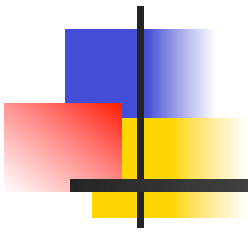


Second-Hand Smoke Issues



Philip Huang, MD, MPH
Medical Director/Health Authority
Austin/Travis County Health & Human
Services Dept.



Smokefree Laws: No Adverse Economic Effect

- National Studies
- Texas Studies
- El Paso
- Data from Austin



Smokefree Laws: Economic Issues

- Employer Issues
 - Absenteeism
 - Health insurance and life insurance costs and claims
 - Workers comp payments and health awards
 - Accidents and fires (plus related insurance costs)
 - Property damage (plus related insurance costs)
 - Smoke pollution (increased cleaning and maintenance costs)
 - Illness and discomfort among non-smokers to SHS



Smokefree Laws: Economic Issues

- Liability
 - Workers Compensation
 - Employee filed claims
 - Increased employer premiums
 - Disability Discrimination
 - Failing to provide a “reasonable accommodation” (e.g worker with asthma)
 - Failure to Provide a Safe Workplace
- Secondhand smoke cases have been filed against the hospitality industry, and won or settled favorably



Smokefree Laws: Economic Issues

- The US EPA estimates that smokefree restaurants can expect to save about \$190 per 1,000 square feet each year in lower cleaning and maintenance costs.
- The National Fire Protection Association found that in 1998 smoking materials caused 8,700 fires in non-residential structures resulting in direct property damage of \$60.5 million.
- Landlords and restaurants with smokefree premises have negotiated lower fire and property insurance premiums.



Texas Employer Costs of Smoking

Estimated annual EXCESS absence and productivity cost per smoker \$2,625 (not including health costs)

- Smoke breaks \$2,261
 - 26 minutes per day more than non-smokers (Source: Study by Halpern and Rentz) multiplied by the Texas average hourly wage \$19.76 (Source: Bureau of Labor Statistics, May 2009)
- Absences \$364
 - 2.3 days of additional absences (Source: Study by Halpern and Rentz) multiplied by Texas average hourly wage of \$19.76. (Source: Bureau of Labor Statistics, May 2009)

Tobacco-free environments reduces smoking prevalence by 3.8% and helps ex-smokers by eliminating cues to smoke and (Study by Fichtenberg and Glantz). According to a report by Phillip Morris, smokers with smoke-free workplaces have an 84% higher quit rate than average.



Criteria for Evaluating Economic Studies

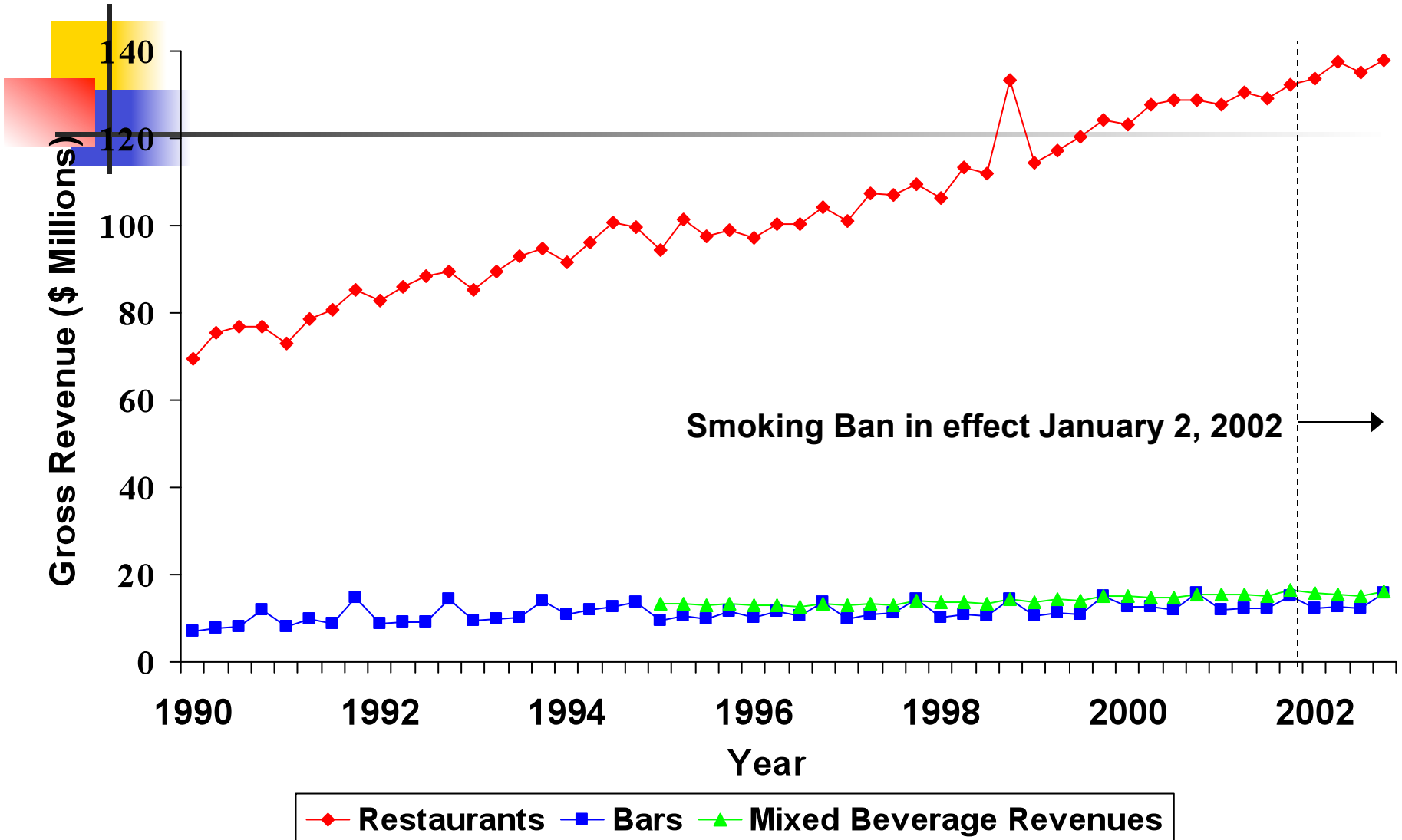
- Based on objective data (i.e. sales tax)
- Includes data for a sufficient time period before and after the ordinance
- Accounts for underlying economic trends
- Uses appropriate statistical methods
- In peer-reviewed literature
- Source of funding



Texas Economic Studies Methods

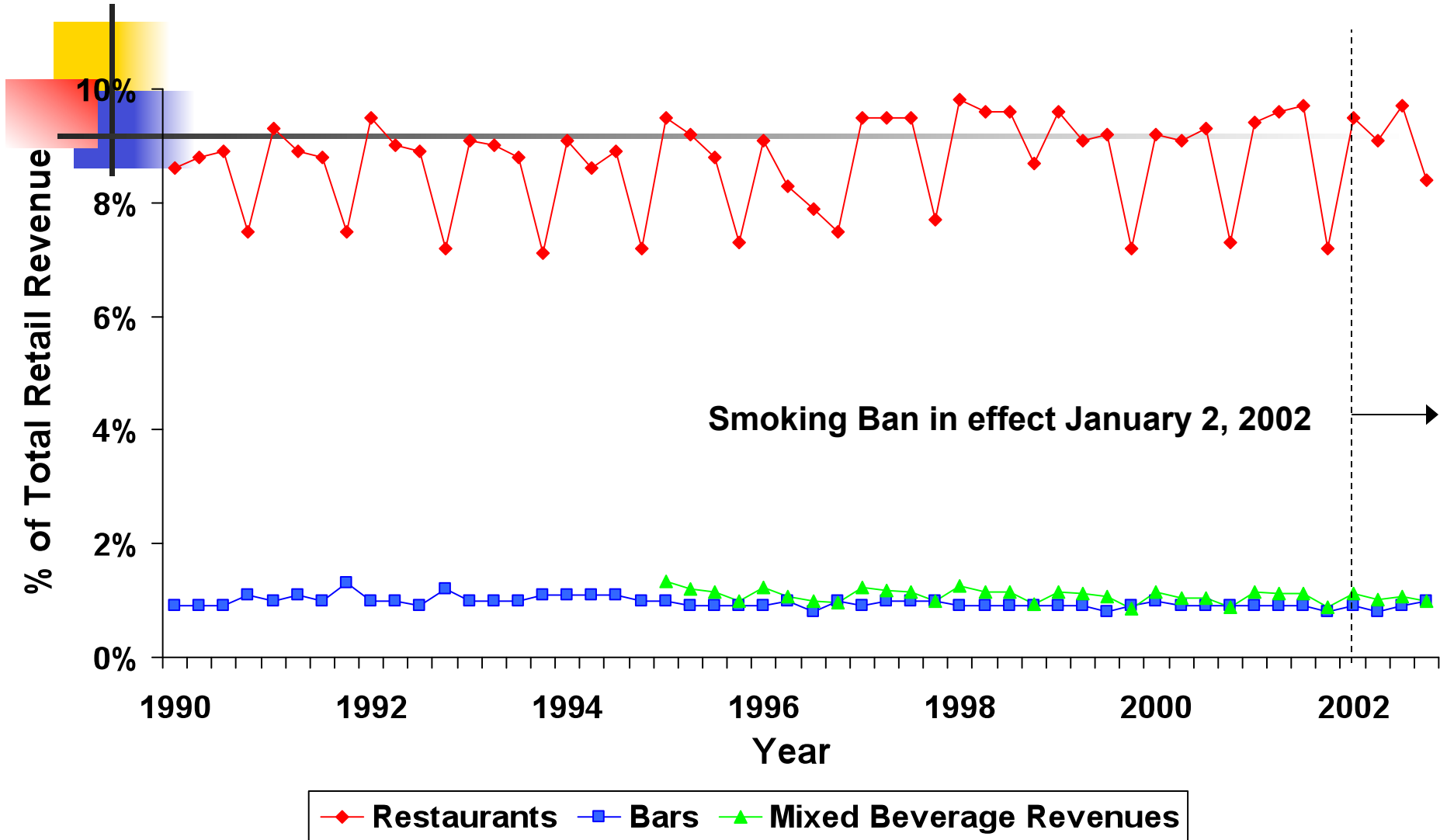
- Quarterly data obtained from the Texas Comptroller's Office
 - Taxable restaurant, bar and mixed beverage sales
 - Total retail sales
- Linear regression model to assess the economic impact of clean indoor air ordinances

Figure 1. Gross Restaurant, Bar and Mixed Beverage Revenues By Fiscal Quarter*—El Paso, Texas, 1990-2002



* First fiscal quarter of each year is January 1 –March 31

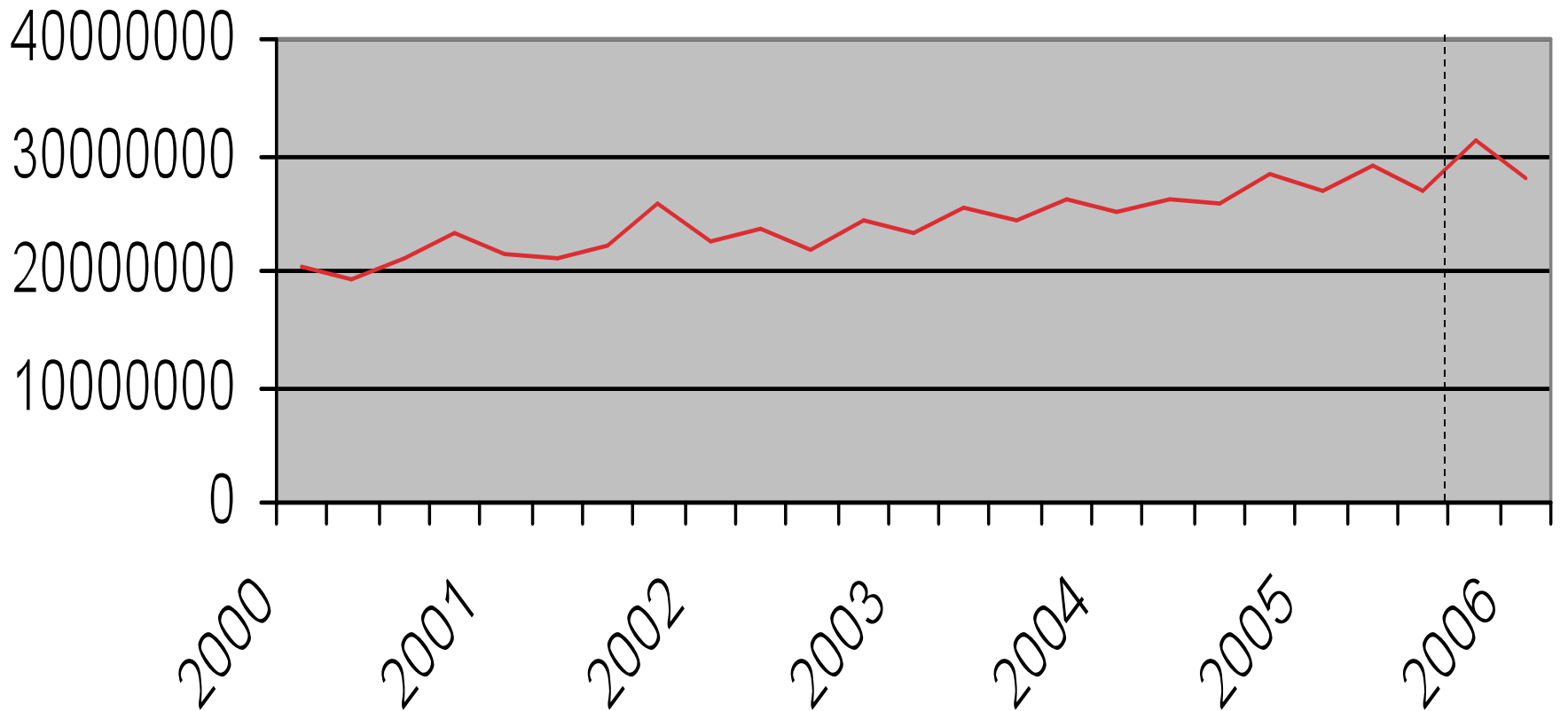
Figure 2. Restaurant, Bar and Mixed Beverage Revenues, Percent of Total Retail Revenues by Fiscal Quarter*— El Paso, Texas, 1990-2002



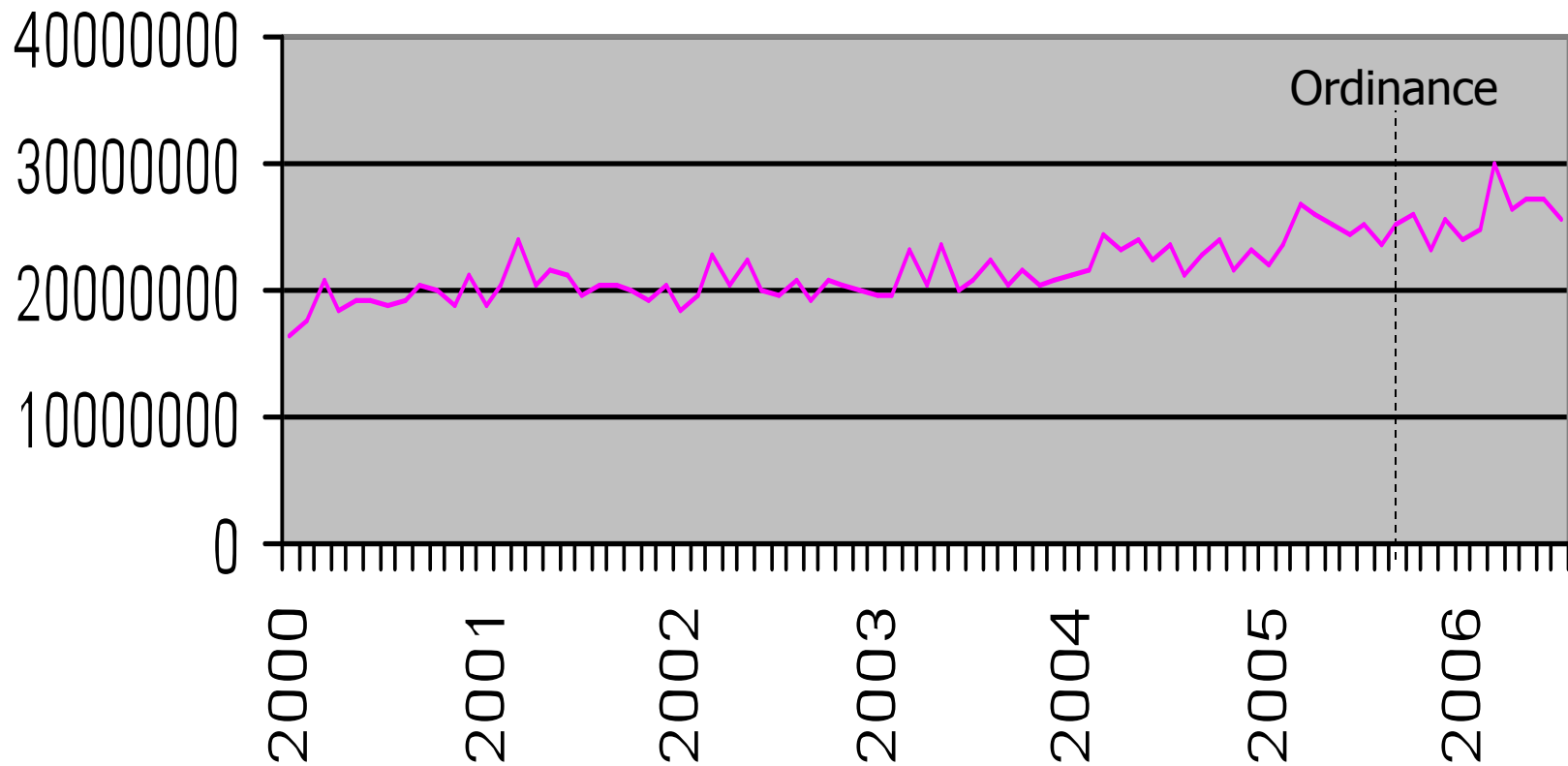
* First fiscal quarter of each year is January 1 –March 31

Austin Total Bar Sales by Quarter

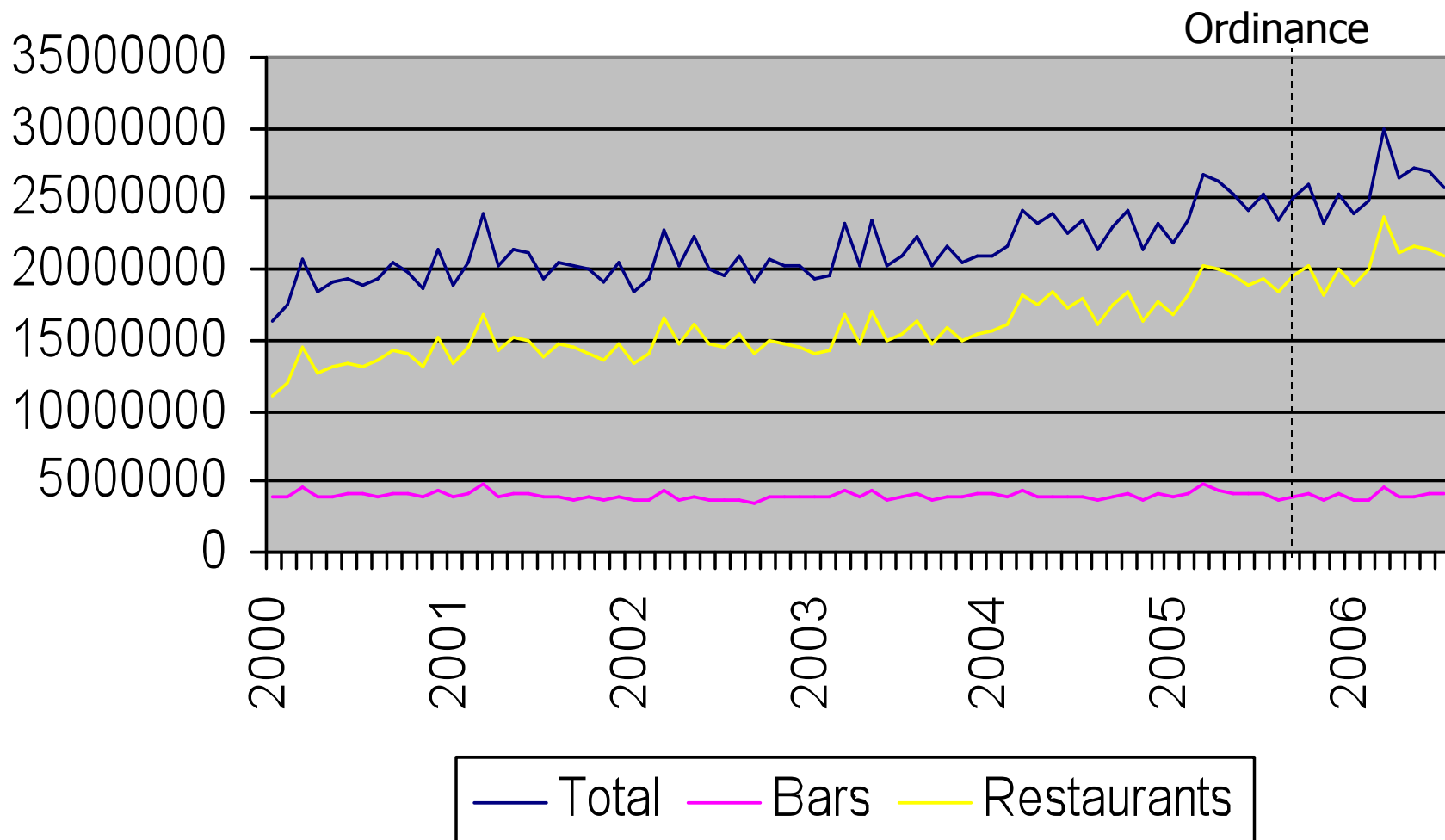
Ordinance



Austin - Total Mixed Beverage Sales



Austin Mixed Beverage Sales





Summary

- 2003 study offered a comprehensive view of all available studies on the economic impact of smoke-free workplace laws (Over 97 studies, including 34 with smoke-free bars)
- The study concluded that:

"All of the best designed studies report no impact or a positive impact of smoke-free restaurant and bar laws on sales or employment. Policymakers can act to protect workers and patrons from the toxins in secondhand smoke confident in rejecting industry claims that there will be an adverse economic impact."

Scollo M, et al, Review of the quality of studies on the economic effects of smoke-free policies on the hospitality industry, Tobacco Control (2003); 12:13-20.



Poor Quality Literature on Smoke-Free Bars and Restaurants

- Supported by Tobacco Industry
- Survey of bar owners on predicted impacts or anecdotal information
- Bizarre time periods or inappropriate control groups for comparison
- Non-peer reviewed



Plausibility

- In Texas there are over 4 times as many adult non-smokers as smokers
- Prior experiences
 - Airline bans
 - Movie theatres
- Texas Adult Survey



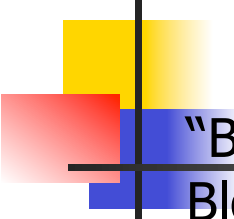
Texas Adult Survey (BRFSS) 2009

- If there were a total ban on smoking in restaurants, would you eat out:
 - More often 27%
 - Less often 6%
 - No difference 67%



Texas Adult Survey (BRFSS) 2009

- If there were a total ban on smoking in bars and music clubs, would you go to bars and music clubs:
 - More often 19%
 - Less often 8%
 - No difference 73%



“Back in 2002, when the City Council was weighing Mayor Michael R. Bloomberg’s proposal to eliminate smoking from all indoor public places, few opponents were more fiercely outspoken than James McBratney, president of the Staten Island Restaurant and Tavern Association.

He frequently ripped Mr. Bloomberg as a billionaire dictator with a prohibitionist streak that would undo small businesses like his bar and his restaurant. Visions of customers streaming to the legally smoke-filled pubs of New Jersey kept him awake at night.

Asked last week what he thought of the now two-year-old ban, Mr. McBratney sounded changed. “I have to admit,” he said sheepishly, “I’ve seen no falloff in business in either establishment.” He went on to describe what he once considered unimaginable: Customers actually seem to like it and so does he.

New York Times Feb 6, 2005



Key Points

- International scientific consensus that SHS kills
- SHS under typical conditions of smoker density and ventilation poses unacceptable risks to nonsmokers
- SHS cannot be controlled to acceptable levels of risk by ventilation or air cleaning
- No objective evidence to support the claim that smoke-free ordinances impose economic penalties on restaurant or bar owners
- Restrictions on SHS are no different than any other restrictions to protect public health.



Appendix



Second-Hand Smoke

- Recognized as a health hazard by major health authorities
 - U.S. Surgeon General (2006 Report)
 - National Cancer Institute
 - U.S. Environmental Protection Agency
 - World Health Organization



Second-Hand Smoke (SHS)

- Public Health Issue

- Contains over 4,000 chemicals including 69 known carcinogens
- Group A Carcinogen (like asbestos and benzene)
- Health Effects: Adults
 - Lung cancer
 - Coronary heart disease
- Health Effects: Children
 - Lower respiratory tract infections in children < 18 months old each year
 - Middle ear infections
 - Asthma
 - SIDS



Second-Hand Smoke Health Issues (Cont.)

- 30 minutes of exposure to SHS decreases coronary artery blood flow
- 3 hours exposure to SHS results in measurable levels of smoke compounds in urine of exposed persons



100% Smokefree Ordinances

- 28 States – Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Iowa, Illinois, Kansas (July 2010), Maine, Maryland, Massachusetts, Michigan (May 2010), Minnesota, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Rhode Island, Utah, Vermont, Washington and Wisconsin have passed 100% smokefree legislation that cover restaurants and bars.
- Many major centers for tourism now totally smoke-free including: Washington D.C., Los Angeles, San Francisco, San Diego, New York City, Boston



100% Smokefree in Texas (25)

- Abilene, Alton, Austin, Baytown, Beaumont, Benbrook, College Station, Conroe, Copperas Cove, Corpus Christi, Dallas, El Paso, Flower Mound, Galveston, Granbury, Houston, Laredo, Marshall, Pearland, Plano, Socorro, Southlake, Tyler, Vernon, Victoria