Ontario Act*

Comparison of Baseline and Two Post-SFOA Measurements

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November 2007

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Suggested Citation: Dubray, J., Schwartz, R., Garcia, J., Bondy, S., Victor, J.C. Formative Evaluation of the *Smoke-Free Ontario Act*: Comparison of Baseline and Two Post-SFOA Measurements. Toronto, ON: Ontario Tobacco Research Unit, Special Report Series. November 2007.

Acknowledgments

We would like to thank all Public Health Unit enforcement staff who conducted the inspections for this survey.

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Executive Summary

This is the third in a series of reports about the formative evaluation of the *Smoke-Free Ontario Act* (SFOA). The design of the formative evaluation includes three province-wide compliance surveys of randomly selected tobacco vendors and public places (restaurants and bars): one survey conducted before the implementation of the SFOA (May 31st, 2006) and two surveys conducted post-implementation. This report presents the results of the third survey and compares them with the findings of the first two surveys.

In the third survey, a total of 1,507 tobacco vendors and 1,345 public places (restaurants and bars) were inspected by Public Health Unit enforcement staff between May 22nd and June 11th, 2007.

Point of Sale Promotions

The SFOA introduced firm restrictions on point of sale promotion of tobacco products. Prior to the Act's implementation, a substantial proportion of premises engaged in point of sale promotions (68%). One year following the implementation of the Act, point of sale promotions have disappeared from all but 12% of premises. In other words, 88% of vendors were in compliance with all restrictions on point of sale promotions.

Youth Access

The SFOA strengthened existing prohibitions on selling tobacco products to youth under the age of 19. Since May 31st, 2006, vendors are required to request identification of purchasers who appear 25 years of age or less. Ninety percent (90%) of vendors observed the Act's prohibition on sales to minors, while 10% of vendors continued to sell tobacco to underage youth despite the prohibition on sales to under-age youth. There has been no significant change in this rate over the three survey periods.

Twenty-two percent (22%) of vendors did not comply with the requirement of requesting identification of purchasers who appear 25 years of age or less. Seventy-eight percent (78%) of tobacco sales to underage youth occurred when vendors did not ask for proof of age.

Smoke-Free Public Places

As of May 31st, the SFOA prohibits all indoor smoking in public places and puts restrictions on smoking on patios and in smoking shelters with particular characteristics. Compliance with the prohibition on indoor smoking in restaurants and bars has reached a near perfect 99%, a significant increase from the 94% of restaurants and bars that were observed as being smoke-free prior to SFOA implementation. Bars experienced the greatest improvement in compliance. Smoking was observed in 18% of bars prior to SFOA implementation and less than one percent post-SFOA.

The proportion of restaurants and bars with patios whose structure permits smoking under the SFOA increased from 55% at baseline to 70% at the second post-SFOA implementation survey, however this change is not statistically significant.

Glossary

CAWG Community Action Working Group

OTRU Ontario Tobacco Research Unit

POS Point of sale

SFOA *Smoke-Free Ontario Act*

TCAN The 36 Public Health Units in the province are divided into 7 geographic Tobacco Control Area Networks.

TIS Tobacco Inspection System

Introduction

The Ontario Tobacco Research Unit (OTRU) is responsible for comprehensive evaluation of the Smoke-Free Ontario Strategy. An integral part of this effort is a formative evaluation of activities and impacts of the *Smoke-Free Ontario Act* (SFOA). The formative evaluation aims to provide policymakers and managers with timely information about SFOA implementation. The data provide Ministry and Public Health Unit officials with valuable information for planning enforcement strategies. In accordance with the primary objectives of SFOA, the evaluation focuses on the extent of compliance with stipulations that prevent youth from purchasing tobacco, restrict point of sale promotion of tobacco products, and prohibit smoking in public places and workplaces.

Methods

Design

A central component of the evaluation is a compliance survey of tobacco vendors and public places (restaurants and bars) conducted in three rounds: a baseline survey prior to SFOA implementation and two surveys to track post-implementation changes in compliance. Similar to our two previous reports,^{1,2} this report summarizes the findings from the second post-implementation survey and compares findings to the baseline and first post-implementation surveys. In order to understand patterns and trends that emerge from the compliance survey rounds, contextual information is being gathered through interviews, questionnaires and media tracking. This information will be presented in future reports.

Sample

Separate regionally-stratified random samples of tobacco vendors, and restaurants and bars were drawn for each of the baseline, first and second post-implementation compliance surveys. At baseline, the sample was drawn from inventories supplied by all 36 Public Health Units in the province. These inventories were sorted, categorized and merged into two inventories: one inventory for tobacco vendors and one for restaurants and bars. Some of the Public Health Unit inventories were partially outdated and as a result, a list of alternate premises was supplied to each Public Health Unit to use in the case where a selected premise was no longer in business or no longer sold tobacco. Since the baseline survey, the Ministry of Health and Long-Term Care has created the Tobacco Inspection System (TIS), which contains the premises inventories compiled at baseline as a component of the system. Public Health Units are responsible for updating the TIS premises inventory when they enter routine inspection data. The samples for the first and second post-

¹ Schwartz, R., Dubray, J., Garcia, J., Bondy, S., Victor, J.C. Formative Evaluations of the *Smoke-Free Ontario Act*: Summary of the Baseline Compliance Survey. Ontario Tobacco Research Unit, Special Report Series. Toronto, October 2006.

² Dubray, J., Schwartz, R., Garcia, J., Bondy, S., Victor, J.C. Formative Evaluations of the *Smoke-Free Ontario Act*: Comparison of Baseline and Post-SFOA Measurements. Ontario Tobacco Research Unit, Special Report Series. Toronto, May 2007.

implementation compliance surveys were drawn from the TIS premises inventory. Again, lists of alternate premises were provided to use in the case where a selected premise was no longer in business or no longer sold tobacco.

Tobacco vendors were categorized into four trade classes for the first and second post-implementation surveys: chain convenience stores, independent convenience and discount stores, gas stations, and grocery stores. In the baseline survey, restaurants were included as a fifth trade class of tobacco vendor. Due to the declining number of restaurants selling tobacco products, this vendor trade class was excluded from the first and second post-implementation surveys. For sampling purposes, restaurants and bars were grouped into one category (public places) because of the small number of premises listed as distinct bars in the premises inventory. For analysis purposes, tobacco enforcement personnel distinguished between restaurants and bars by noting the primary function of the premises as either eating or drinking alcoholic beverages at the time of inspection. Appendix A lists various types of vendors and public places excluded from the survey (e.g., gift shops and Royal Canadian Legions).

Both the vendor and restaurant/bar samples were stratified at the Tobacco Control Area Network (TCAN) level (see Appendix B). In each TCAN, roughly 240 tobacco vendors and 240 restaurants and bars were randomly selected from the inventories. Equal numbers of vendors were selected in each of the four vendor trade classes. Due to the smaller premises population size and geographic dispersion, the North West and North East TCANs were collapsed into a single Northern area for the survey. Three hundred vendors were selected from the combined Northern area. In order to prevent undue burden on any Public Health Unit, premises were also selected in numbers proportional to the total number of premises in each Public Health Unit within each of the TCANs.

Data Collection

Data for the compliance survey was collected by Public Health Unit enforcement staff as part of their routine responsibilities. They used standard data collection templates jointly developed by the Ministry of Health Promotion and OTRU. These standard data collection templates have been modified between each round of the survey (Appendix C-E). However, the core findings captured on the data collection template have remained constant throughout all three surveys. Some examples of the modifications that occurred between the first and second post-implementation surveys include: the merging of the Youth Access Data Collection Template and the Display, Promotion and Handling Data Collection Template into one Tobacco Vendor Data Collection Template; the addition of three indoor signage questions in the Restaurant and Bars Data Collection Template; and the addition of two point of sale questions in the Tobacco Vendor Data Collection Template. In addition to these modifications, an electronic version of each of the data collection templates has become available resulting in an increase in the use of tablet computers by enforcement staff to capture inspection findings.

In all three surveys, youth access to tobacco products was checked using test shoppers (specially trained youth employed by Public Health Units) who attempted to purchase cigarettes. Public Health Unit enforcement staff conducted point of sale promotions inspections. Restaurants and bars were inspected by enforcement staff to see whether people were smoking. Enforcement staff were instructed to inspect restaurants and bars after 9:00 PM whenever possible. No specified length of time was required for the inspections as they were meant to capture a 'snapshot' of the situation within each premise. Data for the baseline survey was collected between April 18th and May 9th, 2006. Data for the first post-implementation survey was collected four months later, between September 18th and October 8th, 2006. Data for the second post-implementation survey was collected one year following the implementation of the SFOA, between May 22nd and June 11th, 2007.

At the time of both the baseline and first post-implementation surveys, data collection for the point of sale promotions and restaurant and bar inspections was new to the enforcement staff. The Ministry of Health Promotion clarified how to interpret inspection findings following the first post-implementation survey. As such, there was some variability in how the enforcement staff interpreted the findings for these two types of inspections during data collection for both the baseline and first post-implementation surveys.

Completion rates for all three surveys were quite high. All 36 Public Health Units participated in the first and second post-implementation surveys. Enforcement staff inspected 92% of the selected restaurants and bars and 96% of selected tobacco vendors during the second post-implementation survey. These completion rates are comparable to the baseline and first post-implementation survey completion rates. Tables 1 and 2 summarize the total number of premises, number of premises sampled and number of premises that were actually inspected in each trade class for vendors and public places respectively.

In all three surveys, the categorization of vendors changed slightly when the data were returned. In some cases, enforcement staff had categorized vendors differently than the OTRU vendor categorization. Where the vendor categorization differed, the categorization from the enforcement staff was adopted. During restaurant and bar inspections, inspectors ascertained the primary function of the premise as either eating or drinking alcoholic beverages. This distinction was then used in analyzing differences between restaurants and bars.

Table 1: Tobacco Vendor Sample, by Survey Round, 2006 and 2007

Trade Class	Total number of vendors	Number of premises sampled	Number of premises inspected
Baseline (April-May, 2006)*			
Chain convenience	1,339	318	321
Independent convenience and discount stores	6,132	318	338
Gas stations	2,371	320	302
Grocery stores	1,298	320	254
Restaurants	3,154	318	199
Total	14,294	1,594	1,414
First Post-Implementation (September-October, 2006)†			
Chain convenience	1,377	392	384
Independent convenience and discount stores	6,180	395	395
Gas stations	2,420	393	341
Grocery stores	1,347	395	301
Total	11,324	1,575	1,421
Second Post-Implementation (May - June, 2007) †			
Chain convenience	1,493	394	402
Independent convenience and discount stores	6,604	396	414
Gas stations	2,603	392	384
Grocery stores	1,601	394	307
Total	12,301	1,576	1,507

*Data Source: Premises inventories supplied by each of the 36 Public Health Units.

†Data Source: Tobacco Inspection System premises inventory.

Note: Vendor population size does not represent the complete provincial vendor population as vendors listed as belonging to additional categories were excluded from the sample. Please refer to Appendix A for a list of the exclusion criteria.

Note: The number of premises sampled was based on OTRU's original vendor type categorization and the number of premises inspected was based on how the enforcement staff categorized the vendors when they conducted the inspection

Table 2: Restaurant and Bar Sample, by Survey Round, 2006 and 2007

Trade Class	Total number of restaurants/bars	Number of premises sampled	Number of premises inspected
Baseline (April-May, 2006)*			
Restaurants and bars	18,222	1,457	1,430
First Post-Implementation (September-October, 2006)†			
Restaurants and bars	18,368	1,460	1,415
Second Post-Implementation (May - June, 2007)†			
Restaurants and bars	19,083	1,457	1,345

*Data Source: Premises inventories supplied by each of the 36 Public Health Units.

†Data Source: Tobacco Inspection System premises inventory.

Note: Restaurant and bar population size does not represent the complete provincial restaurant and bar population contained in the premise inventory as various types of restaurants and bars were excluded from the sample. Please refer to Appendix A for a list of the exclusion criteria.

Data Analysis

Data analyses for this report were conducted in SAS using the bootstrap method to calculate variance. Bootstrap is a rigorous analysis technique that creates 500 randomly selected sub-samples of the original survey sample, completes the analysis in each sub-sample and then reports the mean proportion and the mean variance from all 500 sub-samples. The resulting mean variance estimation is more robust to outliers and to sampling error than the variance estimation that was used in the baseline report.

During the course of data analysis for the first post-implementation survey, variables that were used in the baseline survey were re-examined. For example, in the baseline survey, the proportion of warnings and charges issued was reported over all inspected premises. In this report, the proportion of warnings and charges issued are reported over non-compliant premises only. This change in the variable definition resulted in a slightly higher estimate than what was reported in the baseline report. Other variables that were changed include: education provided, educational materials provided and all outdoor patio variables.

Interpretation of Results

The purpose of the second post-implementation compliance survey was to provide provincial compliance estimates of tobacco vendors, restaurants and bars with regards to the SFOA one year after the implementation of the Act and compare results with baseline and first post-implementation data. All estimates presented in this report have been weighted to reflect the provincial vendor, restaurant and bar populations. These estimates all have sampling errors associated with them. In this report, we are 95% confident that the interval 80% to 90% covers the true vendor compliance rate.

Significant differences between the baseline and first post-implementation survey estimates are indicated in the text by a probability statement, such as $p < .05$. This means that the probability that the observed difference between the two estimates occurred by chance is less than 5%.

Results

Point of Sale Promotions

The *Smoke-Free Ontario Act* now prohibits many ‘point of sale’ promotions that were common prior to May 31st, 2006. The data in this section provide a summary of compliance with various ‘point of sale’ promotion prohibitions following the implementation of the SFOA. The survey covers six types of point of sale promotion prohibitions:

1. Countertop displays
2. Display that permits handling by a purchaser prior to purchase
3. Display of more than single cigarette packages (i.e., cartons)
4. Decorative or illuminated panels and /or promotional lighting
5. Three dimensional exhibits and/or other devices, instruments and enhancements
6. Outside promotional displays

Provincial Level

A total of eight point of sale promotion prohibitions were monitored in the second post-implementation survey (hereafter referred to as the second follow-up survey): the original set of six point of sale promotions that were monitored in the baseline and first follow-up surveys and two new point of sale promotions. Vendor compliance with both of the new point of sale promotion prohibitions was high, 100% for the presence of three or more promotional signs and 97% for other point of sale infractions (Table 3).

For each of the original six point of sale promotion prohibitions, compliance ranged from 95% to 100% in the second follow-up survey (Table 3). This finding is consistent with the results from the first follow-up survey, where compliance with each of the six point of sale promotion prohibitions ranged from 96% to 100%. Compliance rates for both the first and second follow-up surveys contrast sharply with baseline data, where the proportion of vendors who did not engage in each of the six point of sale promotions ranged from 54% to 90%. Eighty-eight percent (88%) of vendors were compliant with all six original point of sale promotion prohibitions in the second follow-up survey, similar to the 89% compliance observed in the first follow-up survey and up from the 32% of vendors that did not engage in any of the six point of sale promotions at baseline. There was no change in the rates of vendor compliance with the original six point of sale promotion prohibitions between the first and second follow-up surveys.

The greatest change between the baseline and second follow-up survey was observed in the decorative/illuminated panels and/or promotional lighting stipulation (54% to 100%, respectively; $p < .05$). Between the baseline and second follow-up survey, there was roughly a one-third increase in the proportion of vendors who did not have: three dimensional exhibits and/or other devices, instruments and enhancements (60% to 98%; $p < .05$); displays of cigarettes in units greater than a single cigarette package (67% to 95%; $p < .05$); and countertop displays (67% to 97%; $p < .05$). Similarly, the proportion of vendors who did not engage in outside promotional displays increased from 79% at baseline to 99% at the second follow-up ($p < .05$). At baseline, vendors were least likely to have a display that permits handling by a purchaser prior to completing the purchase (10%), which decreased to 1% in the second follow-up survey ($p < .05$).

Table 3: Proportion of Vendors who did not engage in Point of Sale Promotions, by Type of Promotion and Survey Round, 2006 and 2007

Promotion Type	Baseline %	First follow-up %	Second follow-up %
Decorative/illuminated panels and/or promotional lighting	54	98*	100 [†]
Three dimensional exhibits and/or other devices, instruments and enhancements	60	97*	98 [†]
Display of more than single cigarette packages	67	96*	95 [†]
Countertop displays	67	99*	97 [†]
Outside promotional displays	79	96*	99 [†]
Display permits handling by purchaser prior to purchase	90 ³	100*	99 [†]
More than three allowable promotional signs	N/A	N/A	100
Other point of sale promotions infractions	N/A	N/A	97

N/A Data for this infraction was not captured in the baseline and first follow-up survey

* Significant difference between baseline and first follow-up estimates, $p < .05$

[†] Significant difference between baseline and second follow-up estimates, $p < .05$

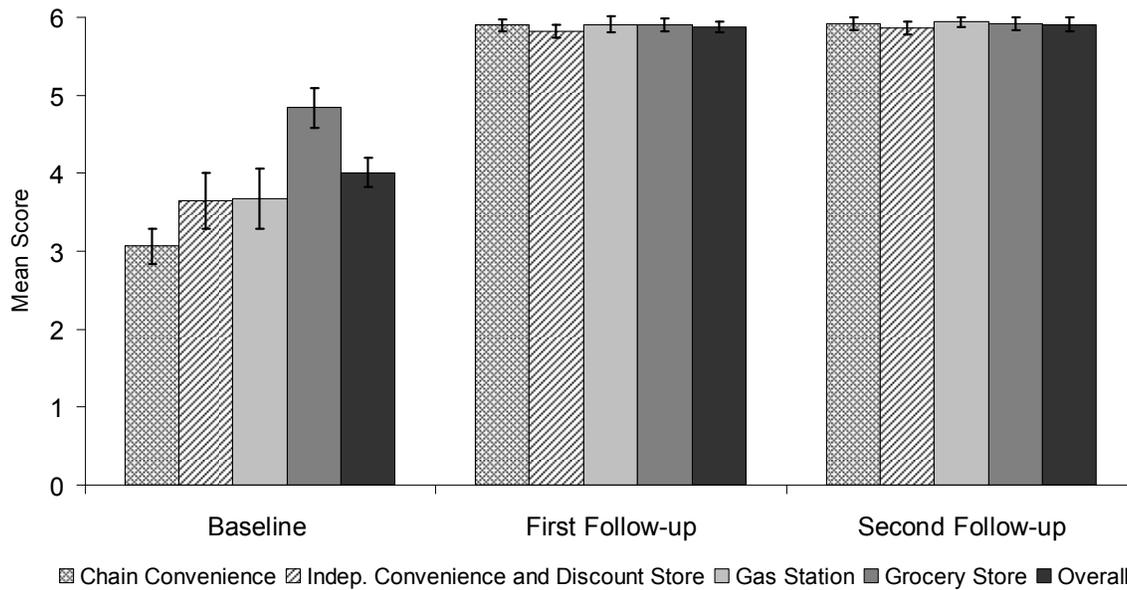
Vendor Type Level

To facilitate tobacco vendor type and geographic comparisons between the baseline and follow-up surveys, a point of sale (POS) index score was created. The six point index score was calculated by summing the number of point of sale promotional activities in which each vendor was not engaged from the original six point of sale promotion prohibitions. For example, a score of 6 would indicate that a vendor was not engaged in any of the six original point of sale promotional activities and a score of 0 would indicate that a vendor was engaged in all six original point of sale promotional activities.

The province-wide mean POS index score increased from 4.01 at baseline to 5.88 at the first follow-up ($p < .05$), and remained at a similar level for the second follow-up survey (5.91). At the baseline measurement, mean POS index scores ranged from a low of 3.07 for chain convenience stores to a high of 4.84 for grocery stores ($p < .05$; Figure 1). At the first and second follow-up surveys, there was no significant difference in mean POS index scores across tobacco vendor types.

³ At the time of the baseline survey, handling tobacco products prior to completing the purchase was prohibited under the *Federal Tobacco Act*. Enforcement staff did not lay any charges for these observed violations.

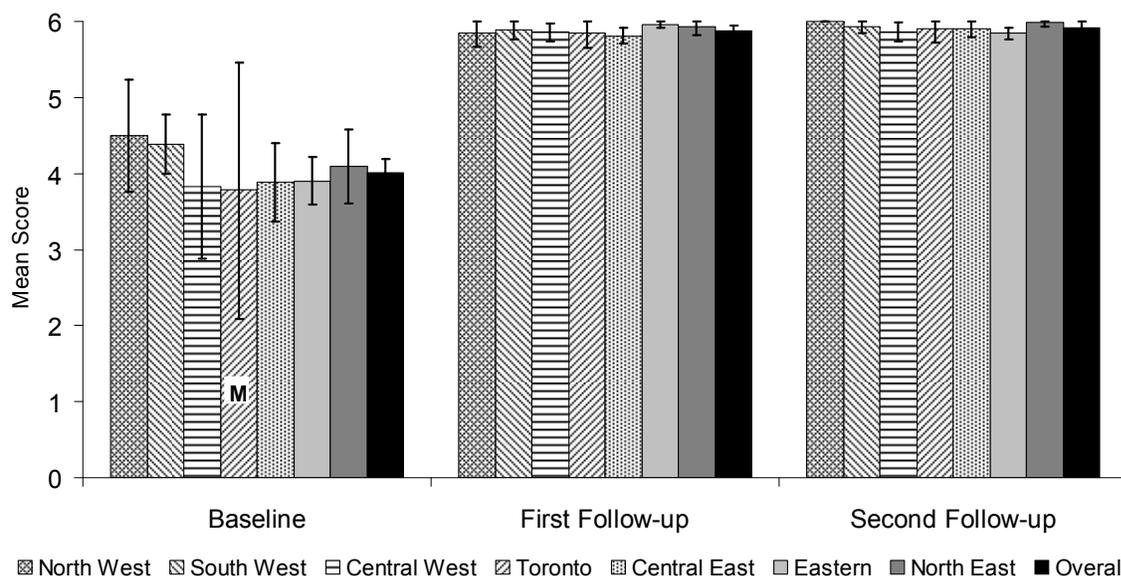
Figure 1: Mean Point of Sale Index Score⁴, by Type of Vendor and Survey Round, 2006 and 2007



TCAN Level

At the baseline measurement, mean POS index scores ranged from 3.78 in the Toronto TCAN to 4.49 in the North West TCAN (Figure 2). At the time of the second follow-up survey one year later, all TCANs achieved significantly higher mean POS index scores, ranging from 5.84 in the Eastern TCAN to 6 in the North West TCAN. There was no significant difference in mean POS index scores between TCANs in any of the three surveys.

⁴ Mean point of sale (POS) index score was calculated by summing the number of point of sale promotional activities in which each vendor was not engaged from the original six point of sale promotion prohibitions. For example, a score of 6 would indicate that a vendor was not engaged in any of the six original point of sale promotional activities and a score of 0 would indicate that a vendor was engaged in all six original point of sale promotional activities.

Figure 2: Mean Point of Sale Index Score⁵, by TCAN and Survey Round, 2006 and 2007


Note: M= Interpret with caution, moderate level of error associated with estimate – Coefficient of Variation (CV) between 16.6% and 33.3%

Education Provided

An integral part of enforcement is providing education about how to comply with legislative requirements. At baseline, Public Health Unit enforcement staff provided education to vendors about the requirements of SFOA in 62% of the inspections. At both the first and second follow-up surveys, a significantly smaller proportion of vendors were provided education during inspections (23% at first follow-up and 24% at second follow-up; $p < .05$). Educational materials were provided to 19% of vendors at baseline and 10% of vendors during both the first and second follow-up surveys (Table 4).

Table 4: Education Provided in Point of Sale Promotions Inspections, by Survey Round, 2006 and 2007

Education Provided	Baseline %	First follow-up %	Second follow-up %
Education provided	62	23 [*]	24 [†]
Educational materials provided	19 ^M	10 ^M	10 ^M

Note: M= Interpret with caution, moderate level of error associated with estimate – Coefficient of Variation (CV) between 16.6% and 33.3%

^{*} Significant difference between baseline and first follow-up estimates, $p < .05$

[†] Significant difference between baseline and second follow-up estimates, $p < .05$

⁵Mean point of sale (POS) index score was calculated by summing the number of point of sale promotional activities in which each vendor was not engaged from the original six point of sale promotion prohibitions. For example, a score of 6 would indicate that a vendor was not engaged in any of the six original point of sale promotional activities and a score of 0 would indicate that a vendor was engaged in all six original point of sale promotional activities.

Action Taken

The Ministry of Health Promotion's *Protocol for Tobacco Vendor and Manufacturer Inspections* (May 2006) applies a continuum of progressive enforcement to help achieve compliance with the SFOA. In this model, a vendor who exhibits non-compliance upon the initial inspection following the implementation of the SFOA will be issued a warning as the initial step on the continuum of increasingly stringent enforcement options. A subsequent re-inspection is scheduled within 5 working days (for display, promotion and signage only). If a vendor continues to exhibit non-compliance upon re-inspection, the next step on the continuum is to issue a charge. It was not determined that the inspections conducted during the baseline and both follow-up surveys were initial inspections following the implementation of the SFOA or subsequent re-inspections.

In the second follow-up survey, 132 out of 1,507 vendors were non-compliant for one or more of the point of sale promotion prohibitions. Sixty-four non-compliant vendors were issued verbal warnings, 17 vendors were issued written warnings and one non-compliant vendor was charged during the second follow-up survey. In comparison to the action taken during the first follow-up survey, the number of written warnings issued decreased from 65 to 17 while the number of charges laid remained low – down from 3 to 1.

Youth Access

Since 1994, the *Tobacco Control Act* (TCA) has restricted the sale and supply of tobacco products to youth under the age of 19. The SFOA has strengthened existing youth access prohibitions by requiring that vendors request identification of purchasers who appear 25 years of age or less.

Provincial Level

Sales to Underage Youth: The overall rate of compliance throughout the province with the prohibition on selling tobacco to underage youth was 90%. A similar rate was observed in both the baseline and first follow-up surveys (Table 5).

Proof of Age: All test shoppers appear to be 25 years of age or less. Seventy-eight percent (78%) of vendors requested proof of age from test shoppers (Table 5). There was no significant change in the proportion of vendors who requested proof of age from test shoppers since the baseline survey (77%) or first follow-up survey (80%). It is important to note that during the second follow up survey, the vast majority of sales to underage youth (78%) occurred when vendors failed to request proof of age – similar to the 88% and 83% observed during the first follow-up and baseline surveys respectively.

Table 5: Proportion of Vendors in Compliance with the Youth Access Stipulations, by Survey Round, 2006 and 2007

Stipulation	Baseline %	First follow-up %	Second follow-up %
Prohibition on tobacco sales to underage youth*	88	88	90
Proof of age request made by vendor†	77	80	78

* No change in the stipulation between the TCA and the SFOA.

† Stronger regulation in the SFOA compared to the TCA.

Signage: A significantly higher proportion of vendors displayed the required age identification sign during the second follow-up survey (95% vs. 87% at baseline; $p < .05$; Table 6). Similarly, vendor compliance with the posting of the required health warning sign increased between baseline (79%) and the second follow-up survey (96%; $p < .05$). There were no significant differences in the compliance with posting the age identification or health warning signs between the first and second follow-up survey. The sale of tobacco to underage youth was not associated with posting of either required sign during any of the three surveys. During the second follow-up survey, 97% of vendors had the required no smoking sign posted.

Table 6: Proportion of Vendors in Compliance with the Required Signage Stipulations, by Survey Round, 2006 and 2007

Stipulation	Baseline %	First follow-up %	Second follow-up %
Age identification required sign posted	87	92	95†
Health warning sign posted	79	92*	96†
No smoking sign posted	N/A	N/A	97

* Significant difference between baseline and first follow-up estimates, $p < .05$

† Significant difference between baseline and second follow-up estimates, $p < .05$

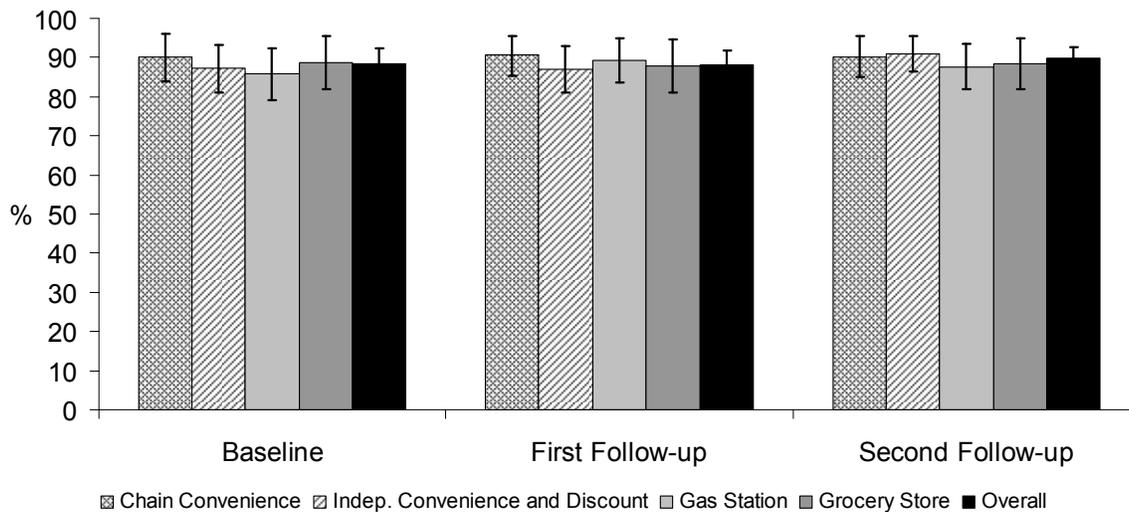
Vendor Type Level

There were no significant differences between vendor types in compliance rates with sales to underage youth in any of the three surveys (Figure 3). The range of compliance among vendor types with the prohibition on tobacco sales to underage youth was very narrow in the second follow-up survey (87% to 91%). Compliance rates were also similar among vendor types for the required posting of age identification signs, health warning signs and vendor proof of age requests in all three surveys. Vendor compliance with posting the no smoking signs did not vary between vendor types in the second follow-up survey.

Within vendor types, there were significant increases in compliance across the three surveys. Gas stations displayed a higher level of compliance with posting the age restriction signs during the second follow-up survey compared to baseline survey (97% vs. 87%, respectively; $p < .05$). From baseline to the first follow-up survey, posting the required health warning signs increased in both

grocery stores (74% to 94%; $p < .05$) and independent convenience stores (79% to 92%; $p < .05$). By the time of the second follow-up survey, vendor compliance with posting the health warning sign increased in all four vendor types from baseline observations: chain convenience (80% to 98%; $p < .05$), gas stations (79% to 96%; $p < .05$), grocery (74% to 97%; $p < .05$) and independent convenience (79% to 96%; $p < .05$). There was no difference in the rate of compliance with posting the required signs within vendor types between the first and second follow-up survey.

Figure 3: Proportion of Vendors who did not sell Tobacco to an Underage Youth, by Type of Vendor and Survey Round, 2006 and 2007



TCAN Level

Sales to underage youth: Compliance with the prohibition on tobacco sales to underage youth ranged from 78% in the North West TCAN to 94% in the North East and South West TCANs at the second follow-up (Figure 4). There were no significant changes across survey rounds in rates of compliance with the prohibition on tobacco sales to underage youth between or within any of the TCANs.

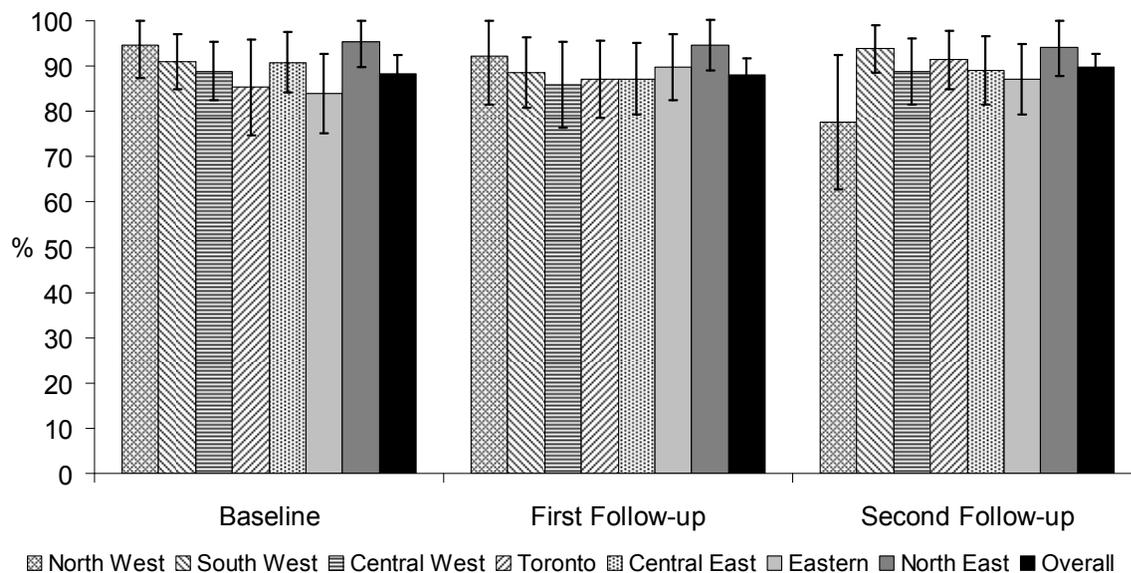
Proof of age: Vendor compliance with requesting proof of age varied between TCANs at the second follow-up, ranging from 68% of vendors in the Toronto TCAN to 88% in the North East TCAN ($p < .05$). Similarly, there was a wide range in the proportion of tobacco vendors requesting proof of age from the test shopper between TCANs in the baseline survey, from 64% in the Toronto TCAN to 88% in the North East and North West TCANs, and the first follow-up survey, from 68% of vendors in the Toronto TCAN to 92% in the Eastern TCAN ($p < .05$). Within each TCAN, the only significant change in the rate of vendor compliance with the proof of age requirement occurred in the Eastern TCAN, 92% at first follow-up down to 70% at second follow-up ($p < .05$).

Signage: Vendors in the the North West TCAN (100%) and North East TCAN (100%) were more likely to post the required health warning signs than the provincial estimate of 96% during the

second follow-up survey ($p < .05$). At the first follow-up, there was no difference in the rate of compliance between TCANs for vendors posting the required health warning sign. However at baseline, tobacco vendors in the North West TCAN were least likely to post the health warning signs (20%) compared to the provincial estimate of 79% across all TCANs ($p < .05$). At the first follow-up, tobacco vendors in the Central West TCAN were more likely to post the required age identification sign (99%) compared to the provincial estimate of 92% across all TCANs ($p < .05$). Compliance with posting of the required age identification sign did not differ between TCANs at baseline or at the second follow-up. Vendor compliance with posting the no smoking signs did not vary between TCANs in the second follow-up survey.

Within TCANs, there were some significant increases in compliance with posting required signage. From baseline to the first follow-up survey, the only significant change in compliance was observed in the posting the required health warning signs in four TCANs: North West TCAN (20% to 98%; $p < .05$), Central West TCAN (66% to 92%; $p < .05$), Eastern TCAN (76% to 95%; $p < .05$) and North East TCAN (75% to 96%; $p < .05$). By the time of the second follow-up survey, vendors in 6 of the TCANs had increased their compliance with posting the health warning signage compared to baseline estimates: North West TCAN (20% to 100%; $p < .05$), South West TCAN (75% to 98%; $p < .05$), Central West TCAN (66% to 94%; $p < .05$), Central East TCAN (84% to 99%; $p < .05$), Eastern TCAN (76% to 97%; $p < .05$), and North East TCAN (75% to 100%; $p < .05$). It should be noted that vendors in the Toronto TCAN had a high compliance with posting the health warning signs at the baseline survey (92%) and this compliance rate has remained unchanged in the two follow-up surveys. The only significant change in vendor compliance with posting the required age identification signs between baseline and the second follow-up survey occurred in the Central East TCAN, where vendor compliance increased from 78% at baseline to 98% at second follow-up ($p < .05$).

Figure 4: Proportion of Vendors who did not sell Tobacco to an Underage Youth, by TCAN and Survey Round, 2006 and 2007



Education Provided

The proportion of vendors who received education during Youth Access inspections has steadily decreased from 32% at baseline to 9% at the second follow-up ($p < .05$; Table 7). Educational materials were provided to only 4% of vendors at first follow-up compared to 9% at baseline.

Table 7: Education Provided in Youth Access Inspections, by Survey Round, 2006 and 2007

Educational Activities	Baseline %	First follow-up %	Second follow-up %
Education provided	32	11*	9 ^{M†}
Educational materials provided	9 ^M	4 ^M	UR

Note: M= Interpret with caution, moderate level of error associated with estimate – Coefficient of Variation (CV) between 16.6% and 33.3%.

UR= Estimate is not reportable by Statistics Canada standards – Coefficient of Variation (CV) exceeds 33.3%.

* Significant difference between baseline and first follow-up estimates, $p < .05$

† Significant difference between baseline and second follow-up estimates, $p < .05$

Action Taken

The Ministry of Health Promotion's *Protocol for Determination of Tobacco Vendor Compliance* (May 2006) applies a continuum of progressive enforcement to help achieve compliance with the SFOA. In this model, a vendor who exhibits non-compliance upon an initial inspection (compliance check) will be issued a warning as the first step on the continuum. A subsequent re-inspection (enforcement check) is scheduled within 3 months. If a vendor continues to exhibit non-compliance upon re-inspection, the next step is to issue a charge. It was not determined that the inspections conducted during the baseline and both follow-up surveys were initial inspections following the implementation of the SFOA or subsequent re-inspections.

At second follow-up, 158 out of 1,507 vendors sold tobacco to an underage youth at the time of the inspection. Thirty-one of these non-compliant vendors were issued a verbal warning, 63 were issued written warnings, and 56 were charged. The proportion of non-compliant vendors to whom warning letters or charges were issued was similar across all three surveys (Table 8). Most of the action taken against non-compliant vendors occurred when a vendor sold tobacco to an underage youth at the time of the inspection. Non-compliance with proof of age and signage requirements did not generally lead to issuing warning letters or to the laying of charges.

Table 8: Action Taken in Youth Access Inspections when Tobacco was supplied to an Underage Youth, by Survey Round, 2006 and 2007

Action Type	Baseline %	First follow-up %	Second follow-up %
Warning letter issued	56	79	54
Charges laid	50 ^M	40 ^M	48 ^M

Note: M= Interpret with caution, moderate level of error associated with estimate – Coefficient of Variation (CV) between 16.6% and 33.3%.

Smoke-Free Public Places (Restaurants and Bars)

As of May 31st, 2006, the *Smoke-Free Ontario Act* prohibited all indoor smoking in public places and placed restrictions on smoking on patios and in smoking shelters with particular characteristics.

Indoor Smoking: Provincial and Public Place Type Levels

Compliance with the prohibition on indoor smoking in restaurants and bars reached a near perfect 99.9% during the first follow-up survey and remained the same during the second follow-up survey (99%; Table 9). This is a significant increase from the 94% of restaurants and bars that were observed as being completely smoke-free at baseline, including both designated and non-designated smoking areas ($p < .05$).⁶ At baseline, excluding designated smoking rooms, 96% of restaurants and bars were observed as being smoke-free.

Table 9: Proportion of Restaurants and Bars that were observed as being Smoke-Free and had the Required No Smoking Signage posted, by Survey Round, 2006 and 2007

Stipulation	Baseline %	First follow-up %	Second follow-up %
No smoking observed	94	99.9 [†]	99 [†]
No ashtrays present	94	99 [*]	99 [†]
No smoking signs posted (combined)	67	76 [*]	90 ^{†‡}
No smoking signs posted at entrances and exits	N/A	N/A	85
No smoking signs posted in washrooms	N/A	N/A	72
No smoking signs posted in seating area	N/A	N/A	64

N/A Data for this infraction was not captured in the baseline and first follow-up survey

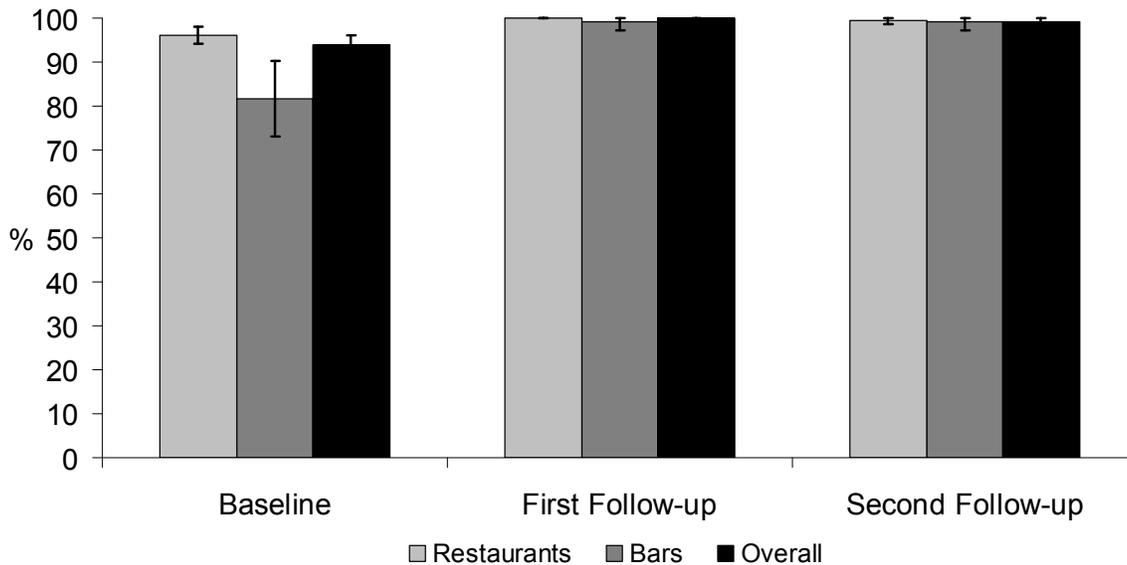
^{*} Significant difference between baseline and first follow-up estimates, $p < .05$

[†] Significant difference between baseline and second follow-up estimates, $p < .05$

[‡] Restaurants and bars that had no smoking signs posted in one or more of the three required locations (i.e. entrances/exits, washrooms, and seating areas)

At baseline, restaurants were more likely to be observed as being smoke-free than bars (98% vs. 84%, respectively; $p < .05$; Figure 5). The proportion of bars that were observed as being smoke-free increased significantly from 84% at baseline to 99% at the first follow-up ($p < .05$). There was no difference in indoor smoking compliance rates between or within restaurants and bars at either the first or second follow-up.

⁶ At the time of the baseline survey, there were an estimated 500-600 restaurants and bars in the province with DSRs (MOHLTC Health Update: Designated Smoking Rooms, 2006), comprising less than 5% of all restaurants and bars in the province. In addition, 92% of the Ontario population was living in a community with a smoke-free restaurant by-law and 89% was living in a community with a smoke-free bars by-law (Ontario Tobacco Research Unit, Monitoring and Evaluation Series: Number 3: Indicators of OTS Progress, 2004).

Figure 5: Proportion of Restaurants and Bars observed as being completely Smoke-Free Indoors, by Type of Public Place and Survey Round, 2006 and 2007

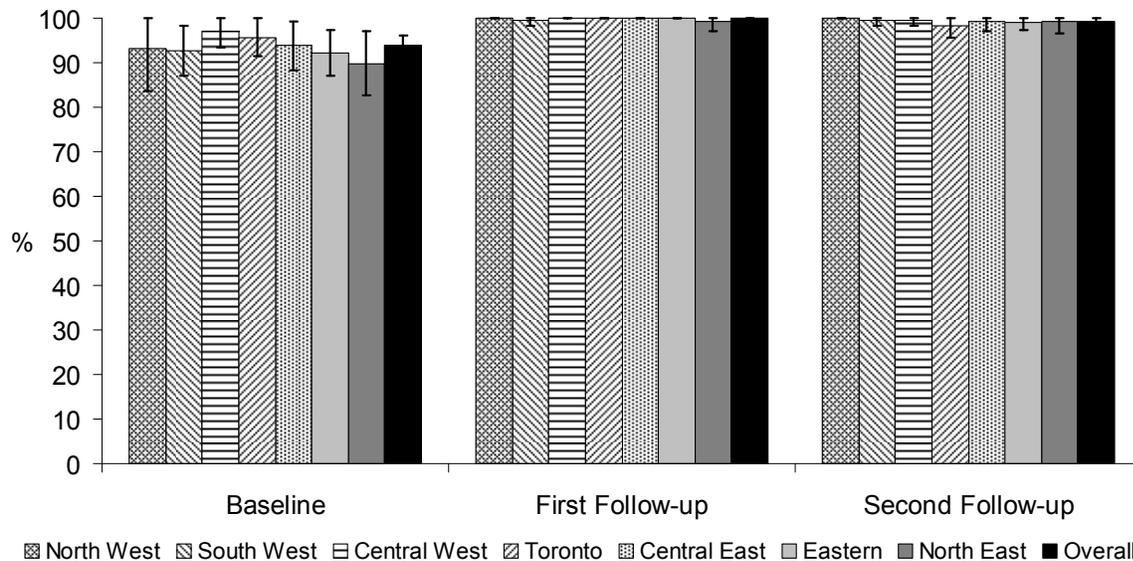
Almost all restaurants and bars were compliant with the prohibition on indoor ashtrays at the second follow-up (99% vs. 94% at baseline; $p < .05$; Table 9). Compliance did not differ between restaurants and bars for the prohibition on indoor ashtrays at either follow-up survey, whereas at baseline, restaurants were more likely to be observed without ashtrays present indoors than bars (96% vs. 83%, respectively; $p < .05$). Ninety percent (90%) of restaurants and bars had no smoking signs posted in one or more of the three required locations (i.e., at the entrance and exit, in the washrooms and the seating area) during the second follow-up survey (Table 9). Compliance with posting the required no smoking signs varied by location inside restaurants and bars: 85% had signs posted at the entrances and exits, 72% had signs posted in the washrooms, and 64% had signs posted in the seating area. Data collected during the baseline and first follow-up survey did not specify the location of the no smoking signs. About three-quarters (76%) of restaurants and bars had posted the required no smoking signage at the first follow-up, up significantly from the 67% of restaurants and bars observed posting the no smoking signage at baseline ($p < .05$). The proportion of restaurants and bars observed posting the required ‘no smoking’ signs was similar between restaurants and bars in all three surveys.

Indoor Smoking Prohibition: TCAN Level

There were no differences in indoor smoking compliance rates between TCANs during the first and second follow-up surveys (Figure 6). At baseline, the Toronto TCAN had a higher proportion of restaurants and bars that were observed as being smoke-free compared to the provincial average (100% vs. 94%, respectively; $p < .05$). Similarly, there was no difference in compliance with the indoor ashtray prohibition between TCANs during the first and second follow-up surveys. However, at baseline, the Toronto TCAN had a significantly higher proportion of restaurants and bars that

were observed as having no indoor ashtrays compared to the provincial average (100% vs. 94%, respectively; $p < .05$). At baseline and second follow-up, there was no difference between TCANS in the rate of compliance for restaurants and bars posting the required no smoking signs. In contrast, restaurants in the North West TCAN had a significantly higher compliance rate for posting no smoking signs (94%) at the first follow-up compared to the provincial average (76%; $p < .05$).

Figure 6: Proportion of Restaurants and Bars observed as being Smoke-Free Indoors, by TCAN and Survey Round, 2006 and 2007



Patio Smoking Prohibition

The SFOA allows for outdoor smoking except under covered patios with certain structural characteristics. The second follow-up survey revealed that 31% of all restaurants and bars had patios, a similar proportion to the 29% observed at the first follow-up and 25% observed at baseline. Similar to the baseline survey, bars were more likely to have a patio at the second follow-up survey (50%) compared to restaurants (29%; $p < .05$). There was no difference between restaurants and bars in the proportion of premises with patios at the first follow-up survey. The proportion of restaurant and bar patios that have a structure that would not allow for smoking under the SFOA has steadily decreased (although statistically non-significant) from 45% at baseline to 35% at first follow-up to 30% at second follow-up. Continuing the trend from baseline and first follow-up, most of these patios were covered with permanent structures (67% at baseline, 68% at first follow-up, and 78% at second follow-up).

At the time of inspection, people were sitting outside on 43% of restaurant and bar patios where the structure would prohibit smoking under the SFOA. Overall, compliance with the smoking prohibition on patios where the structure prohibited smoking under the SFOA guidelines increased

(although statistically non-significant) between the first follow-up survey (62%) and second follow-up survey (73%). There was no difference in restaurant and bar compliance with the prohibition on ashtrays on patios between the first and second follow-up surveys (86% vs. 82%, respectively). Similarly, restaurants and bars did not differ in their compliance with posting the required no smoking sign on patios between the first and second follow-up surveys (52% vs. 56%, respectively). Comparable compliance estimates from the baseline survey were too small to report.

Due to the small number of patios whose structure would prohibit smoking under the SFOA, further analyses of compliance with the outdoor smoking prohibition at the restaurant and bar, and TCAN-level could not be reported. Comparisons could not be reported between compliance estimates for bars and restaurants and TCANs due to the smaller number of patios whose structure would prohibit smoking under the SFOA.

Education Provided

Enforcement staff provided education to a significantly smaller proportion of restaurants and bars during both follow-up surveys compared to baseline ($p < .05$; Table 10). This is likely related to relatively intensive educational efforts in preparation for the May 31st, 2006 implementation of the SFOA. In comparison, the proportion of restaurants and bars that received educational materials from enforcement staff doubled between baseline and both first and second follow-up surveys (13% to 26% to 27%, respectively; $p < .05$). The increase in providing educational materials is apparently due to an increase in the provision of no smoking signs at follow-up.

Table 10: Education Provided in Restaurant and Bar Inspections, by Survey Round, 2006 and 2007

Educational Activities	Baseline %	First follow-up %	Second follow-up %
Education provided	53	33*	38†
Educational materials provided	13	26*	27†

* Significant difference between baseline and first follow-up estimates, $p < .05$

† Significant difference between baseline and second follow-up estimates, $p < .05$

Action Taken

The Ministry of Health Promotion's *Protocol for Smoke-Free Inspection for Enclosed Workplaces and Public Places* (May 2006) applies a continuum of progressive enforcement actions—starting with education and progressing from warnings to increasingly more serious charges to match the nature and frequency of contraventions under the Act. In this model, a restaurant or bar that exhibits non-compliance with the signage stipulations upon the completion of the initial inspection following the implementation of the SFOA will be issued a warning as the initial step on the continuum of progressive enforcement. A subsequent re-inspection is scheduled within 5 working days. If a restaurant or bar continues to exhibit non-compliance with the signage stipulations upon re-inspection, the next step in the continuum is to issue a charge. In contrast, if a restaurant or bar

exhibits non-compliance with the indoor or outdoor smoking restrictions upon the completion of the first inspection following the implementation of the SFOA, the proprietor will be charged. It was not determined that the inspections conducted during the baseline and both follow-up surveys were initial inspections following the implementation of the SFOA or subsequent re-inspections.

Very little action was taken to gain compliance with the smoke-free enclosed workplaces and public places prohibitions at baseline. At the second follow-up, 736 out of 1,345 restaurants and bars were non-compliant with one or more of the indoor smoking and outdoor patio stipulations. Most of the observed non-compliance was related to the posting of the three indoor no smoking signs. One-hundred and forty of these non-compliant restaurants and bars were issued verbal warnings. Written warning letters were issued to only 23 of non-compliant restaurants and bars, down significantly from the 104 warning letters that were issued during the first follow-up ($p < .05$). Two restaurant and bar owners and 1 patron were charged as a result of non-compliance, which is similar to the number of charges issued during the first follow-up survey.

Conclusion

This report provides an in depth look at the compliance with stipulations regarding point of sale promotions, youth access and smoke-free public places before, immediately after and one year following the implementation of the SFOA.

Continuing the trend that was observed four months after the Act was implemented, compliance with major stipulations of the SFOA remains very high one year after implementation. Indoor smoking has all but disappeared in bars and restaurants, at least at the time of observation. Compliance with smoking on outdoor patios appears to have increased as a result of changes being made to restaurants and bar patio structures to accommodate the outdoor patio regulations.

An encouraging finding is that the proportion of tobacco vendors who engaged in any form of point of sale promotions decreased from 68% at baseline to 11% four months after the Act was implemented and remained low one year after the Act came into effect (12%). This continuation of high levels of compliance bodes well for the implementation of the final point of sale advertising ban to come into effect May 31, 2008.

One year after implementation, the SFOA does not appear to have affected illegal sales of tobacco to underage youth. In test shops conducted as part of the compliance survey, 10% of vendors persisted in completing such sales. There was no change in this rate in comparison with the pre-SFOA baseline survey or the first follow-up survey. Twenty-two percent of vendors neglected to ask for proof of age as required. A further study will focus on patterns associated with sales to underage youth.

Overall, the survey findings suggest that substantial majorities of vendors and of restaurants and bars are complying with major stipulations of the SFOA. This situation suggests that it may be time for a risk-based approach to inspection, coupled with a variable enforcement schedule, in which resources are targeted at premises identified as more likely to be non-compliant. Further evaluation work will focus on characterizing higher risk premises. This work will be informed by analysis of data from all three compliance surveys and from more qualitative data collection from tobacco enforcement personnel.

Appendix A: Premise Exclusion Criteria

Types of Premises Excluded from Survey

Tobacco Vendors
Adult entertainment facilities
Banquet facilities
Bars
Bingo halls
Bowling centers
Bulk food stores
Campgrounds
Caterers
Department stores (e.g., K-Mart, Zeller's)
Duty-free stores
First Nations
Gift shops
Hotels/Motels/Inns
Hospitals/Institutions
Meat/butcher shops
Mobile catering (e.g., chip wagons)
Private Clubs (e.g., Canadian Legions and Golf and Country Clubs)
Racetracks
Resorts
Shopping centre kiosks
Snack bars/refreshment stands/canteens
Trailer parks
Water parks
Wholesale stores (e.g., Costco, Sam's)

Public Places
Arcades
Banquet facilities
Bed and Breakfasts
Bingo halls
Bowling centres
Cafeterias
Campgrounds
Caterers
Dinner theatres
Fast food restaurants/food court vendors
Ice cream parlours (e.g., Dairy Queen)
Movie theatres
Private Clubs (including Canadian Legions and Golf and Country Clubs)
Racetracks
Resorts
Submarine sandwich shops

Appendix B: Tobacco Control Area Networks



* Lead Health Unit



* Lead Health Unit

Appendix C: Baseline Survey Data Collection Sheets



TOBACCO VENDOR DISPLAY, PROMOTION AND HANDLING
DATA COLLECTION SHEET

Findings:

1. Counter top display present	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. More than single cigarette packages displayed	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Tobacco products displayed in a manner that permits handling by a purchaser before a purchase	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. Decorative or illuminated panels and/or promotional lighting present	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5. Three-dimensional exhibits and/or any other device, instrument or enhancement present	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6. Age identification signage	<input type="checkbox"/> Government issued	
	<input type="checkbox"/> Operation ID	
	<input type="checkbox"/> Not to Kids!	
	<input type="checkbox"/> We Expect ID	

Action Taken:

1. Warning Letter Issued:	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
2. Education Provided	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
3. Educational Material Provided:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	
4. Charges Laid:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Pending	Part I _____ Part III _____

Officer's Name:	_____
Officer's Signature:	_____



TOBACCO VENDOR COMPLIANCE AND ENFORCEMENT CHECK
DATA COLLECTION SHEET

Test Shopper Age: _____

Test Shopper Gender: Male Female

Vendor Age: Adult 26 and over Youth 25 and under Undetermined

Vendor Gender: Male Female

Findings:

- | | | |
|--------------------------------------|------------------------------|-----------------------------|
| 1. Age of test shopper requested: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Proof of age requested: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Proof of age presented: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Tobacco supplied to test shopper: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 5. Health Warning sign posted: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 6. Age Identification sign posted: | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Action Taken:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|--|
| 1. Warning Letter Issued: | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 2. Education Provided | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| 3. Educational Material Provided: | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| 4. Charges Laid: | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Pending Part I _____ Part III _____ |

Officer's Name: _____

Officer's Signature: _____



SMOKE FREE WORKPLACE AND PUBLIC PLACES INSPECTIONS
DATA COLLECTION SHEET

Designated Smoking Room:

4. Does the premise have a designated smoking room? Yes No
5. One or more people smoking or holding lighted tobacco Yes No N/A

Outdoor Patio:

6. Does the premise have an outdoor patio? Yes No
7. Is the structure of the patio such that smoking is prohibited under the Smoke Free Ontario Act regulations? Yes No N/A
- Patio has a roof in the form of:
- | | | | |
|----------------------------|------------------------------|-----------------------------|------------------------------|
| Awning | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| Tarp | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| Canvas sheet | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| Other permanent cover | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| Other temporary cover | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| Other prohibited structure | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
- Please Specify: _____
8. Are people sitting outside on the patio? Yes No N/A
9. One or more people smoking or holding lighted tobacco Yes No N/A
10. Ashtrays or similar equipment present Yes No N/A
11. Prescribed signage posted Yes No N/A

Outdoor Smoking Shelter:

12. Does the premise have a smoking shelter as defined by the Smoke Free Ontario Act regulations? Yes No
13. Structure of smoking shelter such that smoking is prohibited under the Smoke Free Ontario Act regulations Yes No N/A
14. One or more people smoking or holding lighted tobacco Yes No N/A
15. Ashtrays or similar equipment present Yes No N/A
16. Prescribed signage posted Yes No N/A



SMOKE FREE WORKPLACE AND PUBLIC PLACES INSPECTIONS
DATA COLLECTION SHEET

Outdoor Smoke Inside:

17. Visible tobacco smoke drifting inside from the outdoor smoking area Yes No N/A

Action Taken:

- 1. Verbal Warning Issued for signage violation Yes No
- 2. Education Provided Yes No
- 3. Educational Material Provided Yes No
- 4. Charges laid to employer or proprietor

	Smoking		Ashtrays		Signage	
	Indoor	Outdoor	Indoor	Outdoor	Indoor	Outdoor
Part I	<input type="checkbox"/>					
Part II	<input type="checkbox"/>					
Pending	<input type="checkbox"/>					

5. Charges laid to individuals for smoking

	Patron		Employee	
	Indoor	Outdoor	Indoor	Outdoor
Part I	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Part II	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pending	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Officer's Name: _____

Officer's Signature: _____

Appendix D: First Post-Implementation Survey Data Collection Sheets



TOBACCO VENDOR COMPLIANCE AND ENFORCEMENT CHECK

(Youth Access)

Findings:

- 1. Age of test shopper requested: Yes No
- 2. Proof of age requested: Yes No
- 3. Proof of age presented: Yes No
- 4. Tobacco supplied to test shopper: Yes No
- 5. Health Warning/Age Restriction Sign posted: Yes No
- 6. Identification sign posted: Yes No

Action Taken: No Compliant Access Restriction Other
 Yes

- 1. Warning Letter Issued: Yes No
- 2. Education Provided: Yes No
- 3. Educational Material Provided: Yes No
- 4. Charges Laid: Yes No

Charge	Part I	Part III	Section	Ticket	Summons	Pending
1 st	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
2 nd	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
3 rd	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
4 th	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>

Comments:

Officer's Name: _____

Officer's Signature: _____



SMOKE-FREE WORKPLACE AND PUBLIC PLACES INSPECTION
DATA COLLECTION SHEET

Outdoor Patio:

6. Does the premise have an outdoor patio? Yes No
7. Is the structure of the patio such that smoking is prohibited under the Smoke Free Ontario Act Regulations? Yes No N/A
- Patio has a roof in the form of:
- | | | | |
|----------------------------|------------------------------|-----------------------------|------------------------------|
| Awning | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| Tarp | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| Canvas sheet | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| Other permanent cover | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| Other temporary cover | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
| Other prohibited structure | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |
- Please Specify: _____
8. Are people sitting outside on the patio? Yes No N/A
9. One or more people smoking or holding lighted tobacco Yes No N/A
10. Ashtrays or similar equipment present Yes No N/A
11. Signage posted Yes No N/A

Outdoor Smoking Shelter:

12. Does the premise have a smoking shelter as defined by the Smoke-Free Ontario Act/Regulation? Yes No
13. Structure of smoking shelter such that smoking is prohibited under the Smoke-Free Ontario Act/Regulation Yes No N/A
14. One or more people smoking or holding lighted tobacco Yes No N/A
15. Ashtrays or similar equipment present Yes No N/A
16. Signage posted Yes No N/A

Outdoor Smoke Inside:

17. Visible tobacco smoke drifting inside from the outdoor smoking area Yes No N/A

Action Taken: No Compliant Other _____
 Yes

- | | | |
|--|------------------------------|-----------------------------|
| 1. Verbal Warning Issued for signage violation | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Education Provided | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Educational Material Provided | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Charges laid to employer or proprietor | <input type="checkbox"/> Yes | <input type="checkbox"/> No |



SMOKE-FREE WORKPLACE AND PUBLIC PLACES INSPECTION
DATA COLLECTION SHEET

Indoor/ Outdoor	Smoking/ Ashtray/ Signage	Part I	Part III	Section	Ticket	Summons	Pending
		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>

5. Charges laid to individuals for smoking: No Compliant Other _____
 Yes

Employee/ Patron	Part I	Part III	Section	Ticket	Summons	Pending
	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/>



SMOKE-FREE WORKPLACE AND PUBLIC PLACES INSPECTION
DATA COLLECTION SHEET

Comments:

Officer's Name: _____
Officer's Signature: _____

Appendix E: Second Post-Implementation Survey Data Collection Sheets



TOBACCO VENDOR INSPECTION FORM

PHIIS Premise ID: <input type="checkbox"/>				PHU Premise ID: <input type="checkbox"/>			
Legal Name: _____				Area #: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
Operating Name: _____							
Unit Number: _____			Street Number: <input type="checkbox"/> 911				
Street Name: _____			Street Type: _____				
Street Direction: <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> N/East <input type="checkbox"/> S/East <input type="checkbox"/> N/West <input type="checkbox"/> S/West							
City/Town: _____			Municipality: _____				
Postal Code: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> - <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			Telephone Number: (<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>) <input type="checkbox"/> Ext. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
Owner Name: _____			Fax Number: (<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>) <input type="checkbox"/>				
Primary Contact: <i>(if different than above)</i>							
Unit Number: _____			Street Number: <input type="checkbox"/> 911				
Street Name: _____			Street Type: _____				
Street Direction: <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> N/East <input type="checkbox"/> S/East <input type="checkbox"/> N/West <input type="checkbox"/> S/West							
City/Town: _____			Municipality: _____				
Postal Code: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> - <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			Telephone Number: (<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>) <input type="checkbox"/> Ext. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				
Fax Number: (<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>) <input type="checkbox"/>							
Date of Visit: <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> (YYYY) (MM) (DD)		Time: <input type="checkbox"/> <input type="checkbox"/> : <input type="checkbox"/> <input type="checkbox"/> HH MM		<input type="checkbox"/> AM <input type="checkbox"/> PM			
Inspection Type:		<input type="checkbox"/> Compliance Check		<input type="checkbox"/> Enforcement Check			
<input type="checkbox"/> Display & Promotion		<input type="checkbox"/> Complaint		<input type="checkbox"/> Automatic Prohibition			
				<input type="checkbox"/> Education			
				<input type="checkbox"/> Other: _____			
Status:		<input type="checkbox"/> Active		<input type="checkbox"/> Closed at time of inspection			
		<input type="checkbox"/> Prohibition		<input type="checkbox"/> Business Closed (inactive)			
				<input type="checkbox"/> No Longer a Tobacco Vendor			
Type of Premise:		<input type="checkbox"/> Independent Convenience Store		<input type="checkbox"/> Chain Convenience Store			
		<input type="checkbox"/> Supermarket/Grocery Store		<input type="checkbox"/> Gas Station			
		<input type="checkbox"/> Restaurant/Bar		<input type="checkbox"/> Other (Specify) _____			
Test Shopper:		Age 15 <input type="checkbox"/> 16 <input type="checkbox"/> 17 <input type="checkbox"/> Other <input type="checkbox"/>		Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female			
Vendor:		<input type="checkbox"/> Owner <input type="checkbox"/> Employee		Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female			
Vendor Age:		<input type="checkbox"/> 25 and under <input type="checkbox"/> 26 and over		<i>Leave blank if undetermined</i>			
Findings: (Test Shopper)							
1. Age of test shopper requested?				<input type="checkbox"/> Yes <input type="checkbox"/> No			
2. Government photo ID requested?				<input type="checkbox"/> Yes <input type="checkbox"/> No			
3. Proof of age examined?				<input type="checkbox"/> Yes <input type="checkbox"/> No			
4. Sale completed?				<input type="checkbox"/> Yes <input type="checkbox"/> No			
Compliant (Youth Access):		<input type="checkbox"/> Yes <input type="checkbox"/> No					
Corrective Action Taken (Youth Access):		1. Education Provided?		<input type="checkbox"/> Yes <input type="checkbox"/> No			
		2. Educational Materials Provided?		<input type="checkbox"/> Yes <input type="checkbox"/> No			
		3. Verbal Warning Issued?		<input type="checkbox"/> Yes <input type="checkbox"/> No			
		4. Written Warning Issued?		<input type="checkbox"/> Yes <input type="checkbox"/> No			
Charges Laid:		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Pending					
Charge: (Owner/Operator or employee)		Part I	Part III	Section/ Sub-section	Ticket/Summons #		
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				



TOBACCO VENDOR INSPECTION FORM

Findings: (Display and Promotion)						
1.	Counter top display present?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
2.	More than single cigarette packages displayed?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
3.	Tobacco products displayed in a manner that permits handling by purchaser prior to purchase?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
4.	Decorative or illuminated panels and/or promotional lighting present?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
5.	Three dimensional exhibits and/or any other device, instrument or enhancement present?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
6.	Promotional material displayed outside of premise?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
7.	More than 3 allowable signs?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
8.	Other display/promotion infractions?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
Required Signage:						
	Identification sign posted (<i>sm</i>)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
	No-smoking sign posted	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
	Health Warning/Age Restriction sign posted? (<i>lrg</i>)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
	Other	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
Compliant (Display Promotion): <input type="checkbox"/> No <input type="checkbox"/> Yes						
Corrective Action Taken: (Display and Promotion)	1.	Education Provided?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
	2.	Educational Materials Provided?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
	3.	Verbal Warning Issued?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
	4.	Written Warning Issued?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Charges Laid: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Pending						
Charge: (Owner/Operator or Employee)	Part I	Part III	Section/ Sub-section	Ticket/Summons #		
	<input type="checkbox"/>	<input type="checkbox"/>				
	<input type="checkbox"/>	<input type="checkbox"/>				
Comments:						
Person in Charge:		Position:		Date:		
Inspector/Officer:		Officer's Signature:		SFO-ID#:		

Information on this form is being collected under the authority of the Smoke-Free Ontario Act and will be used by the Health Unit for compliance follow-up, statistical analysis and evaluation purposes and may be shared with the Ministry of Health Promotion for similar purposes. Questions about this collection should be directed to (*Health Unit's to complete*).



RESTAURANTS AND BARS INSPECTION FORM

PHIIS Premise ID: <input type="text"/>		PHU Premise ID: <input type="text"/>	
Legal Name:		Area #: <input type="text"/>	
Operating Name:			
Unit Number:		Street Number: <input type="text"/> 911	
Street Name:		Street Type:	
Street Direction: <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> N/East <input type="checkbox"/> S/East <input type="checkbox"/> N/West <input type="checkbox"/> S/West			
City/Town:		Municipality:	
Postal Code: <input type="text"/>		Telephone Number: (<input type="text"/> <input type="text"/> <input type="text"/>) <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Ext. <input type="text"/> <input type="text"/> <input type="text"/>	
Owner Name:		Fax Number: (<input type="text"/> <input type="text"/> <input type="text"/>) <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	
Primary Contact: <i>(if different than above)</i>			
Unit Number:		Street Number: <input type="text"/> 911	
Street Name:		Street Type:	
Street Direction: <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> N/East <input type="checkbox"/> S/East <input type="checkbox"/> N/West <input type="checkbox"/> S/West			
City/Town:		Municipality:	
Postal Code: <input type="text"/>		Telephone Number: (<input type="text"/> <input type="text"/> <input type="text"/>) <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Ext. <input type="text"/> <input type="text"/> <input type="text"/>	
		Fax Number: (<input type="text"/> <input type="text"/> <input type="text"/>) <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	
Date of Visit: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>		Time: <input type="text"/> <input type="text"/> : <input type="text"/> <input type="text"/>	
(YYYY) (MM) (DD)		HH MM <input type="checkbox"/> AM <input type="checkbox"/> PM	
Inspection Type: <input type="checkbox"/> Regular Inspection <input type="checkbox"/> Re-inspection <input type="checkbox"/> Complaint <input type="checkbox"/> Other: _____ <input type="checkbox"/> Education /follow-up/doc delivery			
Status: <input type="checkbox"/> Active/Open <input type="checkbox"/> Closed at time of inspection <input type="checkbox"/> Business Closed			
Type of Premise: <input type="checkbox"/> Restaurant <input type="checkbox"/> Bar <input type="checkbox"/> Nightclub			
Findings: (Indoors)			
5. People smoking or holding lighted tobacco?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
6. Ashtrays present?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
7. Signage posted?	Entrances/Exits?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Washrooms?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Seating Area? <input type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/> Other: _____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8. Does this premise sell tobacco?		<input type="checkbox"/> Yes	<input type="checkbox"/> No



RESTAURANTS AND BARS INSPECTION

Findings: (Outdoor Patio)				
9. Does the premise have an outdoor patio?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
10. Is the structure of the patio such that smoking is prohibited under the SFO Act?		<input type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Patio has a roof in the form of:				
a) Other permanent cover?		<input type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
b) Other temporary cover?		<input type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
c) Other prohibited structure?		<input type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Please specify:				
11. Are people on the outdoor patio?		<input type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
12. One or more people smoking or holding lighted tobacco?		<input type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
13. Ashtrays present?		<input type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
14. Signage posted?		<input type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Compliant:		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Corrective Action Taken:	<input type="checkbox"/> Yes <input type="checkbox"/> No			
	1. Education Provided?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
	2. Educational Materials Provided?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
	3. Verbal Warning Issued?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
	4. Written Warning Issued?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Charges Laid:		<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Pending
Charge: (Owner/Operator, Patron or Employee)	Part I	Part III	Section/ Sub-section	Ticket/Summons #
	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		
Comments:				

Person in Charge:	Position:	Date:
Inspector/Officer:	Officer's Signature:	SFO-ID#:

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