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Bulletin of

**PHYSICIANS FOR A
SMOKE-FREE CANADA**

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President's Report

Three Steps Forward...

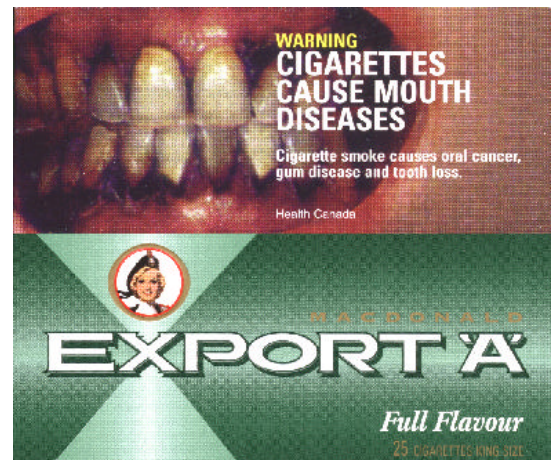
I am delighted to report that over the last 12 months we have seen significant progress on a number of important aspects of tobacco control.

#1: New Rules on Tobacco Promotion Take Effect

On October 1, 2000, new rules on tobacco promotion came into effect, and the long-delayed restrictions on tobacco sponsorship began to take force. Whether or not the tobacco companies defy these new restrictions, or are able to stare Health Canada down as they did in the early 1990s, remains to be seen.

#2: New Health Warnings

At the beginning of next year cigarette packages begin displaying the largest and most aggressive health warnings in the world. The 16 new colourful warnings resulted from a campaign jointly run by PSC, the Canadian Cancer Society and the Non-Smoker's Rights Association and other health agencies and intensive negotiations with Health Canada over the past 24 months. The support and involvement of the Minister of Health, the Honourable Alan Rock, and his staff was a key factor in the success of this campaign.



#3: Negotiations Begin on a Global Tobacco Treaty

Diplomats from 150 countries gathered at the World Health Organization in Geneva this fall to begin negotiations towards a global treaty on tobacco. The proposed Framework Convention on Tobacco Control (FCTC) could allow for a coordinated international response to one of the world's most pressing global health concerns. (The WHO predicts that tobacco, which currently kills 4 million a year, will become the leading cause of preventable death in the developing world by 2030 -- outstripping aids, malaria, maternal deaths combined). Governments now understand we need a global response to the globalized tobacco market (only 4 companies account for more than two-thirds of the world's cigarette sales).

With the support of Health Canada, PSC's new research director, Neil Collishaw, was in Geneva for the public hearings and negotiations. Canada has been one of the few governments to champion the participation of non-governmental organizations in the development of this convention. The most optimistic predictions fare that a treaty text could be agreed to by 2002.

... but progress stalls on other fronts ...

No Progress on Taxes

Almost seven years have passed since the Canadian government slashed taxes on cigarettes in the most populous parts of Canada. Despite almost monthly 'hints' over the past two years that taxes would be raised 'within a couple of months,' there has been no substantial tax increase. In fact, cigarettes have become cheaper over the past 7 years as the modest tax increases have failed to keep pace with the cost of living.

Some government officials continue to express concerns that smuggling will escalate if cigarette prices are raised, yet have taken no measures to better control taxes (like improving tax markings). No criminal charges have been laid in Canada against the tobacco companies for their role in smuggling during the early 1990s. (A civil action in U.S. courts by Justice Canada has been stalled by the U.S. court ruling that the case shouldn't be heard in the United States. Justice Canada is appealing).

No New Money for Tobacco Control

The federal government currently spends \$20 million on all programs to prevent youth from smoking, to protect people from second-hand smoke, to help people quit smoking and to regulate the tobacco industry. This is less than 1% of the total revenues they receive in tobacco taxes (\$2 billion), less than a quarter of the revenues they receive as a result of the illegal sales of cigarettes to children (\$90 million), and less than a third of the money they receive in a so-called "health promotion surtax" on the tobacco companies.

The most vigorous campaign to remedy this state of affairs was launched by Senator Colin Kenny. His first attempt at a 'levy' on tobacco products (S-13) was rejected by the Commons Speaker as a disguised tax bill. (Tax bills may not originate in the Senate). This spring, Senator Kenny returned with a bolder and bigger proposal -- his proposed levy was increased to \$1.50 per carton, which would raise \$360 million to be spent on programs to prevent youth from smoking.

In order to address the constitutional concerns of the Commons Speaker, Senator Kenny introduced several clauses in his new bill which made explicit how the bill would serve the interests of the tobacco companies (including an "improved business climate for the tobacco industry," "greater tolerance of the industry," "reasonable limits on regulation," and access to information on the use of tobacco products by children.) These troubling provisions were not addressed by the Senate Committee which studied this bill.

In June, 2000 two of the three tobacco companies operating in Canada offered their support for S-20, and this fall they began advertising their support in major newspapers. Had Senator Kenny

inadvertently unleashed a Pandora's box, and excused a new public relations ploy by these companies?

Sadly, the government has failed to respond to S-20 in any meaningful way. It has not offered support for the bill, it has not proposed alternative measures, it has not commented on the dangers of legislation designed to achieve tobacco industry purposes, and it has not made clear whether it will oppose the bill when/if it is debated in the House of Commons.

A year ago, the Minister of Health asked the federal government for new funding of up to \$120 million per year (the memorandum to cabinet was leaked to Ottawa journalists). The cabinet approved the proposal, but Treasury Board and the Minister of Finance refused to fund it.

The campaign for S-20 has been vigorous and effective. Spearheaded by Senator Kenny himself, and with the support of many major health agencies (notably the Canadian Cancer Society), letters have been flowing from all parts of Canada to Canadian politicians, urging the support of S-20. The support for S-20 is deep, broad and widely manifested.

Hopefully, this political support will soon translate to the necessary increase in federal funding for tobacco control in a way that clearly meets the needs of public health -- not the tobacco companies.

Continued Struggle for Smoke-Free Places

Across Canada, health groups and citizens are pushing for safer air in indoor places. Each time, our science is rebutted by a tobacco-industry generated campaign centred around two arguments: that the hospitality sector will suffer economically, and that improved ventilation can address the health concerns. The common tactic of the industry is to introduce these arguments just as city councils are set to decide on improving smoke-free regulations. This last-minute tactic is an attempt to delay decisions, as the arguments can rarely be assessed by councils in the hours or days before they have scheduled a decision.

We must be prepared with data showing that these arguments are false, and with illustrations exposing the tobacco industry orchestration of these campaigns. "



**Mark Taylor, MD, FRCS, FACS
President**

October 15, 2000

NEW RESTRICTIONS ON PROMOTION COME INTO FORCE

On October 1st, the streets became safer for our children

For the first time, children will be able to walk to school and to their friends' homes without risk of exposure to tobacco advertising.



The provisions of the federal Tobacco Act which require that tobacco-related billboards and retail signs be taken down come into effect on October 1, 2000. After this day, tobacco companies may only advertise:

- In newspapers and publications with at least 85% adult readership
- Through direct mail to adults
- In places where children are not allowed by law
- On the sites of sponsored events (and these ads may only be for the sponsorship)

It took 12 years to get this far.

In 1988, the Canadian parliament was one of the first countries to pass a sweeping ban on all forms of tobacco promotion. In theory, this act should have totally eliminated tobacco advertising by 1991. Unfortunately, the tobacco companies were allowed to exploit a loophole and switched to sponsorship-advertising to maintain keep lifestyle promotions for cigarettes. (To allow arts and sports groups to continue to receive funding, the 1988 law allowed sponsorships to continue under the name of the corporation which funded them. The companies set up new companies --like Players Racing Inc -- to abuse this provision.)

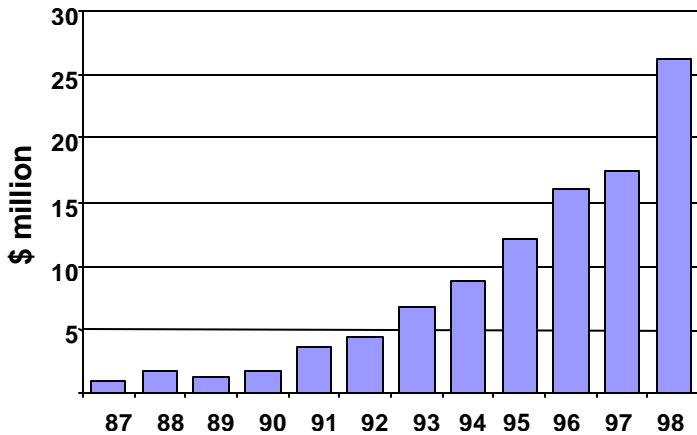
In 1995, the Supreme Court struck down the 1988 act because the government had failed to provide satisfactory evidence that a total ban was necessary. The replacement legislation - the *Tobacco Act* - was passed in 1997. It did not ban advertising, but restricted it to non-lifestyle advertisements placed in selected venues only. The grace period before sponsored promotions were similarly restricted was extended to October 2000.

Three years from now, further restrictions on tobacco promotion come into effect as all forms of sponsorship promotion are banned.

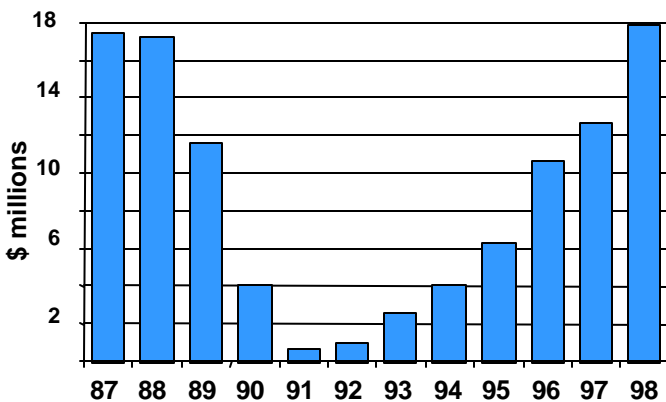
Sponsorship grew (almost) out of control

Because of the loophole in the 1988 law, sponsorship promotions became the prime advertising vehicle for tobacco companies and the main sticking point when government tried to curb cigarette promotions. The market for tobacco sponsorship had become inflated, and many groups had become dependent on tobacco marketing dollars.

Canadian Tobacco Advertising Expenditures
1987 - 1998



Tobacco Advertising Expenditures 1987-1998
"Out of Home" (billboards)



Tobacco ads hurt kids

The World Health Organization, the United States Food and Drug Administration, the National Cancer Institute of Canada and world experts agree -- tobacco advertising (including sponsorship advertising) increases smoking among children. That's why a total ban on cigarette advertising is advocated by the world's leading health authorities.

Most retailers advertise cigarettes to kids

Health Canada surveys show that retail promotion of cigarettes has increased in recent years (up 13% in the past three years alone). The big chain convenience stores (like Macs Milk or 7-11) are the most likely to carry tobacco promotions. Sadly, convenience stores near schools are MORE likely to advertise tobacco.

There are other sponsors!

Since Parliament decided to end tobacco sponsorship many major events have found alternative sponsors. These include the Montreal International Jazz Festival, the Canadian Mens and Womens Tennis Championship, the Montreal Grand Prix and the Montreal Just for Laughs Festival. "

Please Help! Monitor Tobacco Company Promotions!

Health Canada prefers to take a 'complaint-based' approach to enforcement against tobacco industry infractions of promotion restrictions.

Already, suspect promotions (like the Player's CART retail displays) have sprung up across Canada, and more attempts by the tobacco companies to increase their presence in retail stores is expected.



If you notice promotions which you think are illegal or inappropriate, please bring them to our attention. (Examples might be a high number of displays in stores near children, displays using pictures of sporting or other events, tobacco logos on other products, etc).

Let us know what, when and where you saw these promotions, and (if possible) send us a photo. This information will be invaluable in enforcing the current law, and in building the case for stronger regulations.

Call us at 1-800-540-5418, send an e-mail to ccallard@smoke-free.ca, or write us at P.O. Box 4849, Station E, Ottawa, Ontario, K1S 5J1.

TREASURER'S REPORT

The resources available to Physicians for a Smoke-Free Canada continue to increase, and our financial situation now appears stable.

1999 was the second year PSC received a \$150,000/year contribution from Health Canada. (Because the government fiscal year ends in March, while PSC operates on a calendar year, the receipts do not appear equal for 1998 and 1999).

The work funded by Health Canada is restricted to three areas of research (tobacco marketing, cigarette design and international tobacco trade), and we continue to rely on our members' generosity for our important work in other areas.

Please contact me through the PSC office (1-800-540-5418) if you have any questions about the finances of PSC. "



Jim Walker, MD, FRCPC
Treasurer

Reported Expenses - Health Canada Project No. 6785-15-1998/158001

	1999 (12 months)	1998 (9 months)
• Personnel	125,913.25	77,734.41
• Travel & Accommodation	24,434.94	2,657.11
• Rent and Utilities	16,412.12	5,315.49
• Materials & Supplies	19,068.05	5,232.45
• Cost of Services	8,233.27	3,535.57
TOTAL	194,061.63	94,475.03

Audited Statement of Revenues and Expenditures - 1999

	1999	1998
REVENUE		
• Individual donations & membership	19,980	23,697
• Corporate donations		300
• Health Canada Population Health Fund Contribution	188,900	93,393
• Other/Project Activities	4,690	
• Contract Earnings/Consulting fees	18,552	73,367
• Other	24	
Total Revenue:	232,146	190,757
EXPENSES		
• Amortization	379	808
• Bank charges	696	324
• Contract expenses	18,709	17,405
• Loss on Stolen Assets	1,507	
• Memberships	3,500	3,460
• Miscellaneous	928	722
• Office supplies	355	1,018
• Postage and Printing	1,283	2,340
• Professional fees	1,449	2,179
• Health Canada Funded Activities	196,112	93,959
• Project Activities - Other	18,547	0
• Publicity & fundraising	4,971	0
• Rent		2,489
• Salaries & benefits		20,535
• Tobacco Divestment Project		6,278
• Telephone		4,590
• Translation		0
• Travel & meetings		1,227
Total Expenses:	248,436	158,718
NET REVENUE (EXPENDITURE)	(16,290)	32,039

Are you interested in becoming a director of Physicians for a Smoke-Free Canada?

Our board of directors is elected every year during our Annual General Meeting. If you are interested in having your name stand for nomination at our next AGM, please contact:

Dr. Mark Taylor, 1-204-237-3429
Cynthia Callard at 1-800-540-5418
(or 613 233 4878).



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SECOND-HAND SMOKE & THE HEALTH OF CANADIANS.

Around the world, health authorities agree: involuntary exposure to second-hand smoke should be progressively eliminated. But few jurisdictions in Canada have reached 100% protection for workers and the public from this carcinogenic substance.

Few Laws Protect Non-Smokers

Federal: The Non-Smokers' Health Act (1988) has partially protected the 8% of Canadians who work under federal jurisdiction from exposure to second-hand smoke in the workplace. Smoking is allowed only in enclosed rooms specifically designated for that purpose, and some exceptions apply. This law, which can require non-smoking employees to enter smoking rooms from time to time and which does not prohibit shared ventilation with smoking areas, does not provide complete protection from second-hand smoke.

Provincial: Most provinces (but not PEI or Nova Scotia) have some legislative or policy controls over smoking. Municipalities in all provinces except PEI, Nova Scotia and Quebec are allowed to pass local by-laws controlling smoking in public and workplaces.

- **British Columbia**

The Workers Compensation Board of British Columbia adopted regulations in 1998 to protect British Columbia workers by banning smoking in most workplaces, and delayed the implementation of the regulations in restaurants, bars and similar areas until January 1, 2000. After a legal challenge from the hospitality sector, the regulation was struck down pending further public consultation. Public hearings were held this June, and it is hoped that the regulations will soon be reintroduced. In the mean time, the most populous municipalities (Vancouver, Victoria and environs) have bylaws that ban smoking in bars and restaurants.

- **Ontario**

Protection from second-hand smoke exists at both the municipal and provincial level in Ontario. Over 100 Ontario municipalities have bylaws that ban or restrict smoking in at least some public places and workplaces.

Ontario municipalities that have implemented bylaws banning smoking in bars and restaurants include: (in 2000) Guelph, Peterborough, Regional Municipality of Waterloo, City of Waterloo, Kitchener, Cambridge, Wilmot, Wellesley, Woolwich, North Dumfries (2001 or later) Toronto, Brampton, Nepean, London, and Caledon.

Tobacco Companies push "Ventilation." (Science says it won't work)

In 1981, the United States National Academy of Sciences reported that there was no ventilation system able to completely remove tobacco smoke from indoor air. Twenty years - and hundreds of studies later - the scientific conclusions are much more rigorous and refined. Yet they still conclude that ventilation is not capable of producing smoke safe from the harmful substances in cigarette smoke.

ASHRAE (the American Society of Heating, Refrigeration and Air-Conditioning Engineers) is the authority on indoor ventilation, and their standards are usually the basis for occupational health law. The ASHRAE standard that governs indoor air quality is called Ventilation for Acceptable Indoor Air Quality, ASHRAE Standard 62-1999. This standard was revised in 1973, 1981, 1989 and 1999. The most recent revision removed a provision that allowed smoking in buildings.

Now ventilation rates proposed by ASHRAE only apply to air free from tobacco smoke: ASHRAE no longer provides ventilation standards for air with tobacco smoke in it, only for air in smoke-free buildings. ASHRAE has also examined air cleaning technology carefully and concluded that none exists to effectively reduce tobacco smoke in the air to levels acceptable by health standards.

Tobacco companies are now promoting a new form of ventilation, which is claimed to reduce existing smoke levels by 90%. But even if that standard were achieved (it is still a theoretical reduction), hospitality workers would be exposed to health risks 2,000 times greater than the de minimis risk level used for health regulations in many areas.

No ventilation system has been developed which has satisfied any scientific authority as being capable of reducing the health risk to an acceptable level.

The tobacco industry ignores this, and continues to suggest that governments can "accommodate" both smokers and non-smokers. (Statements to this effect appear on the web sites of all major tobacco companies). The Canadian Tobacco Manufacturers Council provides \$800,000 a year to the hospitality industry to promote the "Courtesy of Choice" campaign, which mobilizes the hospitality sector against health regulations.

For more information on second-hand smoke issues, please contact Neil Collishaw, research director of Physicians for a Smoke-Free Canada at ncollishaw@smoke-free.ca or at 1-800-540-5418. --