



Sudbury & District

## Health Unit

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April 18, 2007

The Honourable Tony Clement  
Minister of Health  
Health Canada  
Brooke Claxton Building, Tunney's Pasture  
Postal Locator: 0906C  
Ottawa, ON K1A 0K9

Dear Minister:

On behalf of the Sudbury & District Board of Health, I am writing to urge you to amend the Non-Smokers' Health Act in order to eliminate designated smoking rooms (DSRs) in federally-regulated workplaces.

Recent Canadian media reports have highlighted the fact that some federally-regulated workplaces still allow the use of DSRs by employees who use tobacco industry products.

The construction and use of designated smoking rooms, permissible under the Non-Smokers' Health Act in such workplaces, has now been, or will shortly be, prohibited by law in most Canadian jurisdictions. The province of British Columbia will end its use of DSRs next January; public places in Saskatchewan do not allow DSRs, nor do workplaces or public places in the province of Manitoba; DSRs are entirely prohibited in the provinces of Quebec, Ontario and New Brunswick; and there is limited use of DSRs in only a few public places and workplaces in the rest of Atlantic Canada.

The City of Greater Sudbury has had a 100% smoke-free public places and workplaces by-law in place since May 2003. Under this legislation, there are no exemptions or allowances for DSRs, thereby providing equal protection from second-hand smoke exposure for all workers in our community.

The Ontario Campaign for Action on Tobacco (2004) report outlines the numerous challenges to the effectiveness and fairness of DSRs as well as issues related to their maintenance. Of particular concern to us is the fact that DSRs contradict the mandate of public health to protect both workers and members of the public from second-hand smoke exposure. DSRs also create an unlevel playing field among premises.

The Non-Smokers' Health Act was passed nearly 20 years ago, at a time when our knowledge of the health effects of second-hand smoke exposure was considerably less than the evidence we now have. The U.S. Surgeon General's 2006 report, for example, provides an authoritative summary of the reasons why all indoor exposure to second-hand smoke should be eliminated for all members of society.

*An Accredited Teaching Health Unit  
Centre agréé d'enseignement en santé*

Re: Non-Smokers' Health Act  
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The Sudbury & District Board of Health urges you and your colleagues to act immediately to update the Non-Smokers' Health Act by eliminating its DSR provisions to bring it into line with the many excellent smoke-free workplace and public places statutes now in place across Canada, such as Ontario's Smoke-Free Ontario Act.

Yours truly,

Penny Sutcliffe, MD, MHSc, FRCPC  
Medical Officer of Health and Chief Executive Officer

C: The Honourable Jean-Pierre Blackburn, Federal Minister of Labour  
The Honourable George Smitherman, Provincial Minister of Health and Long-Term Care  
Dr. G. Pasut, Acting Chief Medical Officer of Health  
Ontario Boards of Health  
J. Gasparini, Chair, Sudbury & District Board of Health