

Physicians for a Smoke-Free Canada



A New Era in Global Public Health

This May, the World Health Assembly (governing body of the World Health Organization) took an historic step by adopting its first global health treaty.

The Framework Convention on Tobacco Control (FCTC) was negotiated between October 2000 and February 2003. Seventy-six countries (including Canada) have signed the treaty, and three (Norway, Sri Lanka and Fiji) have ratified it. Forty countries must ratify the agreement before it comes into effect.

The FCTC responds to the increasing globalization of tobacco. The health burden from tobacco use has shifted dramatically from the developed to the developing world in recent years, as a small oligopoly of tobacco companies have aggressively expanded their market into Asia, Africa and the middle East.

Tobacco use has declined markedly in Canada and some other northern countries but it has grown enormously in the developing world. This year smoking will cause almost 5 million deaths (half in rich countries, half in poor); within 20 years the number will have doubled and most of those deaths will be in the developing world.

The drive for a global treaty with strong measures came from some of the countries most vulnerable to the tobacco pandemic: Africa (where smoking has not yet been established), Asia (where

traditional tobacco use has not yet given way to manufactured cigarettes). For many of these countries, the FCTC was seen as a way that health ministries could overcome indifference or tobacco industry lobbying within their own governments. Through the relatively simple expedient of ratifying the FCTC, they hoped to import and implement a comprehensive set of effective measures. These negotiators were looking for very strong and unambiguous treaty requirements.

Other countries were not as supportive of strong measures. The United States government was (and continues to) oppose the development of a strong tobacco treaty.

The FCTC calls for new national and international measures to curb tobacco use in areas such as smuggling, taxation, tobacco advertising, sponsorship and promotion, health warnings on tobacco packaging, product regulation and prevention and cessation programs.

This treaty could not have come into being in such a strong form without active lobbying by concerned public health agencies from around the world. Over 150 of them formed themselves into a coalition, the Framework Convention Alliance (FCA, www.fca.org), and bird-dogged the governments through six formal rounds of negotiations over three

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years, constantly encouraging them to achieve more and more effective tobacco control.

Physicians for a Smoke-Free Canada played a leading role in the FCA. We participated in all six formal negotiation sessions from October, 2001 to February, 2003. Among our contributions to the successful outcome of the treaty negotiations were:

- Obtaining and administering grants from CIDA to bring health advocates from developing countries to the negotiation sessions.

We were able to sponsor the participation of 15-20 developing country delegates at five negotiation sessions. The whole process was much richer as a result.

- Identifying and researching the threat to this treaty contained in trade agreements (such as WTO agreements and NAFTA).

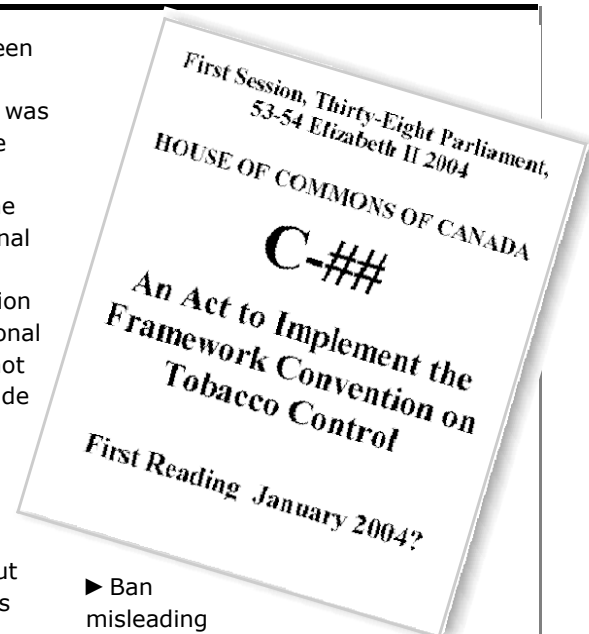
paper on the relationship between the global tobacco treaty and international trade agreements was distributed to all delegates. We were successful in getting constructive consideration of the trade vs. health debate. The final text of the treaty gives strong priority to public health protection and ensures that new international tobacco control measures will not be trumped by international trade rules.

After three years of treaty negotiations, we are only at the end of the beginning. Now the treaty needs to be ratified and put into effect. The FCTC encourages governments to take stronger measures than the minimal conditions of ratification.

PSC is encouraging the Canadian government to adopt these higher standards, and has developed draft legislation to illustrate how these higher standards can be achieved.

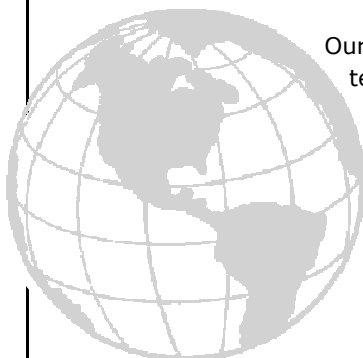
To fully implement the FCTC, we feel the government should:

- ▶ Ensure complete smoking bans in workplaces under federal authority



- ▶ Ban misleading descriptors like "light" and "mild"
- ▶ Ban remaining tobacco advertising and promotions, including the export (and import) of tobacco ads
- ▶ Ban vending machines
- ▶ Increase funding for global tobacco control
- ▶ Strengthen national measures, like cessation programs and professional training.

Our detailed technical



Key provisions of the Framework Convention on Tobacco Control

Governments signing the FCTC agree to the following health measures:

HEALTH WARNINGS

Placing health warnings on packages of tobacco products will cover at least 30% of the display space, and requiring health warnings on tobacco promotions that may be permitted in countries which cannot ban advertising.

ADVERTISING BANS:

Banning all tobacco advertising, promotion, and sponsorship where constitutions allow. Countries unable to impose a ban for constitutional reasons shall apply restrictions.

DECEPTIVE PACKAGING:

Ending packaging and labelling practices which are "false, misleading, or deceptive" (this may include ending the use of terms like 'light' or 'mild').

PRICE AND TAX MEASURES:

Using taxes to help reduce smoking, and to prohibit or restrict duty-free sales of cigarettes.

SECOND-HAND SMOKE:

Providing "protection from exposure to tobacco smoke" in indoor workplaces and public places.

TOBACCO INDUSTRY LIABILITY:

Considering action to "deal with criminal and civil liability" of tobacco companies.

HEALTH PROMOTION AND TREATMENT:

Increasing public awareness and education activities and developing effective cessation and counselling programmes.

SMUGGLING:

Using package markings to help identify legal cigarettes and collaborating to reduce smuggling.

PROTECTING CHILDREN:

Banning the sale of cigarettes to minors.

REGULATION AND DISCLOSURE

Requiring testing of cigarettes and requiring manufacturers to disclose information about contents and emissions of their products.

A year in the life with

Heather Crowe

Late one Sunday evening in July 2002, I dropped into the office to put the garbage out for collection when the phone rang. "My name is Heather Crowe. I'm a waitress. I've been diagnosed with lung cancer and I am hoping you can help me with some research." This late night call was the beginning of one of the most rewarding experiences of my professional life.

Heather was looking for scientific evidence to support her claim to the government's insurance program for injured workers. I assured her that we had the evidence her lawyer needed. She then began to talk about her feelings. She said she felt betrayed that the government had not protected her — no-one had told her that she was at risk. She said she wanted to make sure that no-one else ever had to go through her experience.

Heather wanted to campaign for change, but I worried at first we might be unfairly exploiting her remaining time and energy. I wondered how she would feel about the loss of privacy that comes with media attention. But Heather had no such doubts. She was as clear as she was resolute: she wanted her experience to help others. She just needed some institutional support.

Last fall, Heather began two demanding processes. She underwent chemo and radiation treatments to slow her cancer and she began public campaigning for better laws to protect hospitality workers from second-hand smoke.

Her first political experience was not an easy one. A committee of mayors and councilors of small towns near Ottawa were holding hearings on smoking restrictions. Some pub owners had clearly decided that their best defense was to be strongly offensive, and the audience was filled with tavern owners and bar workers who were rowdy and not very sober. One of the more aggressive bar owners stood up and denounced the evidence of second-hand smoke's harms. "There's no death certificate showing that any one EVER died from second-hand smoke," he jeered.

This rowdy debate was to be the first time that Heather had ever spoken in public. She was understandably nervous, but when she stood to speak before the hostile crowd, you could hear a pin drop. "My name is Heather Crowe, and I am a waitress. I am dying of lung cancer caused by second-hand smoke at work." Heather then appealed to the mayors to put in laws which protected hospitality workers. Before she sat down, she turned to the tavern owners. "In response to the gentleman who doesn't believe that second-hand smoke kills, I will make a commitment. I will make sure that my death certificate is sent to him." This was the first of many times that I witnessed Heather's power to transform an issue and to help people connect with the real issue.

Health Canada approached Heather and asked to use her story in a mass media campaign. The launch of the campaign proved very dramatic. By coincidence, the Workplace Safety and Insurance Board ruled in favour of Heather's claim on the same day that the ad was being launched. There was intense media coverage, and most Canadians learned (many for the first time) that second-hand smoke was a serious occupational health hazard, and that independent government agencies were concerned.

Heather's story, her campaigning, and the support of Health Canada in telling the story, changed the public debate on smoke-free laws. While opposition from tobacco companies, their allies and those in the hospitality industry who (wrongly) fear economic harm remains, most people no longer openly challenge the health evidence.

For decades, tobacco companies were able to present second-hand smoke issues as a problem of "accommodation" and the solution as one which balance the competing "inconveniences" of smokers and non-smokers. Heather has helped Canadians understand that cigarette smoke is more than inconvenient or bothersome, it can be deadly and that all workers are entitled to a smoke-free workplace.



Heather knows that she can help change opinion, but that the only people with the power to change laws are those who are elected to do so. Over the past year, she has traveled across Canada asking politicians to protect hospitality workers from exposure to smoke. She also talks with community groups, schools and others about the need to support these measures. She has traveled as far north as Iqaluit and Yellowknife, as far west as Prince George, as far east as St. John's and Halifax — and she has spoken in dozens of communities in between.

My colleague and I have been privileged to travel with her. We have watched her struggle through pneumonia and failing lung-power to rise early for another media interview or early flight. We have seen how she can pierce through the polite armor of politicians and the cynicism of the media to solicit real concern, compassion and commitment. I have worked with politicians for many years: only with Heather have I ever known a Minister of the Crown to surreptitiously wipe away a tear.

Throughout this time, I have been moved by Heather's stoicism and determination. She is as calm as she is purposeful: she wants to be the last person to die from second-hand smoke and she is willing to do what she can to help that happen.

Heather is my hero.

- Cynthia Callard, PSC Staff

The Smoke Begins to Clear:

More and more Canadians are protected from second-hand smoke

An increasing number of Canadian communities have made the decision to go "smoke-free."

Hundreds of municipalities and several provinces have passed laws and bylaws which restrict smoking.

There has also been progress in defining what "smoke-free" means — when the first laws were passed in the 1980s, restricting smoking to separately-ventilated areas was considered the "gold standard" and few suggested banning smoking in outdoor places. No more. Higher and higher standards are being set.

Varying approaches and changing standards make direct comparisons difficult. Undaunted, we reviewed the provincial and municipal measures currently in place, and determined three broad categories useful to measure the level of protection.

Level 0 (no stars): NO REAL PROTECTION

**54% of Canadians
(17 million people)**

Smoking may be regulated, but there is still exposure to smoke in indoor places.

Regina and St. Johns, New Brunswick are examples of cities which require that a percentage of seats in restaurants or bars to be non-smoking, but allows smoking in other non-enclosed areas, allowing smoke to flow from one area to another.

Level 1 (*): SOME PROTECTION

**46% of Canadians
(14 million people)**

Smoking is not allowed in most public places; no smoking is allowed in restaurants. These communities exempt some other venues (like bars, or restaurants in evening hours) from smoking restrictions. Toronto and St. John's, Newfoundland are examples of cities where there are some venues which are required to give complete protection from smoke, but other venues (bars) which are exempt.

Level 2 (): COMPLETE PROTECTION**

**15% of Canadians
4.3 million people**

Smoking is banned in virtually all venues. There are no provisions for designated smoking rooms. (These individuals are also counted in Level 1). Ottawa and Victoria are examples of cities which give 100% protection from second hand smoke. Kingston is an example of a city which gives even more — smoking is banned on outdoor patios as well as indoor places in Kingston.

Smoke-free laws currently in place across Canada

Newfoundland

Newfoundland's *Smoke Free Environments Act* came into force in January 2002. It bans smoking in all restaurants, but allows smoking to continue in bars (and many restaurants become bars after 9:00 p.m.). There are no stronger municipal by-laws passed or in force

Newfoundland residents protected at:

- Level 1 (*): 100% (530,000 residents)

Prince Edward Island

The PEI *Smoke-free Places Act (2002)* bans smoking in virtually all public places, but allows hospitality venues to build enclosed, separately-ventilated smoking rooms. Food cannot be served in these rooms. This is currently the strongest provincial measure in Canada.

PEI residents protected at:

- Level 1 (*): 100% (139,000 residents)

New Brunswick

There is no provincial law banning smoking in public places in New Brunswick, and only the city of Fredericton (with 48 thousand residents) has developed a strong by-law.

New Brunswick residents protected:

- Level 0 : 94%
- Level 2 (**): 6% (48,000 residents)

Quebec

Quebec's *Tobacco Act*, passed in 1998, bans smoking in many public places, and requires new restaurants to restrict smoking to separately ventilated smoking rooms. By December 2009, all restaurants must either ban smoking or install approved smoking rooms. There are no measures which will affect smoking in bars. There are no municipal bylaws in Quebec.

Quebec residents protected at:

- Level 0: 100% (7.4 million residents)

Nova Scotia

The Nova Scotia *Smoke Free Places Act (2002)* bans smoking in most public places, but allows smoking in enclosed separately ventilated rooms in restaurants and bars and other hospitality venues. After 9:00 p.m., smoking is not restricted in bars.

Nova Scotia residents protected at:

- Level 1 (*): 100% (940,000 residents)
- Level 2 (**): 17% (149,000 residents)

Smoke-free Laws in Nova Scotia

Jurisdiction	Pop	Level
Nova Scotia	944,800	*
Town of Berwick	2, 282	**
Town of New Glasgow	9,432	**
Port Hawkesbury	3,701	**
Town of Wolfville	3,658	**
Cape Breton Region	105,968	**
County of Inverness	19,937	**
County of Richmond	10,225	**
County of Victoria	7,962	**
Antigonish	4,754	**
Halifax	359,111	*

Ontario

The Ontario *Health Protection and Promotion Act* bans smoking in schools, health care facilities, recreational facilities, etc but does not apply to hospitality venues. Municipal bylaws (in over 100 municipalities) have varyingly banned smoking.

Ontario residents protected at:

- Level 1 (★): 78% (9 million residents)
- Level 2 (★★): 25%

Manitoba

The Manitoba *Non-Smokers Health Protection Act* applies to public facilities, but not to hospitality venues. Stronger municipal by-laws have been put in place in Winnipeg and Brandon.

Manitoba residents protected at:

- Level 0: 43% (495 thousand residents)
- Level 1 (★) and 2 (★★): 57% (660 thousand residents)

Smoke-free Laws in Manitoba

Jurisdiction	Pop.	Level
Winnipeg	619,544	★★
Brandon	39,716	★★

Saskatchewan

The Saskatchewan Tobacco Control Act restricts smoking in many places, but allows open smoking in restaurants and bars. Stronger municipal by-laws have not yet been put in place.

Saskatchewan residents protected at:

- Level 0: 100% (1 million residents)

Alberta

The Alberta Protection from Second-Hand Smoke in Public Buildings Act restricts smoking in many places, but allows open smoking in restaurants and bars. Stronger municipal by-laws have been put in place in Edmonton, Strathcona and Calgary.

Alberta residents protected at:

- Level 0: 48% (1.5 million residents)
- Level 1 (★): 52% (1.6 million residents)

Smoke-free Laws in Alberta

Jurisdiction	Pop	Level
Calgary	878,866	★
Strathcona County	71,986	★
Edmonton	666,104	★

Smoke-free Laws in Ontario

Jurisdiction	Pop.	Level
Adjala-Tosorontio	10,082	★
Archipelago Township	563	★★
Barrie	103,710	★★
Belleville	45,981	★★
Bradford West	22,228	★
Brampton	325,428	★
Brantford	86,417	★
Bruce County	63,892	★
Burlington	150,836	★
Caledon	50,595	★★
Chatham-Kent	107,341	★★
Clearview Township	13,796	★★
Cobourg	17,172	★★
Collingwood	16,039	★★
Cornwall	45,640	★★
Dufferin County	51,013	★★
Dryden	8,198	★★
Ear Falls	1,150	★★
Elliot Lake	11,956	★★
Essa Township	16,808	★★
Essex County	166,573	★★
Grey County	89,073	★★
Guelph	106,170	★★
Haldimand County	41,112	★★
Hamilton	490,268	★
Innisfil	28,666	★★
Township of Johnson	658	★★
Town of Kapuskasing	9,238	★★
Kingston	114,195	★★
La Vallée	1,073	★★
London	336,539	★★
Middlesex County	66,646	★★
Midland	16,214	★★
Milton	31,471	★
Mississauga*	612,925	★
District of Muskoka	53,106	★★
Greater Napanee	15,132	★
New Tecumseh	26,141	★
Niagara Region	410,574	★
North Bay	52,771	★
Oakville	144,738	★★
Orillia	29,121	★★
Oro-Medonte	18,315	★★
Ottawa	774,072	★★
Perth East	12,218	★
Perth South	4,304	★
Peterborough (City)*	71,446	★
Prince Edward County	24,901	★
Sault Ste. Marie	74,566	★
Schreiber	1,448	★
Seyvern Township	11,135	★★
Sioux Lookout	5,336	★★
Springwater Township	16,104	★★
St. Mary's	6,293	★★
Tay	9,162	★★
Sudbury	155,219	★
Tecumseh	25,000	★★
Terrace Bay	1,950	★
Thessalon	1,386	★★
Timmins	43,686	★
Tiny Township	9,035	★★
Toronto	2,481,494	★
Wasaga Beach	12,419	★★
Region of Waterloo	438,515	★★
Wellington County	75,574	★★
Windsor	208,402	★
Woodstock	33,061	★★
York Region	729,254	★
Zorra Township	8,052	★★

British Columbia

British Columbia now has weaker provincial provisions than it had in 2000, when Workers Compensation Board regulations required that all workplaces (including bars) be smoke-free. These regulations were overturned and hospitality employers may now use smoking rooms (which do not have to be enclosed) in which staff may "volunteer" to serve. Several municipalities have stronger by-laws.

British Columbia residents protected at:

- Level 0: 68% (2.8 million residents)
- Level 1 (★): 37% (1.5 million residents)
- Level 2 (★★): 14%

Smoke-free Laws in British Columbia

Jurisdiction	Pop	Level
British Columbia	4,141,300	★
Delta	96,950	★
Burnaby	193,954	★
City of North Vancouver	44,303	★★
District of North Vancouver	82,310	★★
Richmond	164,345	★★
White Rock	18,250	★★
New Westminster	54,656	★
Belcarra	682	★★
Coquitlam	112,890	★
Vancouver	545,671	★
Capital Regional District	325,754	★★

The Territories

None of Canada's three northern territories (Northwest Territories, Nunavut nor Yukon) have yet passed jurisdiction-wide restrictions on public smoking, but the major cities in each of those jurisdictions have passed by-laws which provide some protection.

Encouragingly, in November 2003, Nunavut adopted a law that will ban smoking in all workplaces (including bars) within two years.

The measures currently in force protect territorial residents at:

- Level 0: 78% (78,000 residents)
- Level 1 (★): 22% (22,000 residents)
- Level 2 (★★) 17% (17,000 residents)

Smoke-free Laws in the Territories

Jurisdiction	Pop.	Level
Iqaluit	5236	★
Yellowknife	16541	★★

700,000 FEWER SMOKERS OVER 4 YEARS

Policy measures that helped:

2000

- ▶ new health warnings cover 50% of cigarette packages.
- ▶ billboards and retail stores across Canada can no longer display sponsorship advertising of cigarettes.
- ▶ A handful of smoke-free communities in British Columbia and Ontario.

2001

- ▶ new federal funding for tobacco control announced (currently \$60 million per year).
- ▶ federal tax increases on cigarettes.

2002

- ▶ launch of multi-year federal mass media campaign against tobacco use.
- ▶ more federal tax increases on cigarettes (and in each province).
- ▶ Quebec court upholds federal Tobacco Act against tobacco industry challenge.
- ▶ End to cigarette displays in Saskatchewan.

2003

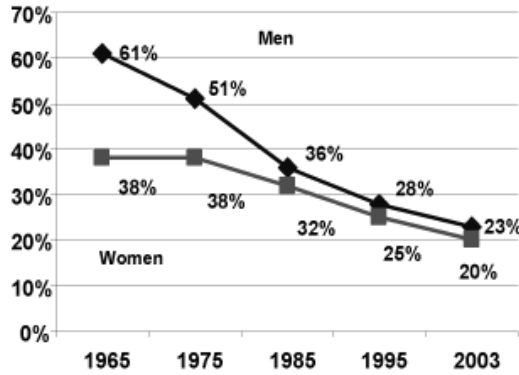
- ▶ Global tobacco treaty (FCTC) signed by Canada in July.
- ▶ Cigarette advertising through sponsorship ends on October 1.
- ▶ Hundreds of smoke-free communities in Canada.

Over the past four years, Canadians have witnessed one of the most aggressive, collaborative and sustained programs to reduce smoking — it looks like efforts are paying off.

Since the beginning of this decade, smoking has fallen at the fastest rate in Canadian history, and is now at the lowest rate since surveys began in the mid 1960s. There are more than 700,000 fewer smokers than there were in 1999.

Although many feel that smoking is increasing among young people, those numbers are also encouraging. The number of young Canadians who smoke has fallen to 22%, and the number who have never smoked has climbed to 74%.

SMOKING PREVALENCE IN CANADA, 1965-2003



The number of homes where children are exposed to second-hand smoke has fallen to 16%.

The challenge now is to maintain this rate of progress. To do that, we will need more than commitment from governments and policy makers, we will need new public measures to help those individuals and

populations where smoking stubbornly persists and new tools to respond to the marketing and product innovations of tobacco companies.

The measures which proved very effective at reducing smoking to 20% could very well prove to be insufficient to reduce smoking closer to 0%. To meet this next challenge, PSC is working to develop an appropriate industrial strategy to manage tobacco in Canada.

	1999	2000	2001	2002
Number of Canadians over 15 years	24,260,000	24,580,000	24,916,000	25,251,000
▶ Number of smokers	6,121,992	6,007,562	5,411,822	5,414,335
▶ Percentage of population	25%	24%	22%	21%
▶ Number fewer smokers compared with 1999		114,430	710,170	707,657
Number of Young Canadians (15-19 years old)	2,053,000	2,063,000	2,073,000	2,082,000
▶ Number who smoke	569,217	521,470	465,633	457,772
▶ Percentage who smoke	28%	25%	22.5%	22%
▶ Number who have never smoked	1,379,793	1,439,386	1,505,801	1,539,704
▶ Percentage who have never smoked.	67%	70%	72.6%	74%
▶ Number fewer teenage smokers compared with 1999		47,747	103,584	111,445
▶ Number more teenage never-smokers compared with 1999		59,593	126,008	159,911
▶ Number of children <12 exposed to cigarette smoke at home	1,141,738	929,012	827,055	687,772
▶ Percentage children <12 exposed to cigarette smoke at home		24%	19%	16%
▶ Number fewer children under 12 exposed to smoke at home		212,726	314,683	453,966
Number of cigarettes sold in Canada	51.4 billion	49.5 billion	48.2 billion	45.5 billion
▶ Number fewer cigarettes smoked compared with 1999		1.9 billion	3.2 billion	5.9 billion



When Big Tobacco Goes Underground... ... we go undercover to check them out.

Imperial Tobacco has launched a new series of tobacco promotions in bars and pubs across Canada. PSC asked our own

Naomi Baker to check them out. Here's her report of the first Definiti event in Ottawa, on October 4.

It is a Saturday night and a couple of my friends join me to escape the chills of a cool fall night to see **DJ Disciple** at **Vibe**, one of the trendy new clubs in town.

There's a lot of hype to the event — it's pegged on the Definiti.ca website as one of the "hottest events across Canada," but when we arrive after 11 we realize we are early— very early— or this is going to prove not to be a "hot" event.

There is no sign of the line-ups that used to circle this venue, and in no time we have handed over our \$15 tickets and have been whisked inside to be greeted by enthusiastic Austin Powers and Dr. Evil look-alikes and a glass of bubbly. I'm not sure how tasteful midget celebrity look-alikes were, but a glass of free champagne I can handle.

The first thing I noted was a lit up glass case at the entrance displaying boxes of DuMaurier cigarettes as if they are the crown jewels.

Dry ice is wafting through the room and a smoky atmosphere is created which is no mean feat in Ottawa where smoking is banned in bars — or is it?

Three guys are on the dance floor, but they're not dancing. They each light up cigarettes and stand there—smokin'. There are at least 30 people working at this event (and not that many guests), but no one steps in to ask them to butt out.

Then I see her, through the "smoke" from dry-ice and cigarettes: a "cigarette girl", tall, beautiful and dressed to kill. She has a tray with cigarettes and lighters. The tray does display a warning and I go over to say hi. We chat for a bit and she tells me she doesn't work for the Tobacco Company or Definiti but is on a contract with her modelling agency from Toronto.

I wonder if she realizes looks can kill, especially if they can entice someone to try a couple of cigarettes, create an addict and a devoted customer.

So far the whole event seems to be a magazine ad come to life. Models have jumped off the page and created a fantastical world. But who lives in this world? A few people have arrived and are mingling between floors, but as clubs go, it is barren and rather boring.

In the washroom I meet a woman in fishnet stocking who is fixing her silvery bodysuit. She is the genuine article, a go-go dancer, one of four or five women hired to get the party started.

On my way out of the loo I am "captured by the paparazzi" - the

"I thought Ottawa had a ban on smoking in bars...I guess the owners look the other way when the event is bought and paid for by a cigarette company."

official photographer of the event. He then gives me a Definiti card which informs me there is a 99.9% chance I will be on their website in next few days.

With hardly anyone there, I wonder if the event co-ordinators are disappointed. To give them credit, they have done their job well— but for a 'happening' event, this one is definitely falling flat.

I decide to be a bit of a brat, and test both my fancy new DuMaurier lighter and respect for the Ottawa bylaw by trying to light one of the cigarettes. I don't inhale, but I let it smoulder for a few minutes, making sure that the organizers could see it. Not a peep of protest.

Mine isn't the only cigarette burning — cigarettes were definitely plentiful. I thought Ottawa had a ban on smoking in bars...I guess the owners look the other way when the event is bought and paid for by a cigarette company.

I won't say that this event never got "hot" — I'll just say that it didn't heat up when I was there.

My friends and I bailed around 1:30, leaving a small number of customers to enjoy the wee hours and "feel the heat."

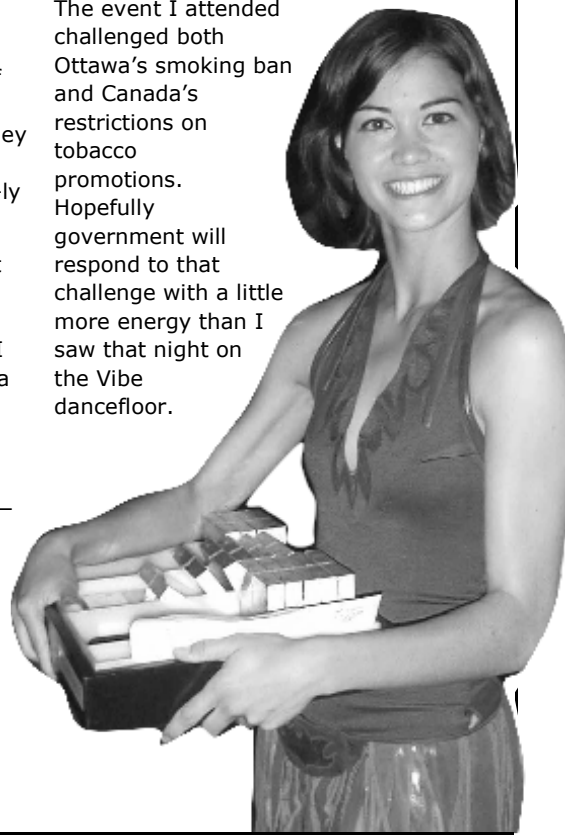
But it's all just smoke and mirrors—by tomorrow these troubadours will box up their light show, display cases and cigarette cases until the next city and the next event. The musicians, actors, models, dancer, photographer, coordinators, techies, roadies and the other folk hired by Definiti to create this tableau will move on. The show will go on, commercials and all.

This Ottawa event is one of dozens being held across Canada by Imperial Tobacco's marketing arm Definiti. It is an attempt to step around the Tobacco Act's ban on branded sponsorship ban which came into effect October 1st 2003.

Yet the Tobacco Act explicitly bans 'lifestyle' advertising, which it defines as one which 'associates a product with, or evokes a positive or negative emotion'.

I think back to my feelings of being in a magazine ad during this event, and wonder how the whole thing could not be construed as one big lifestyle promotion.

The event I attended challenged both Ottawa's smoking ban and Canada's restrictions on tobacco promotions. Hopefully government will respond to that challenge with a little more energy than I saw that night on the Vibe dancefloor.



2003 in review

Masures to reduce exposure to second-hand smoke were the focus of most tobacco control stores in early 2003.

January

Nova Scotia bans smoking in many public places—but it is still allowed in ventilated rooms in bars and other adult venues.

Nova Scotia becomes second province to give police the power to confiscate cigarettes from minors.

Health Canada's cuts to its anti-tobacco budget are revealed. Instead of \$90 million, only \$58 million is spent on tobacco.

Kenora MOH, **Dr. Pete Sarsfield**, warns restaurant and bar owners that he will use powers under the Health Protection and Promotion Act to shut them down if they continue to allow smoking. A legal challenge by the bar owners stayed his actions.

Tobacco companies appeal a Quebec Superior Court decision to uphold the federal Tobacco Act.

February

RCMP charged **JTI-Macdonald** with 6 counts of fraud and 1 count of conspiracy and charged 8 of its former executives in connection with alleged cigarette smuggling in the early 1990s.

March

The **Nunavut** government introduces legislation to ban smoking in workplaces and ban candy cigarettes.

April

Iqaluit becomes the first community in Nunavut to ban smoking in most public places.

Alberta youth are prohibited from possessing and using tobacco products in public places under the *Prevention of Youth Tobacco Use Act*.

Halifax smoking by-law comes into effect. Smoking is banned, except in bars and casinos where it is restricted to designated smoking rooms.

May

Kingston becomes 100% smoke-free — smoking is also banned on outdoor patios.

The first class action against a tobacco company for the sale of "light" and "mild" cigarettes is filed in **British Columbia**. (A successful suit on similar charges in the United States—the "Price" case— resulted in a verdict against Altria/Philip Morris of more than US\$ 10 billion.

Anti-smoking crusader **Barb Tarbox** dies on May 19th.

World Health Assembly (WHO) unanimously adopts the Framework Convention on Tobacco Control (FCTC). This global tobacco treaty will come into effect once 40 countries have ratified.

Sudbury restaurants become smoke-free (bars are next year).

June

Prince Edward Island's *Smoke-Free Places Act* comes into effect June 1, banning smoking in any public place or workplace, unless owners build a specially-ventilated smoking room.

Non-Smokers Rights Association files a complaint with the federal competition bureau that "light" cigarettes are a consumer fraud.

Imperial Tobacco closes its Montreal production plant, transferring work and workers to Guelph.

A **British Columbia** judge strikes down the legislation underpinning British Columbia's legal claim against tobacco companies to recover the health care costs caused by their products. (B.C. appeals ruling).

July

Many cities improve their smoke-free laws on July 1, including: **Winnipeg, Fredericton, London, Edmonton**.

Canada signs the global tobacco treaty, the FCTC.

August

Imperial Tobacco ends sponsorship of auto racing.

Formula 1 boss Bernie Ecclestone drops the **Montreal Grand Prix** from the 2004 schedule and blames his decision on Canada's anti-tobacco law.

Federal government launches a civil suit against **JTI-Macdonald** and 12 other tobacco companies to recover lost taxes resulting from smuggling.

September

Imperial Tobacco prepares for new restrictions on promotion — it disbands du Maurier marketing vehicles RedSeat and du Maurier Arts and substitutes with Definiti (bar promotions) and Imperial Tobacco Canada Arts Fund.

October

Yellowknife bans smoking in bars as of October 1.

On October 1, **Sponsorship promotion of tobacco** is banned.

On October 3, 2003, the **Saskatchewan Court of Appeal struck** down the province's ban on cigarette displays saying they were in conflict with federal law. Many were surprised, especially since the federal government had intervened to support the provincial measure.

Parliament passes the "**Westray Bill**" (C-45) which creates a new criminal offence when employers fail to take reasonable measure to prevent bodily harm. Could this ban all smoking in bars?

House of Commons passes private member **John McKay's** bill (C-260) which would require cigarettes to be self-extinguishing ('fire-safe').

November

Nunavut comprehensive tobacco control legislation adopted.