



Standing Committee
on
Finance & Economic Affairs

**Tobacco Control Statute Law
Amendment Act**

April 21, 2005

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We are a non-profit organization that provides leadership to boards of health and public health units in Ontario. Our members include board of health members of health units, medical and associate medical officers of health, and senior public health managers. alPHa advises and lends expertise to members on the

governance, administration and management of health units. The Association also collaborates with governments and other health organizations, advocating for a strong, effective and efficient public health system in the province.

On behalf of member Medical Officers of Health, Boards of Health and Affiliate organizations of the Association of Local Public Health Agencies (alPHA), we want to congratulate the Government on introducing the long-awaited legislation to ban smoking in public places and work places in Ontario, as part of its comprehensive anti-smoking strategy.

Our members are very pleased to see a detailed and well presented that includes increased taxation, retail display restrictions, peer education and this smoke-free legislation. Each is a critical component of tobacco control, and each has been a subject of ALPHA's extensive tobacco control advocacy over the years.

alPHA's position has long been for strong province - wide legislation to eliminate differences in health protection from one part of Ontario to the next - alPHA's members have committed enormous resources to enact local by-laws that protect people from involuntary exposure to smoke. They have laid the groundwork for the success of the province's legislation, which if passed, will achieve what many of them were unable to: exemption-free protection from second-hand smoke in all enclosed public places. This will level the playing field, and the food and beverage industry agrees with us that a level playing field is good for everyone.

Ontario currently has an unacceptable patchwork of local bylaws with differing levels of protection of citizens from a known health hazard depending on where they live. The long history of local boards and medical officers of health struggling to convince their municipalities to pass effective bylaws to limit public and workplace exposures to tobacco smoke hopefully is over.

The tobacco industry and its fronts consistently countered health arguments by misleading assertions about economic losses and rights and freedoms, which led to exemptions and incomplete protection from second-hand smoke.

Passage of Bill 164 will provincially legislate a standard to put an end to the inequalities in protection from this significant health hazard. "Leveling the playing field" will also remove an important economic lever from the tobacco interests. If DSRs are permitted in any way, shape or form, the playing field will not be level. These rooms are not effective - they do not protect workers or non-smoking patrons from exposure to second-hand smoke. Only larger premises with sufficient funds would be able to build them - why should we allow these premises to buy their way out of laws that protect public health? Why are food and beverage industry associations pretending to represent their smaller members while they advocate a solution that is so obviously unfair to them?

The debate is not going to disappear, but the focus of this issue is and must always be must be health. This strong and comprehensive provincial legislation will return that focus to where it belongs.

While much of our most recent advocacy efforts have focussed on 100% smoke-free public and work places, without exception, we are also very appreciative of the inclusion of a retail display ban component, especially given the challenges to similar regulation in Saskatchewan. We do not doubt that such displays are a powerful influence on purchasing habits, including those of youth, occasional smokers and smokers who are trying to quit. We believe that restricting these “power walls” will lead to decreases in use as well as changes in perception about the social acceptability and prevalence of smoking.

We are strongly in support of a total retail display ban. This is the last means of direct marketing by tobacco companies, and it is difficult to accept that it is not aimed at kids. A total ban would go a long way to correct perceptions about tobacco industry products being just like any other commodity. Huge power walls mislead the public (especially kids) about the acceptability and consumption of tobacco industry products. The tobacco industry always finds ways around limitations.

alPHa's members are the community leaders in tobacco control and as such we are looking forward to accepting our responsibility for assisting with the implementation of the various components of the Smoke Free Ontario strategy. Our combined efforts will certainly begin to reduce the enormous health toll that is taken by tobacco on tens of thousands of Ontarians each year.

We want to close by give thanks to the government, all the members of the legislature for their support of this Bill. We it's passage all of alPHa's current resolutions on tobacco will be closed after four years of advocacy, their operative clauses having been more than satisfied by this proposed legislation.

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