

# What kind of smoking ban to protect worker's health? An international survey of antismoking regulations compared with Italian laws

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Exposure to environmental tobacco smoke is one of the leading cause of preventable death and diseases, being second only to solar radiation exposures. In Europe it provokes about 80.000 deaths/year, due to cardiovascular, respiratory or neoplastic pathologies. According to WHO estimates, around the World tobacco smoke is responsible of at least 5.4 million deaths / year, number which will increase up to 8 million / year (80% in developing Countries) by 2030. In terms of occupational safety and prevention, ETS is defined as "inhalatory exposure at work to environmental tobacco smoke due to smoking of costumers or co-workers". It was estimated (in the 15 - EU) that almost 7.500.000 people (800.000 of whom only in Italy) was exposed to ETS for at least 75% of working time.

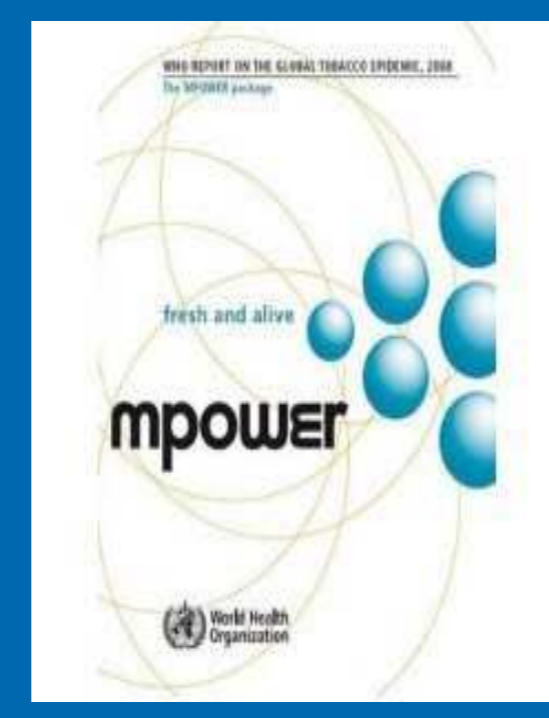
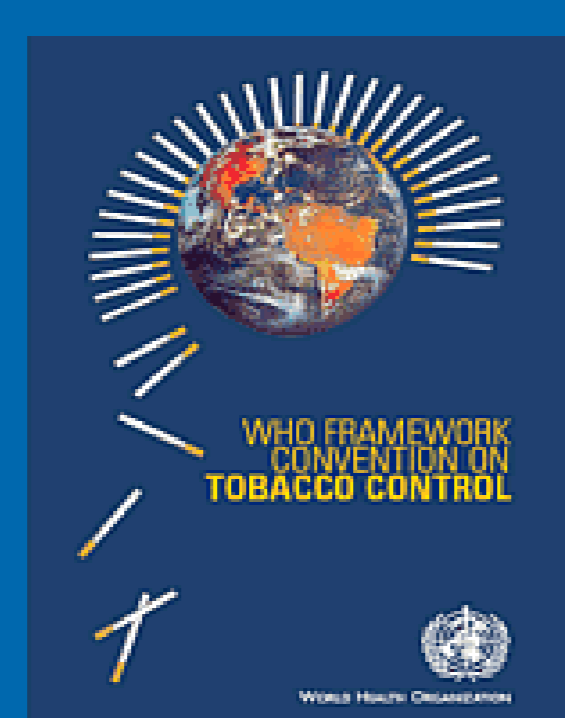
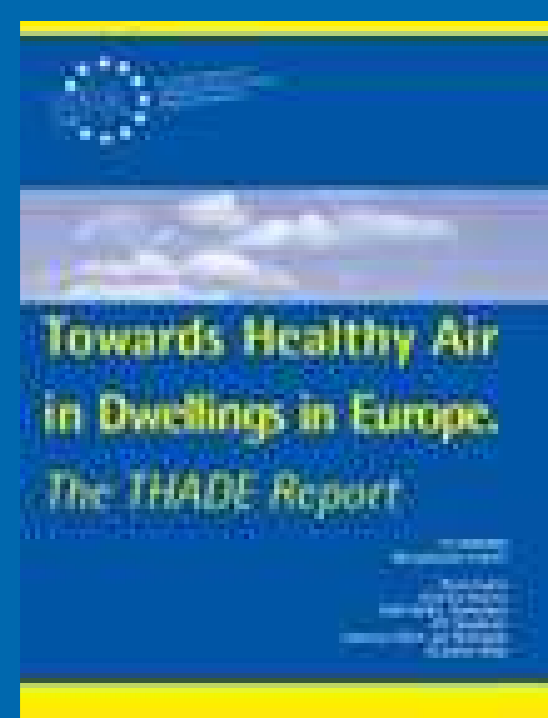


ETS has been classified as a **known human carcinogen** by the US Environmental Protection Agency (EPA) in 1993 and by International Agency for Research on Cancer (IARC) in 2002. Furthermore, it is scientifically demonstrated that in presence of other possible environment pollutants, tobacco smoke can increase the incidence either of smoke-related or of other pathologies whose pathogenic agents may be carried by tobacco smoke.

This is the reason why, at the European level, one of the priorities of the EU Commissions on public health, environment, employment and research is a coordinated policy of efforts towards a "smoke-free Europe", implementing smoke-free policies, issuing directives on tobacco smoke control and producing new documents and reports, such as the INDEX report (which established a list of five "high-priority" chemicals – all present in tobacco smoke – and recommended to ban tobacco smoke in all indoor public spaces and workplaces) and the **THADE report** (in which environment tobacco smoke has been considered the first contributor to indoor particulate concentration in buildings where tobacco smoke is allowed).

At a wider level, WHO negotiated the **Framework Convention on Tobacco Control**, which is one of the most widely embraced treaty in the story of United Nations, having been signed by 168 and ratified by 163 parties. FCTC is an evidence-based treaty underlining the right of all people to the highest standard of health, providing economic (increase of price and taxes and prohibition to sell tobacco products to minors) and non-economic measures to protect present and future generations from sanitary, social and environmental consequences of tobacco consumption and exposure to tobacco smoke.

Furthermore, WHO introduced the **MPOWER**, which is a package of six proven policies (**M**onitor tobacco use and prevention policies; **P**rotect people from tobacco smoke; **O**ffer help to quit tobacco use; **W**arn about the dangers of tobacco; **E**nforce bans on tobacco advertising, promotion and sponsorship; **R**aise taxes on tobacco ) that can reverse the tobacco epidemic and prevent millions of tobacco-related deaths.



The promotion of smoke-free environments is defined by restrictions on smoking at work, in enclosed public places, in the hospitality sector, in hospitals and on public transports.

In Italy, besides laws on occupational health and safety (Legislative Decree n. 81/2008, enacting EEC directives about improvement of workers' occupational health and safety), which are effective tools employers can use to prevent almost every occupational hazard workers may be exposed to, including those related to air quality in the workplace's indoor environment, particular relevance has been given to the ban on tobacco smoking in all enclosed public places where the public has access to, including public and private workplaces (art. 51 of the law 3/2003), in force from January 2005, which made Italy the third party in Europe to enact severe and restrictive rules about tobacco smoking in every living and working environment.

According to this law and its application rules, tobacco smoke is banned in every private or public workplace, in bars and restaurants and in public places. It is possible, though, to realize separated smoking areas strictly responding to construction standards set out by law: these areas must be physically separated from the rest of the premises, shouldn't occupy more than 50% of the overall area, must be kept at a negative pressure (- 5 Ps) so that smoke don't exit at doors opening, and must have an independent and efficient ventilation system which warrants an air capacity of at 30 L/min per person, with a crowding index of 0,7 person per square metre.

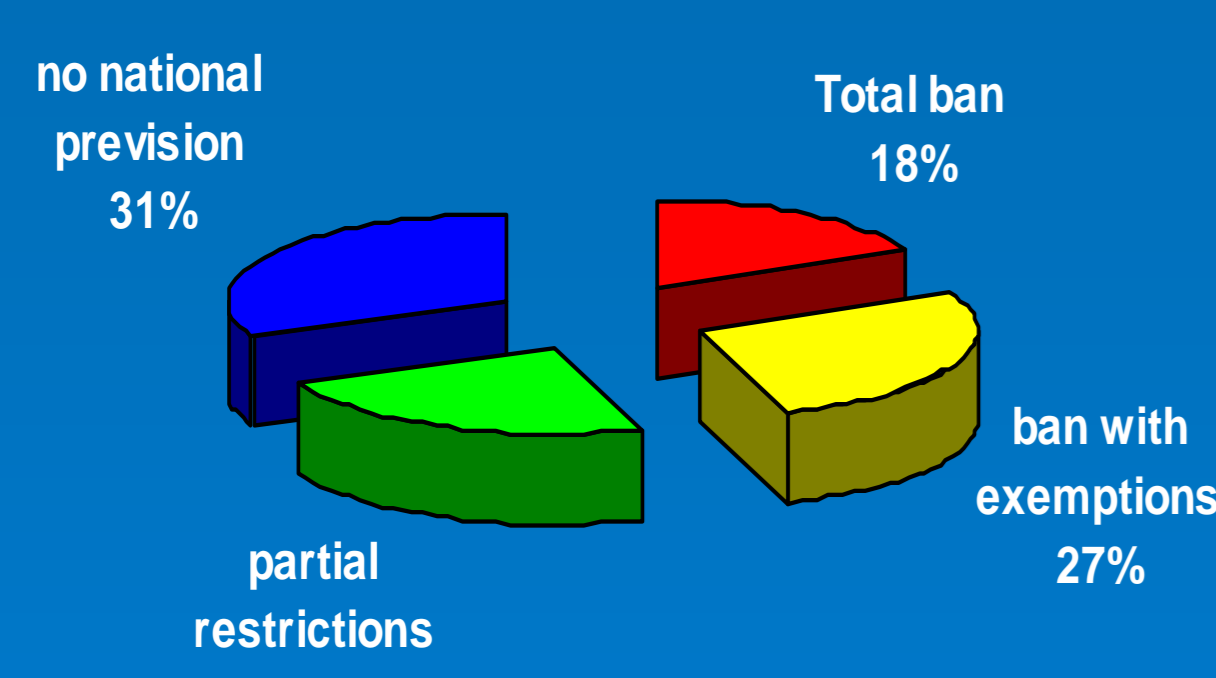
National legislations, though, are very different across the world, as different policies have been enforced.

The most significant indicators of the severity of smoking bans are the provisions related to the hospitality sector and public places, as bars and restaurants (like many other public places) are not only places of entertainment for the general public, but must be considered as workplaces where employees (waiters, bartenders, shop assistants, etc.) may be exposed to customers' second hand smoke. At the moment, after a survey of smoking bans in 85 Countries around the world, we classified smoking bans in four principal groups, according to severity of restrictions, enforcement of bans in public places and workplaces and the other measures adopted to struggle tobacco use and addiction (advertising and selling of tobacco products, age limits, smoking restrictions outdoors and in private spaces).

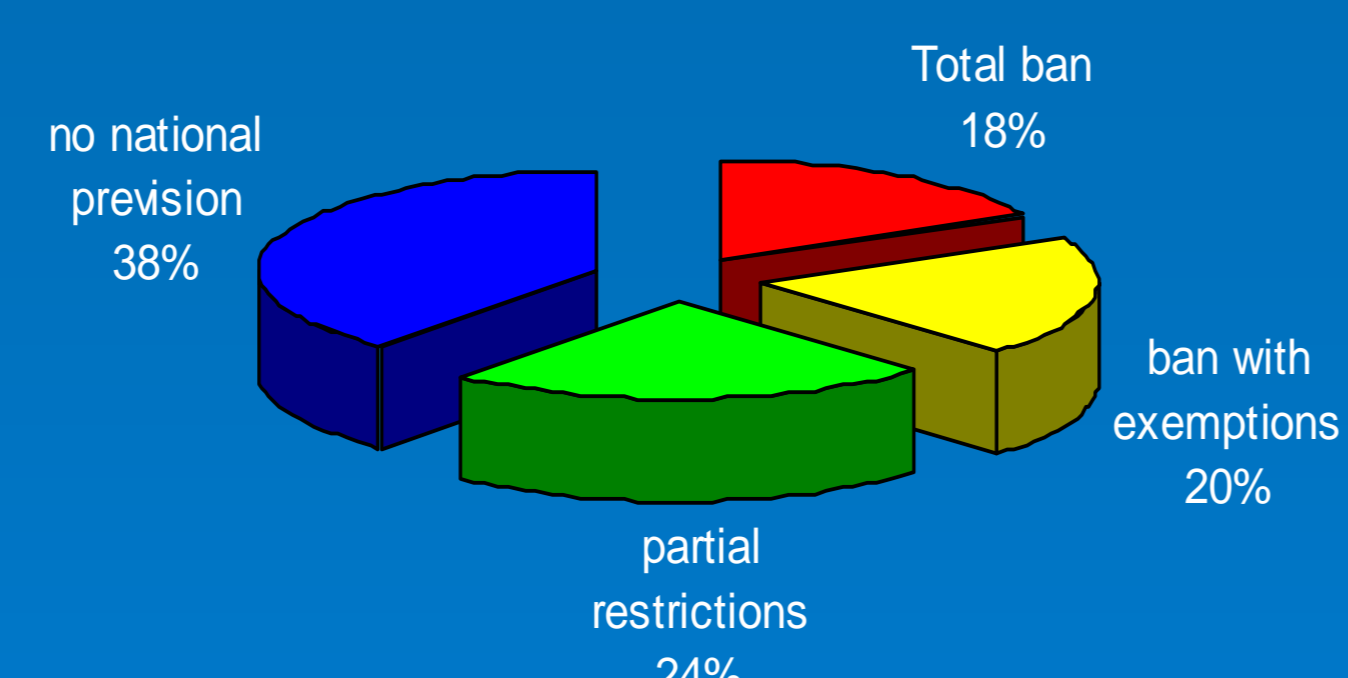
## Results of our survey on 85 Countries smoking bans

- Comprehensive smoking ban** in all enclosed public places and workplaces including bars and restaurants (in some cases extended to open-air areas of the venue), without any exemptions or exceptions.
- Smoke-free laws with exemptions**, consisting in the chance, for employers, to create special sealed-off smoking rooms with separate ventilation system inside workplaces or hospitality venues (bars and restaurants). Few national legislations, though, provide that no employee should have access to this rooms, if not on voluntary basis, or that no food nor drinks may be served inside these rooms.
- Smoking ban with partial restrictions**, consisting in the possibility to designate proportional areas of premises or indoor public places or workplaces as smoking areas reserved for smokers, even though these are not physically separate.
- The application of regulations (banning or restricting smoking in public places, less frequently in workplaces or in the hospitality sector) are delegated to **voluntary agreement to law** by employers, while employees' health protection is submitted to the **adoption of measures** preventing workers from environment tobacco smoke exposition.

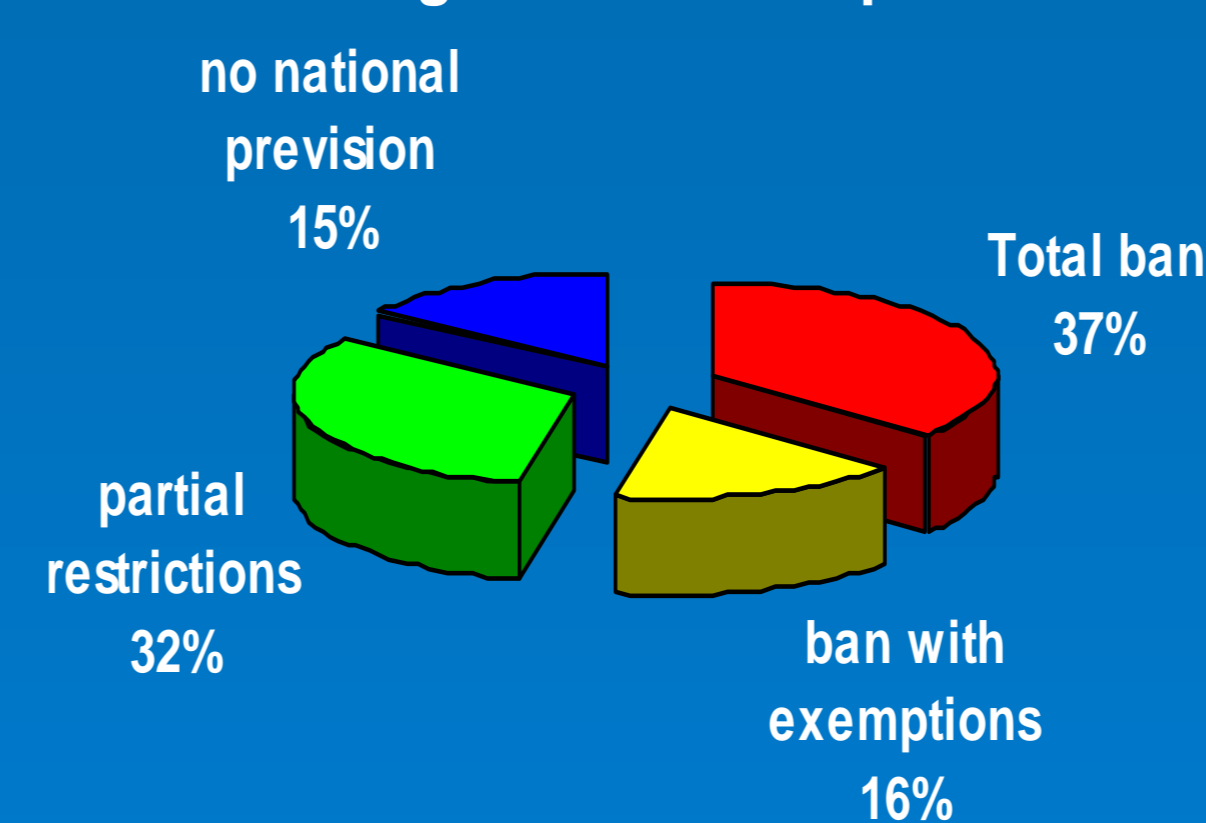
Smoking bans - Workplaces



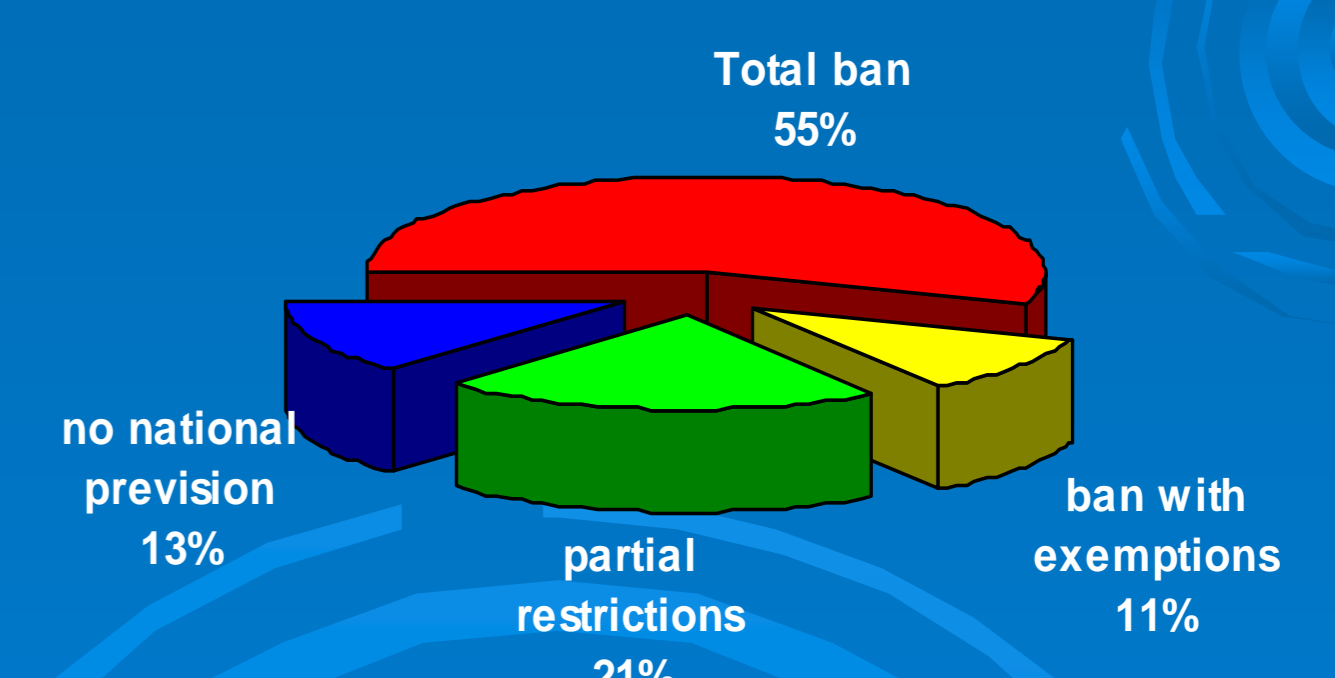
Smoking bans - Bars & restaurants



Smoking bans - Public places



Smoking bans - Hospitals



Comparing international smoking bans and tobacco control regulations represent an useful tool to evaluate Governments' engagement in the struggle to tobacco diffusion and consumption and, as regards laws forbidding tobacco smoke at the workplace, in the protection of worker's health. Besides, knowledge of the results achieved by single States in terms of population's health improvement and consequent reduction of sanitary costs may represent a good incentive for those Countries willing to fall into line with WHO's warnings.

### References

- EU, Health & Consumer Protection (2007) – Green paper; towards a Europe free from tobacco smoke: policy options at EU level.
- CAREX (1998) International Information System on Occupational Exposure to Carcinogens. Occupational exposure to carcinogens in the European Union in 1990-93. Finnish Institute of Occupational Health, Helsinki.
- IARC Monographs (2002) – Vol. 83, Tobacco Smoke and Involuntary Smoking
- WHO (2003) – Framework Convention on Tobacco Control.
- Lega Italiana per la Lotta contro i Tumori (2005) - Libro bianco sul fumo
- European Commission, Directorate – General. Joint Research Centre (2005) - Critical Appraisal of the Setting and Implementation of Indoor Exposure Limits in the EU. The INDEX project. Final Report, Ispra, Italy.
- European Commission (2004) Towards Healthy Air in Dwellings in Europe. The THADE Report.
- Who (2008) – Report on the global tobacco epidemic. The MPOWER package
- ISS – Linee guida cliniche per promuovere la cessazione dell'abitudine al fumo [www.iss.it/ofad](http://www.iss.it/ofad)