

Smoke-Free Environments

COUNTERING INDUSTRY ARGUMENTS

Tobacco companies oppose comprehensive smoke-free laws because they are a threat to their business. Below are a series of arguments against smoke-free laws used by the tobacco industry and its allies, followed by responses that refute each argument.

Industry argument: Secondhand smoke is not harmful to health.

Response: Every major scientific body in the world, including the World Health Organization, the International Agency for Research on Cancer, and the U.S. Department of Health and Human Services have reached the same conclusion: secondhand smoke is a serious health threat and a significant cause of death and disease.¹⁻³

Cigarette smoke contains more than 7,000 chemicals. Hundreds are toxic and over 70 cause cancer. Tobacco smoke is a known cause of lung cancer, heart disease, stroke, low birth-weight births, chronic lung ailments such as pneumonia and bronchitis, as well as other diseases.³ There is no safe level of secondhand smoke exposure. Even low levels of exposure can cause harm.⁴

The tobacco industry has a long history of funding research (a deliberate tactic) that undermines the scientific evidence that shows that secondhand smoke harms health.⁵⁻⁶ Studies that do not show a link between secondhand smoke and disease are typically funded by the tobacco industry.⁷ Tobacco companies have paid scientific consultants in every region of the world to attack efforts to protect populations from secondhand smoke exposure.⁸⁻¹⁰

Industry argument: Smoke-free laws are not feasible or appropriate for all countries.

Response: Nearly 1.5 billion people are protected by comprehensive smoke-free laws.¹¹ These countries, states, and cities are large and small and represent many cultures, climates, and income levels.¹¹ Countries such as Australia, Brazil, and Russia have successfully passed and implemented comprehensive smoke-free laws. All people deserve protection from the death and diseases caused by secondhand smoke, no matter what country they live in. There is no safe level of exposure to secondhand smoke.⁴

Industry argument: Legislation is not needed. A voluntary policy will work instead.

Response: Tobacco companies promote voluntary policies instead of legislation because voluntary policies do not work. Only simple, clear, enforceable, and comprehensive legislation will ensure smoke-free air for employees and the public.¹² The tobacco industry funds schemes such as "Courtesy of Choice," which urges businesses to voluntarily create smoking and non-smoking sections.¹³ In places where the industry has successfully promoted these types of accommodation programs, it has often prevented the adoption of effective smoke-free policies.¹⁴

In the United Kingdom, after more than five years of promoting voluntary codes, less than 1% of all bars were smoke-free and the majority of restaurants permitted smoking.¹⁵ In 2007, the United Kingdom passed

comprehensive smoke-free legislation, and compliance to this law is estimated to be 98%.¹⁶

Industry argument: Smoke-free laws are unpopular. Most people don't want them.

Response: Smoke-free laws are extremely popular among the general public, and they become even more popular after they come into force.¹⁷ Many countries that implement smoke-free laws have conducted polls and surveys which show that there are very high levels of support for this policy. For example:

- In 2004, when Ireland became the first country to adopt a comprehensive smoke-free law, 67% of the population supported the law. One year after implementation, support rose to 93%, and 98% felt that workplaces were healthier because of the law.¹⁸
- In Kenya, 95% of the adult population supports government efforts to prohibit smoking in all enclosed public places and workplaces.¹⁹
- In Uruguay, 8 out of 10 adults support the country's smoke-free law, including nearly two-thirds of the smokers.¹
- In Mexico City, public support for smoke-free restaurants increased from 80% to 93% after the implementation of a comprehensive smoking ban. Support for smoke-free bars also increased from 61% to 71%.²⁰
- In Brazil, over 95% of non-smokers and over 88% of smokers express support for a national smoke-free law.²¹
- In China, 92% of residents of the ten largest cities in China support a comprehensive smoking ban in all indoor public places, workplaces and on public transport.²²
- Costa Rica passed a comprehensive smoke-free law in 2012, and a Global Adult Tobacco Survey conducted in 2015 found that the law remains popular with 93.1% of the population supporting the smoking ban.²³
- In Ukraine, 83.2% of the population believes that smoking should be banned in indoor workplaces and public places.²⁴

Industry argument: Smoke-free laws violate an individual's right to smoke.

Response: Under the World Health Organization's Framework Convention on Tobacco Control, the United Nation's International Convention on Economic and Social Rights and other human rights treaties, and the constitutions of many countries, governments have the responsibility to protect their citizens' right to the highest standard of health, to life, and to a safe work environment. There is no constitutional right to smoke. Secondhand smoke exposure

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is a known cause of death and disease. Allowing exposure to secondhand smoke infringes on non-smokers' right to health.

The right of a person to breathe clean air takes precedence over any possible right of smokers to pollute the air other people breathe. Smoke-free laws are not about whether smokers can smoke; they are about where smokers smoke.

Industry argument: Businesses have a right to allow smoking since tobacco is a legal product and smoking restrictions violate businesses' right to property and their right to commerce.

Response: The safety of workers and the public is not a matter of choice for business owners. Businesses cannot choose to opt out of food hygiene standards or other health and safety requirements for workers and the public. All workers have the right to be equally protected from the harms of secondhand smoke.

Industry argument: Ventilation and designated smoking areas for smokers provide adequate protection from secondhand smoke.

Response: Ventilation systems and designated smoking areas do not provide effective protection to the public and workers from the deadly effects of secondhand smoke.¹ The American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the leading association of ventilation professionals, concluded, "the only means of effectively eliminating health risk associated with indoor exposure is to ban smoking activity." ASHRAE found that no engineering approaches, including current and advanced dilution ventilation or air cleaning technologies, have demonstrated any effectiveness in reducing the health risks from environmental tobacco smoke exposure in indoor spaces where smoking occurs.²⁵

Internal British American Tobacco (BAT) documents reveal that the company knew that air filtration and ventilation systems were ineffective yet still promoted the technology as a viable alternative to smoking restrictions. According to these documents, BAT's interest in ventilation systems was primarily "to negate the need for indoor smoking bans around the world."²⁶

Industry argument: Smoke-free laws harm the economy.

Response: Allowing smoking in workplaces and public places

harms the economy. It imposes a heavy financial burden through increased medical costs, lost productivity due to illness or premature death, higher insurance premiums, and increased cleaning and property maintenance costs.²⁷ Smoke-free laws actually benefit the economy by eliminating the primary cause of these burdens.

Industry argument: Smoke-free laws harm the hospitality and tourism industries.

Response: Smoke-free laws do not have a negative economic impact on the hospitality or tourism industries. The National Cancer Institute and the World Health Organization conducted an extensive review of the economic literature on tobacco control and concluded that all of the best-designed studies establish that smoke-free laws "do not cause adverse economic outcomes from business, including restaurant and bars. In fact, smoke-free policies often have a positive economic impact on business."²⁷ Most studies reporting negative economic impacts of smoke-free laws were supported by the tobacco industry or were poorly designed.²⁸

Industry argument: Smoke-free laws will result in more smokers smoking in their homes and will expose more children to the dangers of secondhand smoke.

Response: Evidence suggests that comprehensive smoke-free laws do not increase smoking in the home and may even reduce secondhand smoke exposure in the home. For example:

- In Scotland, more children reported a complete ban on smoking at home after the introduction of smoke-free legislation.²⁹
- In Ireland, three years after the national smoke-free law went into effect, a study found no significant increase in exposure to secondhand smoke among children (age 13-14) in the home.³⁰
- In the United States, a smoker is more likely to live in a smoke-free household in a jurisdiction covered by a comprehensive smoke-free law than in a jurisdiction without a strong law.³¹
- In Taiwan, the prevalence of secondhand smoke exposure among children at home decreased from 51% in 2005 to 32% in 2009 after smoke-free legislation was implemented and further declined to 28% in 2013.³²

For more information about how the tobacco industry undermines effective smoke-free legislation, see:
www.tobaccofreekids.org/assets/global/pdfs/en/SF_TI_tactics_en.pdf

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