

February 20, 2006



The Honorable Joe Davis  
Milwaukee Common Council  
City Hall, Rm. 205  
200 E. Wells Street  
Milwaukee, WI 53202-3570

Dear Alderman Davis:

As the Common Council champion of the current comprehensive smoke free ordinance in Milwaukee, the American Cancer Society would like to thank you for providing a copy of your proposed amendment. Please consider this letter our response to the proposed amendment. We have a number of concerns that we respectfully request an opportunity to discuss with you.

The American Cancer Society is disappointed that the proposed amendment weakens your original proposal before it's even had a public hearing. It is important that the citizens of Milwaukee have the opportunity to voice their support of the ordinance in its original form.

In addition, the proposed amendment weakens the protection of workers in two significant ways. The language allows more than two years to elapse before all Milwaukee taverns would be smoke free. Moreover, the language exempts certain establishments with an air filtration system. Ventilation systems do not protect people from the serious health effects of secondhand tobacco smoke. Please see the attached fact sheet of ventilation systems.

As cities all around Wisconsin and around the world protect their residents and visitors from the dangers of secondhand smoke, the proposed amendment says certain workers can wait. Whether they work in a hotel, a school, an office, a restaurant or a bar, workers deserve protection from secondhand smoke.

The volunteers of the American Cancer Society know that you share the goal that all workers have the right to breathe clean air and to work in a safe workplace. We look forward to working with you, other members of the Common Council, and the Mayor to make sure Milwaukee does not become the ashtray of Wisconsin and the Midwest.

Sincerely,

A handwritten signature in black ink, appearing to read "RAH" with a stylized flourish at the end.

Russell A. Hinz  
Chief Operating Officer

## Ventilation Does Not Protect People From Secondhand Smoke

The 1986 Surgeon General's report on involuntary smoking was the first to conclude that the simple separation of smokers and nonsmokers does not protect nonsmokers from secondhand smoke.<sup>i</sup> Since then, extensive scientific research has linked secondhand smoke to cancer and heart disease and hundreds of communities have decided to go smoke-free. In response, the tobacco industry has tried to push ventilation technology as an alternative to smoke-free environments and as a way to prevent the enactment of smoke-free policies. However, research shows that ventilation technologies do not sufficiently protect individuals from the harmful effects of breathing in secondhand smoke and that smoke-free policies remain the only measure to truly ensure that nonsmokers are adequately protected.

### Smoking Sections Don't Protect Nonsmokers

- Designated smoking sections within restaurants are often part of the same room and same ventilation system as nonsmoking areas and offer little protection. Recirculation of air through a building's ventilation systems results in secondhand smoke from a smoking area appearing in nonsmoking areas as well.
- Nonsmoking areas are not "smoke-free". In a study of 17 sites, there was only a 50% reduction in exposure to tobacco smoke in the nonsmoking areas compared to the smoking areas. Some nonsmoking areas provided no reduction in exposure to smoke.<sup>ii</sup>

### Ventilation Technologies Are Ineffective

- In June 2005, the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), the national and international standard setting body for indoor air quality, adopted a position document that stated the only way to effectively eliminate health risks associated with indoor exposure to secondhand smoke is to ban smoking activity.<sup>iii</sup>
- ASHRAE also stated that no engineering approaches, including dilution ventilation or air cleaning technologies, have demonstrated or should be relied upon to control health risks from secondhand smoke.<sup>iv</sup>
- Impractical, tornado-like levels of ventilation would be needed in restaurants and bars in order to adequately protect workers and patrons from the risks associated with secondhand smoke.<sup>v</sup>
- Ventilation technology may help reduce the irritability and the smell of smoke, but does not eliminate the cancer-causing chemicals.<sup>vi</sup>
- Ventilation was unable to control cancer-causing pollution in seven hospitality venues in Boston, prior to the city's smoke-free ordinance. Indoor air pollution levels were 4 times higher than National Ambient Air Quality Standards' outdoor requirements.<sup>vii</sup>

### Separately Ventilated Smoking Rooms Are Costly and Don't Protect Everyone

- Prohibiting smoking is the most effective way to limit nonsmokers' exposure to secondhand smoke and it is the only way to protect *both* workers and patrons.
- Separately ventilated smoking rooms do not take into consideration the health of employees who must enter these rooms. Restaurant and bar employees have been found to be at a higher risk of disease due to their disproportionate exposure to secondhand smoke.<sup>viii</sup>
- Adverse health effects for the occupants of separately ventilated smoking rooms cannot be controlled by ventilation.<sup>ix</sup>
- Smoke-free policies are the least expensive change for businesses to implement and for the city to enforce. Installation, maintenance, and remodeling costs associated with a proper ventilation system that includes an enclosed smoking area and outside exhaust may be cost-prohibitive for many businesses.

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- <sup>i</sup> U.S. Department of Health and Human Services. *The Health Consequences of Involuntary Smoking: A Report of the Surgeon General*. Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health. 1986.
- <sup>ii</sup> Cains T, et al. "Designated "No Smoking" Areas Provide From Partial to No Protection From Environmental Tobacco Smoke." *Tobacco Control*. 2004.
- <sup>iii</sup> American Society of Heating, Refrigeration, and Air-Conditioning Engineers, Environmental Tobacco Smoke Position Document Committee, "ASHRAE Position Document on Environmental Tobacco Smoke." June 2005.
- <sup>iv</sup> ASHRAE, 2005.
- <sup>v</sup> Repace, James. "Can Ventilation Control Secondhand Smoke in the Hospitality Industry?" June 2000.
- <sup>vi</sup> ASHRAE, 2005.
- <sup>vii</sup> Repace, James. "An Air Quality Survey of Respirable Particles and Particulate Carcinogens in Boston Pubs Before and After a Smoking Ban." Repace Associates Inc. 2003.
- <sup>viii</sup> Siegel, M. Involuntary Smoking in the Restaurant Workplace: A Review of Employees Exposure and Health Effects. JAMA. 1993.
- <sup>ix</sup> ASHRAE, 2005.