

Présentation de M. Marvin Rotrand, conseiller municipal
Arrondissement de Côte-des-Neiges—Notre-Dame-de-Grâce
Ville de Montréal

Devant la Commission de la santé et des services sociaux

Dans le cadre des auditions publiques sur le projet de loi n° 44
Jeudi 3 septembre 2015, à 16 heures

Aux membres de la commission,

Permettez-moi tout d'abord de vous remercier pour cette invitation aux audiences publiques relatives au projet de loi n°44.

Bien que je sois présent en tant qu'individu, je tiens à souligner le vaste consensus obtenu auprès de diverses municipalités québécoises qui souhaitent notamment appuyer le projet de loi, mais également proposer certains amendements.

La lutte au tabagisme est, à plusieurs égards, un enjeu municipal. Au cours des dernières années, les citoyens ont initié des débats et demandé des actions concrètes afin de créer des villes en santé. De nombreux citoyens à travers le Québec ont communiqué avec leurs élus municipaux lors de l'apparition de la cigarette électronique, ce qui a entraîné des débats au sujet de la lutte au tabagisme dans de nombreuses municipalités québécoises. Ces débats nous ont permis d'améliorer notre connaissance de la *Loi sur le tabac*, mais également de comparer la législation québécoise à celles des autres provinces canadiennes.

Dans ce contexte, la Société de transport de Montréal (STM) a modifié son *Règlement R-036 relatif aux comportements des usagers dans le réseau de transport* suite à la réception de nombreuses plaintes concernant l'usage de la cigarette électronique à l'intérieur des autobus et du métro.

Certains arrondissements de la ville de Montréal ont également adopté un règlement interdisant l'usage de la cigarette électronique dans les édifices et véhicules municipaux.

Ultimement, ces actions ont mené à l'adoption d'une motion au conseil municipal de Montréal demandant d'assujettir la cigarette électronique à la *Loi sur le tabac*. Cette motion, en pièce jointe, est tout à fait similaire aux motions adoptées par d'autres municipalités québécoises à l'égard de la cigarette électronique.

Le conseil municipal a clairement exprimé son désir de voir les règles relatives à la cigarette électronique appliquées à l'ensemble du Québec. En assujettissant la cigarette électronique à la *Loi sur le tabac*, on assure une application de la loi sur l'ensemble du territoire ce qui évite d'avoir différents règlements d'une région à l'autre, éliminant ainsi toute confusion auprès des citoyens.

L'adoption de la motion a permis au conseil municipal de jeter un regard plus approfondi sur les questions du tabagisme et a également permis d'en apprendre davantage sur le travail de la Coalition québécoise pour le contrôle du tabac et ses efforts pour convaincre le gouvernement du Québec de la nécessité d'une réforme de la *Loi sur le tabac*.

Ainsi, le mouvement grandissant en faveur de la lutte au tabagisme s'est répandu à travers le Québec et je suis heureux de déposer plus de 174 résolutions municipales invitant le gouvernement du Québec à se doter d'objectifs audacieux de réduction du tabagisme, soit de viser une réduction de 10 % en 10 ans dans le cadre de la révision de la *Loi sur le tabac*. Cette initiative a été lancée en novembre dernier par la Coalition québécoise pour le contrôle du

tabac et la Division du Québec de la Société canadienne du cancer. Les municipalités qui ont adopté ces résolutions représentent une population totale de plus 3 millions de personnes et sont des municipalités de toutes tailles dont Montréal, Rimouski, Sherbrooke, Alma, Chibougamau, Chandler et Repentigny. Ces résolutions sont la preuve d'un consensus important parmi les élus municipaux de partout au Québec à l'effet que le tabagisme demeure une problématique majeure de santé publique à laquelle il faut fermement et rapidement s'attaquer.

Pour le conseil municipal de Montréal et les Montréalais, cette lutte au tabagisme s'est amorcée par l'adoption unanime de deux motions en moins d'un an.

La *Loi visant à renforcer la lutte au tabagisme* doit non seulement avoir pour objectif la réduction du taux de tabagisme, mais elle doit également être un outil afin prévenir le tabagisme chez les jeunes. Dans le projet de loi n°44, le gouvernement propose une série de mesures afin que les mineurs ne puissent pas se procurer de produits du tabac. Ces mesures sont cohérentes avec le souhait des municipalités de voir diminuer le nombre de fumeurs potentiels. Le Ministère de la Santé a un rôle important à jouer dans l'éducation et la prévention du tabagisme auprès des jeunes. Ceux-ci doivent savoir et comprendre que fumer n'est pas "cool" mais une habitude dangereuse pour la santé qui crée une dépendance.

Bien que le projet de loi n°44 représente une avancée majeure, je souhaite en mon nom et au nom de mes collègues élus, proposer des amendements qui pourraient faire partie des recommandations de la présente commission.

L'ensemble des municipalités soutient les mesures proposées dans le projet de loi n°44 notamment l'interdiction de fumer dans les voitures en présence d'enfants et l'interdiction de l'aromatization des produits du tabac. Aux États-Unis, la Food and Drug Administration (FDA) a indiqué que les cigarettes au menthol et le tabac aromatisé sont souvent responsables de l'initiation au tabagisme.

De plus, à l'instar d'autres provinces canadiennes, les municipalités sont en faveur de la proposition d'un élargissement de la définition des lieux publics où est interdite la consommation de tabac afin d'y inclure les terrasses publiques des bars et celles des restaurants.

Cela dit, les municipalités souhaitent que les terrains de jeux pour enfants et les terrains sportifs soient inclus dans la définition de lieux publics assujettis à l'interdiction de fumer. En effet, plusieurs municipalités ont déjà un règlement à cet égard, mais elles souhaiteraient une uniformité pour l'ensemble du Québec, ce qui permettrait d'éliminer toute confusion ou interrogation quant à l'application de la loi.

Nous appuyons aussi l'inclusion d'un pouvoir réglementaire permettant d'interdire de fumer dans d'autres lieux. D'ici la prochaine révision de la loi, qui n'aura vraisemblablement pas lieu avant cinq ans, il est très probable qu'il y aura des circonstances où une interdiction s'avérera appropriée — que ce soit en lien avec des circonstances particulières (comme un attroupement de fumeurs à 9 m d'une porte qui se trouve sous une fenêtre) ou que avec une évolution des normes sociales (comme le souhait de la population d'interdire de fumer dans les espaces verts ou les plages).

Aussi, afin de prévenir le tabagisme et de rendre le produit du tabac moins attrayant, les municipalités souhaitent que le gouvernement s'attaque à la problématique de l'emballage. À l'instar de l'Australie, de l'Irlande, du Royaume-Uni et plus récemment de la France, les fabricants devraient être contraints à utiliser des emballages neutres. À court terme, les mises en garde devraient également être plus visibles et plus claires.

Plus de dix années se sont écoulées depuis la dernière révision de la *Loi sur le tabac*. Entre-temps, l'attitude et la perception du public à l'égard du tabac ont énormément changé. Les effets nocifs du tabagisme et de la fumée secondaire de même que les coûts sur le service de la santé attribuables au tabac sont maintenant connus et reconnus. Au Québec, le tabagisme est responsable de la mort de plus de 10 000 personnes annuellement.

Le 12 mai dernier, j'ai eu l'opportunité de collaborer à la planification de la conférence « Bâtir une ville en santé » en collaboration avec des élus municipaux, l'Association pour la santé publique du Québec et la Coalition québécoise sur la problématique du poids.

Cette conférence a notamment permis de réunir Mme Suzanne Roy, présidente de l'UMQ et mairesse de Sainte-Julie, M. Denis Lapointe, président du Réseau québécois de Villes et Villages en santé (RQVVS) et maire de Valleyfield, et plus de 300 professionnels du milieu de la santé et élus municipaux de partout au Québec pour échanger sur des questions de santé publique.

Lors de cet événement, la question du tabagisme fut maintes fois abordée et, chaque fois, les intervenants, que ce soit des élus municipaux ou des professionnels du milieu de la santé, ont souhaité que le gouvernement du Québec procède à une réforme de la *Loi sur le tabac* et résiste à la pression provenant de l'industrie du tabac pour contrer la lutte au tabagisme.

Bien que cet aspect ne soit pas considéré dans les présentes audiences, j'invite les membres de la commission à prendre en considération l'influence du prix des cigarettes sur les habitudes des consommateurs. En effet, le prix du tabac au Québec demeure le plus bas au pays. Un tableau comparatif est disponible en consultant le lien suivant : https://www.nsra-adnf.ca/cms/file/files/150409_map_and_table.pdf

En terminant, je vous remercie de l'attention portée à mon intervention.

Soyez assurés de mon soutien pour un Québec en santé.

Je vous prie d'accepter mes salutations les meilleures.



Marvin Rotrand
Conseiller de Snowdon
Ville de Montréal

p.j. Annexe 1 : Motion – Ville de Montréal – Cigarette électronique
 Annexe 2 : 174 résolutions municipales
 Annexe 3 : Cigarette au menthol et produit du tabac aromatisé
 Annexe 4 : Terrains de jeux



Extrait authentique du procès-verbal d'une assemblée du conseil municipal

Assemblée ordinaire du lundi 15 septembre 2014
Séance tenue le 16 septembre 2014

Résolution: CM14 0955

Motion demandant au gouvernement du Québec de restreindre l'usage des cigarettes électroniques dans les espaces publics

Avant présentation, le conseiller Marvin Rotrand dépose une nouvelle version de l'article 65.10 qui se lit comme suit :

Attendu que la *Loi sur le tabac* interdit de fumer la cigarette dans la plupart des espaces publics à travers le Québec;

Attendu que de nouveaux produits du tabac appelés cigarettes électroniques ont été introduits sur le marché au cours des dernières années et qu'ils consistent en une cartouche remplie, pour certains, de nicotine liquide qui crée une vapeur à inhaler lorsque chauffée;

Attendu la volonté exprimée par la ministre déléguée à la Santé publique de mettre à jour la *Loi sur le tabac* pour interdire l'usage de la cigarette électronique dans les lieux publics et pour rendre sa vente illégale aux mineurs;

Attendu que les effets sur la santé de la « vapeur secondaire » ne sont pas connus précisément et que des experts de santé publique dénoncent les dangers potentiels des agents chimiques contenus dans les cartouches;

Attendu que des experts en santé publique sont d'avis que l'utilisation des cigarettes électroniques pourrait être une passerelle vers l'utilisation de la cigarette conventionnelle, pour les jeunes et pour les non-fumeurs;

Attendu que les villes de Los Angeles, New York, Chicago et Boston, parmi d'autres, ont adopté des règlements et des ordonnances qui restreignent l'usage des cigarettes électroniques dans les espaces publics;

Attendu que le Dr David McKeown, *Medical Officer of Health* de la Ville de Toronto, a demandé au conseil municipal de la Ville de Toronto de considérer l'adoption d'un règlement interdisant l'usage de la cigarette électronique dans les espaces publics, si le gouvernement de l'Ontario n'amende pas sa *Loi favorisant un Ontario sans fumée* pour y inclure les cigarettes électroniques;

Attendu que ni Santé Canada ni la *Food and Drug Administration* américaine n'ont approuvé les cigarettes électroniques, et que les ventes des cigarettes électroniques se font dans une zone grise, et malgré les avertissements des deux institutions sur les effets néfastes potentiels des cigarettes électroniques;

Il est proposé par M. Marvin Rotrand
appuyé par Mme Elsie Lefebvre
Mme Marie Cinq-Mars
M. Steve Shanahan
M. Jeremy Searle
M. Richard Bergeron
M. Denis Coderre
M. Sterling Downey

Et résolu :

que le conseil de ville :

- 1 - demande au gouvernement du Québec d'inclure les cigarettes électroniques à la *Loi sur le tabac*, pour que leur utilisation soit interdite dans tout endroit où l'usage de la cigarette est interdit au Québec;
- 2 - invite Santé Canada à statuer sur les conditions selon lesquelles les cigarettes électroniques devraient être utilisées, et si elles devraient être contrôlées par la *Loi sur les aliments et drogues du Canada*.

Un débat s'engage.

Le conseiller Marvin Rotrand dépose les copies de documents des Villes de Berkeley, Chicago, Los Angeles, New York et Toronto concernant l'utilisation de cigarettes électroniques dans les lieux publics.

Adopté à l'unanimité.

65.10
/pl

Denis CODERRE

Maire

Colette FRASER

Greffière adjointe

(certifié conforme)

Colette FRASER
Greffière adjointe

Signée électroniquement le 18 septembre 2014

Municipalités québécoises invitant le gouvernement du Québec à se doter d'objectifs audacieux de réduction du tabagisme dans le cadre de la Loi sur le tabac (« 10 % dans 10 ans »)

(mise à jour le 1^e septembre 2015)

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|-----------------------------------|--|--|
| 1. Alma | 34. Estérel | 66. McMasterville |
| 2. Arundel | 35. Fortierville | 67. Melbourne |
| 3. Austin | 36. Fugèreville | 68. Mercier |
| 4. Beaumont | 37. Gracefield | 69. Métabetchouan-Lac-à-la-Croix |
| 5. Biencourt | 38. Grand-Métis | 70. Mille-Isles |
| 6. Blainville | 39. Ham-Sud | 71. Montcerf-Lytton |
| 7. Brossard | 40. Hemminford (village de) | 72. Montpellier |
| 8. Calixa-Lavallée | 41. Hemmingford (canton de) | 73. Montréal |
| 9. Candiac | 42. Joliette | 74. Mont-Saint-Hilaire |
| 10. Cap-Chat | 43. Kingsey Falls | 75. Mont-Tremblant |
| 11. Cap-Santé | 44. L'Assomption | 76. Napierville |
| 12. Carignan | 45. L'Épiphanie | 77. Neuville |
| 13. Chambly | 46. La Patrie | 78. Nicolet |
| 14. Chambord | 47. La Pêche | 79. North-Hatley |
| 15. Chandler | 48. La Pocatière | 80. Notre-Dame-de-la-Merci |
| 16. Chapais | 49. La Tuque | 81. Notre-Dame-de-Lourdes |
| 17. Chibougamau | 50. Labelle | 82. Notre-Dame-du-Sacré-Cœur d'Issoudun |
| 18. Cleveland | 51. Lac-des-Aigles | 83. Palmarolle |
| 19. Cookshire-Eaton | 52. Lac-des-Plages | 84. Piedmont |
| 20. Côte Saint-Luc | 53. Lac-Édouard | 85. Pierreville |
| 21. Courcelles | 54. Lac-Mégantic | 86. Piker River |
| 22. Cowansville | 55. Lacolle | 87. Plessisville |
| 23. Danville | 56. Lac-Saint-Paul | 88. Pohénegamook |
| 24. Daveluyville | 57. Lambton | 89. Port-Cartier |
| 25. Déléage | 58. L'Anse-Saint-Jean | 90. Port-Daniel-Gascons |
| 26. Delson | 59. Lantier | 91. Portneuf |
| 27. Denholm | 60. L'Ascension-de-Notre-Seigneur | 92. Rawdon |
| 28. Deschambault-Grondines | 61. Laurierville | 93. Repentigny |
| 29. Disraeli | 62. Lavaltrie | 94. Rigaud |
| 30. Dolbeau-Mistassini | 63. Lemieux | 95. Rimouski |
| 31. East-Hereford | 64. Les Escoumins | 96. Rivière-au-Tonnerre |
| 32. Eastman | 65. Matane | |
| 33. Entrelacs | | |

- | | | |
|--|---|--|
| 97. Rosemère | 124. Saint-Éloi | 153. Saint-Narcisse-de-Rimouski |
| 98. Saint-Adelme | 125. Sainte-Louise | 154. Saint-Pascal |
| 99. Saint-Adrien | 126. Sainte-Marie-Madeleine | 155. Saint-Pierre-de-Broughton |
| 100. Saint-Alphonse-de-Rodriguez | 127. Saint-Épiphane | 156. Saint-Rémi-de-Tingwick |
| 101. Saint-Anaclet-de-Lessard | 128. Sainte-Rita | 157. Saint-Roch-de-l'Achigan |
| 102. Saint-André | 129. Saint-Eugène-d'Argentenay | 158. Saint-Romain |
| 103. Saint-André-Avellin | 130. Saint-Félix-d'Otis | 159. Saint-Sauveur |
| 104. Saint-Anselme | 131. Saint-Félix-de-Kingsey | 160. Saint-Simon |
| 105. Saint-Antonin | 132. Saint-Fortunat | 161. Saint-Thomas |
| 106. Saint-Arsène | 133. Saint-François-Xavier-de-Viger | 162. Saint-Urbain |
| 107. Saint-Basile-le-Grand | 134. Saint-Germain-de-Grantham | 163. Saint-Valentin |
| 108. Saint-Bernard-de-Michaudville | 135. Saint-Hubert-de-Rivière-du-Loup | 164. Saint-Vallier |
| 109. Saint-Bonaventure | 136. Saint-Hugues | 165. Saint-Venant-de-Paquette |
| 110. Saint-Bruno-de-Montarville | 137. Saint-Hyacinthe | 166. Sayabec |
| 111. Saint-Charles-Borromée | 138. Saint-Isidore | 167. Sherbrooke |
| 112. Saint-Chrysostome | 139. Saint-Isidore-de-Clifton | 168. Sorel-Tracy |
| 113. Saint-Cuthbert | 140. Saint-Jérôme | 169. Standbridge Station |
| 114. Saint-Cyprien | 141. Saint-Joseph-de-Sorel | 170. Stornoway |
| 115. Saint-Denis-de-la-Bouteillerie | 142. Saint-Justin | 171. Témiscouata-sur-le-Lac |
| 116. Sainte-Anne-de-la-Pérade | 143. Saint-Lambert | 172. Trécesson |
| 117. Sainte-Anne-de-la-Rochelle | 144. Saint-Lin-Laurentides | 173. Trois-Rives |
| 118. Sainte-Catherine | 145. Saint-Louis-du-Ha! Ha! | 174. Val-des-Monts |
| 119. Sainte-Catherine-de-Hatley | 146. Saint-Magloire | 175. Verchères |
| 120. Sainte-Croix | 147. Saint-Marc-du-Lac-Long | 176. Warden |
| 121. Saint-Edmond-Les-Plaines | 148. Saint-Marcel | 177. Warwick |
| 122. Sainte-Geneviève-de-Berthier | 149. Saint-Michel | 178. Weedon |
| 123. Sainte-Jeanne-d'Arc | 150. Saint-Michel-de-Bellechasse | 179. Westmount |
| | 151. Saint-Modeste | 180. Wickham |
| | 152. Saint-Narcisse | 181. Wotton |

Résolution typique*

(*Il se peut qu'il y ait de petites variations)

Motion demandant au gouvernement du Québec la révision de la *Loi sur le tabac*

- Attendu le souhait du conseil municipal de promouvoir la santé publique ;
- Attendu la déclaration de Mme Lucie Charlebois, ministre déléguée à la Réadaptation, à la Protection de la jeunesse et à la Santé publique à l'effet que le gouvernement du Québec procédera bientôt à la révision de la *Loi sur le tabac*;
- Attendu qu'au cours des cinq dernières années, environ 100 000 jeunes sont devenus fumeurs et 50 000 Québécois sont décédés à cause du tabagisme, selon les statistiques de la Coalition québécoise pour le contrôle du tabac;
- Attendu que la Société canadienne du cancer indique que la réduction du taux de tabagisme a un impact immédiat et positif pour l'amélioration de la santé publique;
- Attendu qu'en novembre 2014, plus de 50 organismes travaillant dans le domaine de la santé ont lancé une campagne afin de réduire le taux de tabagisme à « 10 % dans 10 ans », en proposant que les mesures pour atteindre l'objectif de la campagne soient incluses dans la révision de la *Loi sur le tabac*;
- Attendu que pour atteindre cet objectif, le milieu de la santé propose des mesures prioritaires visant à prévenir l'initiation au tabagisme chez les jeunes, comme l'interdiction des saveurs et l'emballage neutre et standardisé;
- Attendu que le milieu de la santé propose l'amélioration de la protection des non-fumeurs et des enfants contre la fumée secondaire, et demande d'interdire de fumer sur les terrasses publiques, sur les terrains de jeux pour enfants et dans les autos en présence d'enfants;

Il est proposé par :

appuyé par :

et résolu :

que le conseil municipal :

- 1- exprime son soutien pour l'objectif de réduire le tabagisme dans la population, et particulièrement à prévenir l'initiation au tabagisme chez les jeunes;
- 2- invite le gouvernement du Québec à considérer les objectifs de la campagne « 10 % dans 10 ans » lors de la révision de la *Loi sur le tabac*.



TOBACCO COMPANY MARKETING TO KIDS

“From the 1950s to the present, different defendants, at different times and using different methods, have intentionally marketed to young people under the age of twenty-one in order to recruit ‘replacement smokers’ to ensure the economic future of the tobacco industry.”

—U.S. District Court Judge Gladys Kessler
Final Opinion, *United States v. Philip Morris*¹

The major tobacco companies now spend \$9.6 billion per year—more than \$26 million every day—to promote their products, and many of their marketing efforts directly reach kids.² According to the most recent Federal Trade Commission (FTC) reports on cigarette and smokeless marketing, that \$9.6 billion represents a nearly ten percent increase in marketing expenditures in 2012. Cigarette marketing expenditures increased to \$9.17 billion in 2012, due mainly to an increase in spending on price discounts. Tobacco companies spent an additional \$435.7 million on smokeless tobacco marketing—nearly three times the amount spent in 1998 and an increase of more than 70 percent from 2005 expenditures (\$250.8 million), the year before cigarette companies entered the smokeless tobacco market.³ Tobacco industry documents, research on the effect of the cigarette companies’ marketing efforts on kids, and the opinions of advertising experts combine to reveal the intent and the success of the industry’s efforts to attract new smokers from the ranks of children.

Tobacco Industry Statements & Actions

Numerous internal tobacco industry documents, revealed in various tobacco lawsuits, show that the tobacco companies have perceived kids as young as 13 years of age as a key market, studied the smoking habits of kids, and developed products and marketing campaigns aimed directly at them.⁴ As an RJR Tobacco document put it, “Many manufacturers have ‘studied’ the 14-20 market in hopes of uncovering the ‘secret’ of the instant popularity some brands enjoy to the almost exclusion of others. . . . Creating a ‘fad’ in this market can be a great bonanza.”⁵ The following are just a few of the many more internal company quotes about marketing to kids:

- Philip Morris:** *“Today’s teenager is tomorrow’s potential regular customer, and the overwhelming majority of smokers first begin to smoke while still in their teens... The smoking patterns of teenagers are particularly important to Philip Morris.”*⁶
- RJ Reynolds:** *“Evidence is now available to indicate that the 14-18 year old group is an increasing segment of the smoking population. RJR-T must soon establish a successful new brand in this market if our position in the industry is to be maintained in the long term.”*⁷
- Brown & Williamson:** *“Kool’s stake in the 16- to 25-year-old population segment is such that the value of this audience should be accurately weighted and reflected in current media programs . . . all magazines will be reviewed to see how efficiently they reach this group.”*⁸
- Lorillard Tobacco:** *“[T]he base of our business is the high school student.”*⁹
- U.S. Tobacco:** *“Cherry Skoal is for somebody who likes the taste of candy, if you know what I’m saying.”*¹⁰

In August 2006, U.S. District Court Judge Gladys Kessler released her final opinion in the U.S. Government’s landmark case against tobacco companies, meticulously describing how the tobacco companies target youth with sophisticated marketing campaigns. According to Judge Kessler, tobacco

companies intimately study youth behavior and use their findings to create images and themes attractive to youth. Judge Kessler found that:

"Defendants spent enormous resources tracking the behaviors and preferences of youth under twenty-one...to start young people smoking and to keep them smoking."¹¹

Tobacco companies knowingly placed advertisements in magazines popular with youth, in violation of the terms of the 1998 Master Settlement Agreement, and often sent direct mail pieces to youth without verifying their age. Judge Kessler's conclusion is very straightforward:

"The evidence is clear and convincing—and beyond any reasonable doubt—that Defendants have marketed to young people twenty-one and under while consistently, publicly, and falsely denying they do so."¹²

The 2014 Surgeon General Report further emphasized the tobacco industry's marketing to youth and the way in which it perpetuates the tobacco problem:

"...the root cause of the smoking epidemic is also evident: the tobacco industry aggressively markets and promotes lethal and addictive products, and continues to recruit youth and young adults as new consumers of these products."¹³

Tobacco Companies Still Market Their Products to Kids

The tobacco companies claim that they have stopped intentionally marketing to kids and targeting youth in their research or promotional efforts, but they continue to advertise tobacco in ways that reach vulnerable underage populations. For example, tobacco companies continue to advertise heavily at retail outlets near schools and playgrounds, with large ads and signs clearly visible from outside the stores. In fact, in 2012 tobacco companies spent nearly 96 percent (\$9.2 billion) of their total advertising and promotion expenditures on strategies that facilitated retail sales, such as price discounts, point-of-sale advertising, coupons, and payments to ensure prime retail space.¹⁴

The 2014 Surgeon General Reports states that "the tobacco industry continues to position itself to sustain its sales by recruiting youth and young adults... as consumers of all their nicotine-containing products including cigarettes."¹⁵ This report adds to the findings of a comprehensive report on the media and tobacco use, released by the National Cancer Institute (NCI) in June 2008, that describes how tobacco company advertising targets specific populations, such as youth and young adults, by employing themes and messages that resonate with them. For example, tobacco advertisements suggest that smoking can satisfy adolescents' need to be popular, feel attractive, take risks and avoid or manage stress.¹⁶

The extent of the tobacco industry's marketing to kids is well documented:

- A study based on data from the National Youth Tobacco Survey found that 90.7 percent of middle school and 92.9 percent of high school students were exposed to pro-tobacco ads in stores, in magazines or on the internet in 2011. Though exposure to tobacco ads in newspapers or magazines declined from 2000 to 2009, exposure increased from 2009 to 2011. In 2011, 48.2 percent of middle school and 54 percent of high school students reported seeing tobacco ads in magazines. Exposure to pro-tobacco ads through the internet also increased over time; in 2011, 43 percent of adolescents were exposed to pro-tobacco images on the internet. Among middle school students, exposure to tobacco advertising was associated with increased likelihood of being susceptible to smoking.¹⁷
- In April to June 2013, ads for R.J. Reynolds' Camel Crush cigarettes appeared in at least 24 magazines, including several with large teen readerships. This marked the first time RJR advertised a cigarette brand in magazines since 2008, when the company suspended its magazine advertising while facing public and Congressional scrutiny and lawsuits by nine states for engaging in marketing that targeted kids. Publicly available data from GfK MRI, a consumer research firm, shows a total teen readership (12-17 years old) of 12.9 million for just nine of the magazines involved—*Entertainment Weekly*, *ESPN the Magazine*, *Sports Illustrated*, *Rolling Stone*, *People*, *Glamour*, *InStyle*, *US Weekly* and *Vogue*. The total teen readership for all 24 magazines would be millions

more. Reynolds' marketing to kids through magazines is not new. In June 2002, a California judge fined RJR for advertising in magazines with high youth readerships in ways that violated the state tobacco settlement agreement's prohibition that forbids the cigarette companies from taking any action directly or indirectly to target youth in the advertising, promotion, or marketing of tobacco products.¹⁸

- A 2013 assessment of retail advertising for tobacco products in Philadelphia found that 29 percent of retailers with indoor tobacco ads placed one or more of them in close proximity to products targeted toward children.¹⁹
- A 2011 study of retail outlets in California found that stores contained an average of nearly 20 tobacco marketing materials. The proportion of stores with any tobacco advertising at or below three feet increased significantly from 14 percent in 2008 to 34 percent in 2011. The proportion of stores with tobacco advertising near candy also increased significantly from less than 1 percent to 9 percent. When looking only at convenience stores, researchers found that nearly half (47%) had at least one tobacco advertisement at or below three feet, and 10 percent had tobacco advertisements near candy. Across all stores, there were more marketing materials for Marlboro than for Camel and Newport, which is consistent with the market share of these brands and youth's preference for them.²⁰
- Research shows that there is more store advertising for menthol cigarettes and a greater availability of price promotions for menthol brands near California high schools with more black students, meaning tobacco products, like Newport, are both more visible and more affordable to kids.²¹ Newport is the leading brand of cigarettes among African American youth ages 12-17.²²
- A 2006 survey of 184 retail stores in Hawaii found 3,151 tobacco advertisements and promotions, most of which were for RJ Reynolds' Kool, the cigarette brand most heavily smoked by teenagers in Hawaii.²³
- A 2002 survey in a Californian community found that stores where adolescents shop most often have more than three times more cigarette advertisements and promotional materials outside of the stores and almost three times more materials inside compared to other stores in the community.²⁴
- A 2001 study in the *New England Journal of Medicine* found that the 1998 MSA had little effect on cigarette advertising in magazines. In 2000, the tobacco companies spent \$59.6 million in advertising expenditures for the most popular youth brands in youth oriented magazines. The settlement has not reduced youth exposure to advertisements for these brands. Magazine ads for each of the three most popular youth brands (Marlboro, Newport, and Camel) reached more than 80 percent of young people in the United States an average of 17 times in 2000.²⁵
- A Massachusetts Department of Health study found that cigarette advertising in magazines with high youth readership actually increased by 33 percent after the November 1998 Master Settlement Agreement, in which the tobacco companies agreed not to market to kids.²⁶ An American Legacy Foundation study found that magazine ads for eight of the top ten cigarette brands reached 70 percent or more of kids five or more times in 1999.²⁷
- In July 2000, a study revealed that after tobacco billboards were banned by the Master Settlement Agreement the cigarette companies increased their advertising and promotions in and around retail outlets, such as convenience stores.²⁸
- According to a study conducted by the Massachusetts Department of Health, the United States Smokeless Tobacco Company (UST), the country's largest smokeless tobacco manufacturer, spent \$9.4 million advertising in magazines with high youth readership in 2001, compared to the average \$5.4 million spent in 1997 and 1998, the two years before the settlement. Nearly half of the company's advertising (45%) continued to be in youth-oriented magazines after the settlement.²⁹

At the same time as they deny marketing to kids, major tobacco companies vigorously oppose reasonable efforts to make it more difficult for kids to obtain cigarettes, such as raising tobacco excise taxes, requiring that all tobacco products be sold from behind the counter, forbidding sales of single tobacco products or "kiddie packs" (e.g. single sticks of little cigars) or prohibiting sales of tobacco products via the Internet or through the mail. In her final opinion, Judge Kessler also noted, "Defendants continue price promotions for premium brands which are most popular with teens."³⁰

The cigarette companies are addicted to underage smoking. Ninety percent of all regular smokers begin smoking at or before age 18, and hardly anybody tries their first cigarette outside of childhood.³¹ In other words, if kids stopped smoking, the cigarette companies market of smokers would significantly shrink. But each day, more than 2,800 kids try smoking for the first time and 700 additional kids become regular daily smokers, largely due to tobacco company marketing efforts.³²

Empirical Evidence of the Impact of Tobacco Marketing to Kids

Beyond the tobacco industry's own statements, there is strong empirical evidence that tobacco advertising has a direct impact on the industry's recruitment of new, youth tobacco users. A key finding of the 2012 Surgeon General Report was the conclusion that there is a causal relationship between the advertising and promotional efforts of the tobacco companies and the initiation and progression of tobacco use among young people.³³ In 2014, the U.S. Surgeon General reiterated this finding, stating that, "...advertising and promotional activities by the tobacco companies cause the onset and continuation of smoking among adolescents and young adults."³⁴

The 2008 NCI Monograph, noted previously, also found that "the evidence base indicates a causal relationship between tobacco advertising and increased levels of tobacco initiation and continued consumption" and that even brief exposure to tobacco advertising influences adolescents' attitudes and perceptions about smoking as well as their intentions to smoke. The NCI report also found that exposure to depictions of smoking in the movies is causally related to youth smoking initiation.³⁵ The 2008 monograph adds to the findings from an earlier NCI report which reviewed the research on tobacco advertising and promotion and its impact on youth smoking and concluded that there was a causal relationship between tobacco marketing and smoking initiation.³⁶

Numerous studies lend additional support to the link between tobacco marketing and youth smoking:

- According to the National Survey on Drug Use and Health, 85 percent of youth smokers (12–17) prefer Marlboro, Newport and Camel (the three most heavily advertised brands), while only 60 percent of smokers 26 or older prefer these brands.³⁷
- A survey conducted in March 2012 showed that kids were significantly more likely than adults to recall tobacco advertising. While only 25 percent of all adults recalled seeing a tobacco ad in the two weeks prior to the survey, 45 percent of kids aged 12 to 17 reported seeing tobacco ads.³⁸
- A 2010 study in the *Journal of Preventive Medicine* confirmed the dose-response impact between exposure to cigarette advertising and higher risk of smoking among youth and also found that "the association between tobacco advertising and youth smoking is specific to tobacco advertising content and not simply a marker of an adolescent who is generally receptive to marketing."³⁹
- A study published in the May 2007 issue of *Archives of Pediatrics and Adolescent Medicine*, the first national study to examine how specific marketing strategies in convenience stores and other retail settings affect youth smoking, concluded that the more cigarette marketing teens are exposed to in retail stores, the more likely they are to smoke, and that restricting these retail marketing practices would reduce youth smoking. Specifically, the study found that retail cigarette advertising increased the likelihood that youth would initiate smoking; pricing strategies contributed to increases all along the smoking continuum, from initiation and experimentation to regular smoking; and cigarette promotions increased the likelihood that youth will move from experimentation to regular smoking.⁴⁰
- A June 2007 study from the American Legacy Foundation found that 40 percent of youth smokers (ages 13-18) recalled seeing advertisements for flavored cigarettes. Eleven percent of youth smokers

had tried flavored cigarettes and more than half who had heard of flavored cigarettes were interested in trying them, with almost 60 percent believing that flavored cigarettes would taste better than regular cigarettes.⁴¹ Though flavored cigarettes (not including menthol) were banned in 2009 with the passage of the federal Family Smoking Prevention and Tobacco Control Act, other flavored products, such as cigars, were not. According to the 2011 National Youth Tobacco Survey, 4 out of 10 current high school cigar and cigarette smokers use flavored cigars or flavored cigarettes.⁴²

- A study published in the December 2006 issue of *Archives of Pediatrics and Adolescent Medicine* found that exposure to tobacco marketing, which includes advertising, promotions and cigarette samples, and to pro-tobacco depictions in films, television, and videos more than doubles the odds that children under 18 will become tobacco users. The researchers also found that pro-tobacco marketing and media depictions lead children who already smoke to smoke more heavily, increasing the odds of progression to heavier use by 42 percent.⁴³
- A 2002 study in the *Archives of Pediatric and Adolescent Medicine* found that receptivity to tobacco advertising had a significant impact on each step of the progression from non-smoking to established regular smoking, even when exposure to smoking in the home and by peers was controlled. The biggest impact was on influencing non-susceptible youth to becoming susceptible to smoking.⁴⁴
- A 2002 *American Journal of Preventive Medicine* study found that youth who were highly receptive to tobacco advertising were 70 percent more likely to move from being experimental smokers to established smokers compared to those who had a minimal receptivity to tobacco advertising.⁴⁵
- A 2000 study in the *American Journal of Public Health* showed that adolescents who owned a tobacco promotional item and named a cigarette brand whose advertising attracted their attention were twice as likely to become established smokers as those who did neither.⁴⁶
- A 1998 longitudinal study of teenagers in the *Journal of the American Medical Association* showed that tobacco industry promotional activities influenced previously non-susceptible non-smokers to become susceptible to or experiment with smoking.⁴⁷
- A 1996 study in the *Journal of Marketing* found that teenagers are three times as sensitive as adults to cigarette advertising.⁴⁸
- A December 1996 survey of advertising industry executives found that roughly 80 percent believed that advertising for cigarettes reaches children and teenagers in significant numbers and makes smoking more appealing or socially acceptable to kids; 71 percent believed that tobacco advertising changes behavior and increases smoking among kids; and 59 percent believe that a goal of tobacco advertising is marketing cigarettes to teenagers who do not already smoke.⁴⁹
- A 1995 study in the *Journal of the National Cancer Institute* found that teens are more likely to be influenced to smoke by cigarette advertising than they are by peer pressure.⁵⁰
- According to the U.S. Centers for Disease Control and Prevention, the development and marketing of smokeless "starter products" with features like pouches and cherry flavoring have switched smokeless tobacco from a product used primarily by older men to one used mostly by young men.⁵¹ Currently, 14.7 percent of high school boys use smokeless tobacco, a nearly 34 percent increase from 2003.⁵²
- Between 1989 and 1993, when advertising for the new Joe Camel campaign jumped from \$27 million to \$43 million, Camel's share among youth increased by more than 50 percent, while its adult market share did not change at all.⁵³
- A 1994 report in the *Journal of the American Medical Association* found that six years after the introduction of Virginia Slims and other brands aimed at the female market in the late 1960s, the smoking initiation rate of 12-year-old girls had increased by 110 percent. Increases among teenage girls of other ages were also substantial.⁵⁴

As a commentator in the *Advertising Age* trade journal put it, "Cigarette people maintain peer pressure is the culprit in getting kids to start smoking and that advertising has little effect. That's like saying cosmetic ads have no effect on girls too young to put on lipstick."⁵⁵

Campaign for Tobacco-Free Kids, June 4, 2015 / Laura Bach

**More information on tobacco company marketing to kids is available at
http://www.tobaccofreekids.org/facts_issues/fact_sheets/toll/tobacco_kids/marketing/.**

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Kids who smoke menthol more likely to get hooked

NEW YORK | BY AMY NORTON

(Reuters Health) - Kids who experiment with menthol cigarettes are more likely to become habitual smokers than their peers who start out with the regular variety, new research findings suggest.

In a study of tens of thousands of U.S. students, researchers found that kids who were dabbling with menthol cigarettes were 80 percent more likely to become regular smokers over the next few years, versus those experimenting with regular cigarettes.

Menthol is added to cigarettes to give them a minty "refreshing" flavor. Critics have charged that menthol makes cigarettes more palatable to new smokers - many of whom are kids - and may be especially likely to encourage addiction.

"This study adds additional evidence that menthol cigarettes are a potential risk factor for kids becoming established, adult smokers," said study leader James Nonnemaker, of the research institute RTI International in Research Triangle Park, North Carolina.

Still, the findings, which appear in the journal *Addiction*, do not prove that menthol cigarettes are to blame.

"The study's subject to a number of limitations," Nonnemaker said. "This shows an association, not cause-and-effect."

One issue, he said, is that the study was not set up specifically to answer the question of whether menthol might encourage habitual smoking.

The findings come from three years' worth of surveys of over 47,000 U.S. middle school and high school students. That included almost 1,800 kids who had just started smoking during the first or second survey - one-third of whom had opted for menthol cigarettes.

By the third-year survey, more than half of those experimenters had quit smoking. Another third were still occasional smokers, and 15 percent had become habitual smokers.

The odds of becoming a regular smoker, the study found, were 80 percent higher for kids who'd started off with menthol cigarettes. That was with the kids' age, gender and race taken into account.

The results are consistent with the idea that menthol cigarettes encourage kids to get hooked because of menthol's "sensory properties," according to Nonnemaker.

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But, he said, more studies are needed. One question is whether the findings might vary by race. This study included mostly white students. But it's known that young African Americans and Asian Americans are especially likely to smoke menthol varieties.

Last year, an advisory committee to the U.S. Food and Drug Administration said taking mentholated cigarettes off the shelves may benefit public health.

But studies have varied on the possible effects of the cigarettes versus regular ones.

One recent study found that menthol smokers had a higher stroke rate than those who favored the non-menthol variety. Another, however, found no higher risk of lung cancer, and no evidence that menthol fans had a harder time kicking the smoking habit.

Of course, not smoking at all is the wisest choice. The risks of the habits go beyond lung cancer, and include a range of other cancers, emphysema and heart disease - the number-one killer of Americans.

According to the U.S. Centers for Disease Control and Prevention, smoking any type of cigarettes increases a person's risk of heart disease two- to four-fold compared to non-smokers.

SOURCE: bit.ly/TIBpP3 Addiction, online October 18, 2012.

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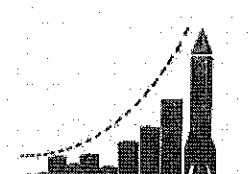
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4

Menthol Cigarette Use Rising Among Young Smokers

Kids may mistakenly believe mentholated cigarettes are safer, researchers say

Please note: This article was published more than one year ago. The facts and conclusions presented may have since changed and may no longer be accurate. And "More information" links may no longer work. Questions about personal health should always be referred to a physician or other health care professional.



Photo: National Institutes of Health

FRIDAY, Sept. 6, 2013 (HealthDay News) -- A growing number of young adults in the United States are smoking menthol cigarettes, a large new study finds.

Public-health efforts to curb smoking are being hindered by the marketing of mentholated cigarette brands to children as young as 12, according to the researchers, who said kids often mistakenly believe mentholated cigarettes are safer to smoke because they are easier to inhale, particularly for beginners.

"Simply stated, menthol sweetens the poison, making it easier to smoke," said lead researcher Gary Giovino, chairman of the department of community health and health behaviors of the University at Buffalo, in a school news release. "Our findings indicate that youth are heavy consumers of mentholated cigarettes, and that overall menthol cigarette smoking has either remained constant or increased in all three age groups we studied, while non-menthol smoking has decreased."

Using information compiled on 390,000 people aged 12 and up who participated in national surveys on drug use and health, the researchers estimated menthol and non-menthol cigarette use from 2004 to 2010.

The study found that among 84,000 smokers, menthol cigarette use was most common among young people from 12 to 17 years old, at nearly 57 percent. Of smokers 18 to 25 years old, 45 percent smoked mentholated cigarettes. Meanwhile, 30.5 percent to 33 percent of smokers older than 25 also smoked menthol cigarettes.

The study, published online Aug. 30 in the journal *Tobacco Control*, also showed that menthol cigarette use was associated with being female and of nonwhite race or ethnicity.

"Our findings support that the presence of menthol cigarettes in the marketplace has slowed progress in reducing smoking prevalence in the U.S.," study co-author Andrea Villanti, associate director for regulatory science and policy at the Schroeder Institute for Tobacco Research and Policy Studies, said in the news release. "This is of great concern given the tremendous health effects of smoking cigarettes."

Although the percentage of teens that smoked non-menthol cigarettes decreased from 2004 to 2010, rates of menthol smoking stayed the same. Among all young adults, rates of menthol smoking increased as non-menthol cigarette smoking declined. Over the course of the study, Camel menthol and Marlboro menthol use increased among teens and young adults who smoked, particularly among whites, the researchers found.

"When I was growing up, one of my older friends said he didn't think that menthol cigarette smoking was that dangerous because he was told that they were good for you if you got a cold," Giovino recalled. "It turns out that Kool was advertising that way for a long time but was stopped from doing so by the Federal Trade Commission around 1955. This 'urban legend' has persisted."

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The U.S. Food and Drug Administration is considering restricting or placing a ban on the sale and marketing of menthol cigarettes, according to the release.

"The study results should inform the FDA regarding the potential public-health impact of a menthol ban," Giovino said. "This research provides an important view of the trends and patterns of menthol use in the nation as a whole. The FDA will consider these findings and findings from multiple other studies as it goes forward."

More information

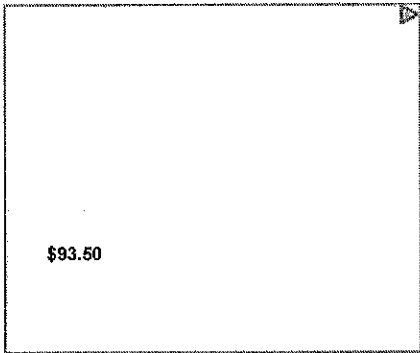
The American Cancer Society provides more information on [menthol cigarettes](#).

SOURCE: University at Buffalo, news release, Aug. 30, 2013

-- [Mary Elizabeth Dallas](#)

Last Updated: Sep 6, 2013

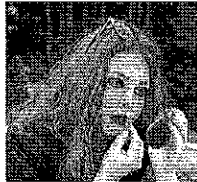
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THE GLOBE AND MAIL*

Half of teen smokers go for flavoured products, up risk of getting hooked: study

Sheryl Ubelacker

TORONTO — The Canadian Press

Published Thursday, Jun. 19, 2014 9:19PM EDT

Last updated Thursday, Jun. 19, 2014 9:22PM EDT

Among Canadian teens who report using tobacco, more than half are opting for products infused with such flavours as bubble-gum, cherry or watermelon, a study has found.

The University of Waterloo study, published Thursday in the U.S. Centers for Disease Control journal *Preventing Chronic Disease*, is based on the 2010-2011 Youth Smoking Survey of Grade 9-12 students from across Canada.

Researchers also found that among students who reported smoking cigarettes in the 30 days prior to the survey, 32 per cent chose to puff on menthol-flavoured brands.

Lead author Leia Minaker, a postdoctoral fellow at the university's Propel Centre for Population Health Impact, said the tobacco industry promotes cigarettes, cigarillos and smokeless tobacco with a variety of flavours and glitzy packaging to attract young people to the addictive products.

Minaker said the danger of flavoured tobacco is that making it tastier makes it seem less like tobacco, so young people are more likely to take up the habit.

"If people are going to use tobacco, then it should taste like tobacco," she said from Waterloo, Ont. "It should be harsh smoke that they're inhaling and should not be hidden in the flavours that are being added to the products."

When Minaker picked up a package of grape-flavoured cigarillos to illustrate a talk she was giving on flavoured tobacco, she asked her five-year-old daughter to smell the product. "And she said: 'Oh, that's delicious!'"

"When you look at it, feel it, smell it, there is no question that these will be marketed to youth. They're very appealing to kids.

"If tobacco use is really appealing for kids, then more kids will start to use tobacco. And tobacco is incredibly addictive and it will make it harder and harder for people to quit and to remain tobacco-free for life."

Ottawa's Bill C-32 banned flavoured tobacco products weighing less than 1.4 grams — excluding menthol products — but Minaker said the industry has found a way around the law by slightly increasing their weight.

Several jurisdictions, including Ontario, Alberta and Manitoba, have penned legislation that would strengthen the prohibition against flavoured tobacco products, which Minaker called an important step in the goal of preventing young Canadians from getting hooked on nicotine.

A separate Waterloo University study, recently published in the journal *Cancer Causes and Control*, found that young people who smoked menthol cigarettes were almost three times more likely to say they would continue the habit and also would puff more per day, compared to kids who smoked non-menthol brands.

“So if we said no more flavours at all, then likely that extra addiction to nicotine because of menthol and the speedier progression to full-blown regular tobacco use because of menthol wouldn't be there anymore,” she said.

Les Hagen, executive director of Alberta-based Action on Smoking & Health, said the findings from both studies have “huge implications for Canadian governments that are pursuing bans on flavoured tobacco.”

“To date, almost every proposed or approved law to ban flavoured tobacco has exempted menthol cigarettes under the mistaken belief that youth are not using these products in large numbers,” he said Thursday by email from Edmonton. “This study confirms that menthol cigarettes are a starter product for youth.”

The study also found that among young people who chewed or snuffed smokeless tobacco, 70 per cent favoured flavoured brands; Quebec teens were the highest consumers of flavoured tobacco, while their Ontario peers were the lowest; and higher numbers of black and Latin American youth opted for flavoured products compared to other ethnicities.

Legislation needs to close the loopholes and ban menthol as well as fruit-flavoured tobacco, Minaker stressed.

“To make a deadly product more appealing for kids to start using needs to be stopped. Full stop.”

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Loi favorisant un Ontario sans fumée **Ses répercussions sur les terrains de jeu pour enfants**

CSSS - 060MD
C.P. – P.L. 44
Lutte contre le
tabagisme

Éléments fondamentaux

La *Loi favorisant un Ontario sans fumée* interdit l'usage du tabac dans les lieux de travail clos, les lieux publics clos et autres endroits désignés de l'Ontario, afin de protéger les travailleurs et le public de la fumée secondaire.

Terrains de jeu pour enfants

Depuis le 1^{er} janvier 2015, il est interdit de fumer sur les terrains de jeu pour enfants ou dans les espaces publics se trouvant à moins de 20 mètres d'un terrain de jeu (« endroits sans fumée »).

On entend par terrain de jeu pour enfants :

- un endroit principalement destiné aux loisirs des enfants et qui comprend de l'équipement de jeu pour enfants, notamment :
 - toboggans
 - balançoires
 - appareils d'escalade
 - aires de jeux d'eau
 - pataugeoires
 - piscines
 - bacs à sable
- un endroit ouvert au public, gratuitement ou moyennant des frais.

Ces restrictions englobent les terrains de jeu des hôtels, motels et auberges. Elles ne s'appliquent pas aux propriétés individuelles ou aux appartements et copropriétés.

Responsabilités des propriétaires

Il incombe au propriétaire, à l'exploitant ou à la personne responsable des lieux de faire en sorte que l'on se conforme aux lois sur l'usage du tabac.

Ils sont tenus de :

- donner avis au public que l'usage du tabac est interdit dans les endroits sans fumée;
- poser des affiches **Défense de fumer** aux entrées et aux sorties des endroits sans fumée, dans les lieux appropriés, et en nombres suffisants pour faire en sorte que le public sache

que l'usage du tabac n'est pas permis;

- faire en sorte que personne ne fume dans les endroits sans fumée;
- faire en sorte qu'une personne qui refuse de respecter l'interdiction de fumer ne reste pas dans l'endroit sans fumée.

Application

Les bureaux de santé publique locaux effectueront des inspections et répondront aux plaintes concernant l'usage du tabac sur les terrains de jeu et aux alentours.

Sanctions

Une personne qui enfreint la loi sur l'interdiction de fumer sur les terrains de jeu et aux alentours peut être accusée d'avoir commis une infraction et, si elle est reconnue coupable, pourrait faire l'objet d'une amende maximale de 1 000 \$ (pour une première infraction) ou de 5 000 \$ (pour toute autre infraction).

Un propriétaire, exploitant ou responsable d'un terrain de jeu pour enfants qui omet de remplir ses obligations prévues par la *Loi favorisant un Ontario sans fumée* peut être accusé d'avoir commis une infraction et, s'il est reconnu coupable, pourrait faire l'objet des amendes maximales suivantes :

- pour les particuliers : 1 000 \$ (pour une première infraction) ou 5 000 \$ (pour toute autre infraction),
- pour les compagnies : 100 000 \$ (pour une première infraction) ou 300 000 \$ (pour toute autre infraction).

Ce feuillet ne doit servir que de document de consultation rapide, et ne doit pas être considéré comme un avis juridique. Pour de plus amples renseignements, veuillez communiquer avec votre bureau de santé publique local.

Vous pouvez aussi obtenir de l'information en téléphonant sans frais à :

- **Ligne INFO** 1 866 532-3161
- **ATS** 1 800 387-5559

Heures d'ouverture : du lundi au vendredi, de 8 h 30 à 17 h.

Pour avoir des renseignements précis sur la façon dont les lois sur l'usage du tabac s'appliquent aux terrains de jeu, ou pour vous procurer les affiches **Défense de fumer** appropriées, veuillez communiquer avec votre bureau de santé publique local.

Pour de plus amples renseignements sur la *Loi favorisant un Ontario sans fumée*, veuillez visiter le site Web du ministère de la Santé et des Soins de longue durée de l'Ontario : Ontario.ca/sansfume

Fumer dans les aires de jeux devrait être interdit « cet été »

Le Monde.fr avec AFP et Reuters | 29.05.2015 à 13h55 • Mis à jour le 29.05.2015 à 15h55



Dès l'été 2015, il ne sera plus possible de fumer dans les aires de jeux. AFP/JACQUES DEMARTHON

Le gouvernement publiera fin juin un décret interdisant de fumer dans les aires de jeux publiques « pour que l'interdiction soit effective cet été », a annoncé vendredi 29 mai la ministre de la santé, Marisol Touraine. Cette « mesure de bon sens (...) recueille une forte adhésion dans la population », a déclaré la ministre à la presse, à l'occasion de la visite d'un centre Tabac info service à Boulogne-Billancourt (Hauts-de-Seine).

« C'est aussi une façon de respecter les enfants, de les habituer à vivre dans un environnement sans tabac, et on sait que les bonnes habitudes font les bons comportements en matière de santé par la suite. »

L'année dernière, la ville de Paris a expérimenté une telle mesure d'interdiction dans les aires de jeux du parc Montsouris (14^e arrondissement), suivant l'exemple de plusieurs villes de province comme Auxerre ou Nice.

Paquet neutre en 2016

Une mesure contre le tabac qui s'ajoute à celles déjà introduites par Marisol Touraine dans le cadre de son projet de loi santé, examiné fin mars à l'Assemblée. Parmi celles déjà votées, l'instauration de paquets neutres devrait être effective en 2016.

Lire aussi : De la mention « abus dangereux » au paquet neutre en 2016, 40 ans de lutte antitabac ([sante/article/2015/04/01/de-la-mention-abus-dangereux-au-paquet-neutre-en-2016-40-ans-de-lutte-anti-tabac_4606410_1651302.html](http://sante.lemonde.fr/article/2015/04/01/de-la-mention-abus-dangereux-au-paquet-neutre-en-2016-40-ans-de-lutte-anti-tabac_4606410_1651302.html))

Les députés ont également voté en avril un amendement interdisant de fumer dans les voitures transportant des enfants de moins de 12 ans. La loi doit toutefois encore être examinée par le Sénat en septembre.

Lire aussi : Que contient le projet de loi de santé ? ([sante/article/2015/03/31/le-projet-de-loi-de-sante-examine-par-les-deputes_4806158_1651302.html](http://sante.lemonde.fr/article/2015/03/31/le-projet-de-loi-de-sante-examine-par-les-deputes_4806158_1651302.html))

Près d'un tiers des Français fument

L'annonce de Marisol Touraine intervient deux jours avant la Journée mondiale sans tabac, organisée dimanche. Le gouvernement lance aussi lundi une campagne d'information sur le thème « Profitez de l'été pour arrêter de fumer ».

Une enquête Eurobaromètre publiée vendredi montre que le nombre de fumeurs a légèrement baissé dans l'Union européenne, passant de 28 % en 2012 à 26 % en 2014. Mais la France fait partie des mauvais élèves de la lutte antitabac : sur cette même période, le nombre de fumeurs a augmenté, passant de 28 % à 32 %, soit près d'un tiers de la population.

**Service-Public.fr**

Le site officiel de l'administration française

Tabagisme passif

Aires de jeux pour enfants : interdiction d'y fumer

Publié le 30.06.2015 - Direction de l'information légale et administrative (Premier ministre)

C'est à partir du 1er juillet 2015 qu'il va être interdit de fumer dans les aires de jeux pour enfants. Un décret a été publié en ce sens au Journal officiel du mardi 30 juin 2015.

Cette nouvelle mesure avait déjà été présentée en septembre 2014 dans le cadre du programme national de réduction du tabagisme.

À noter : pour ceux qui veulent arrêter de fumer, « Tabac info service » est un service téléphonique ouvert du lundi au samedi de 8h à 20h au 39 89 (0,15 euro la minute depuis un poste fixe).

Sur Service-public.fr

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Tabac info service

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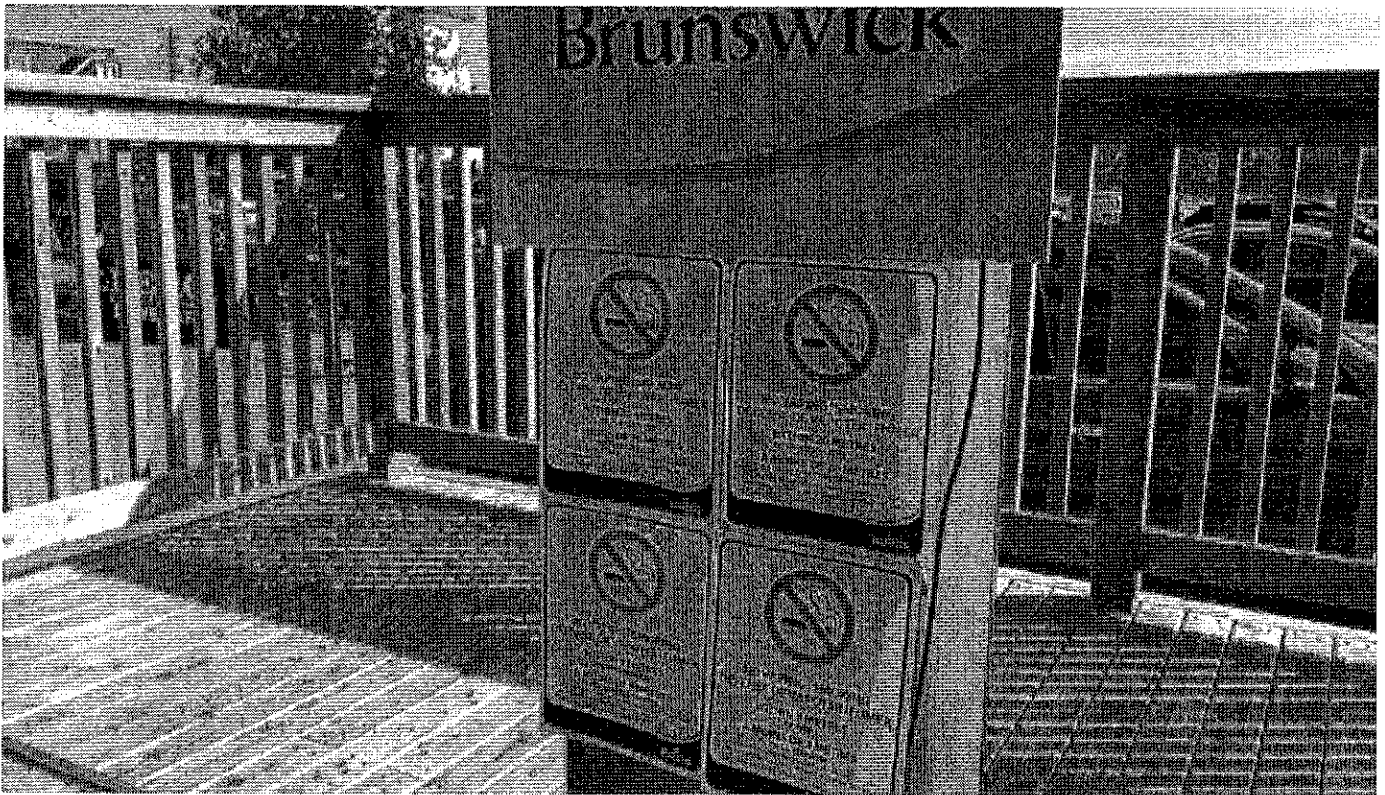


Le N.-B. élargit l'interdiction de fumer aux plages et aux terrasses

Le N.-B. élargit l'interdiction de fumer aux plages et aux terrasses

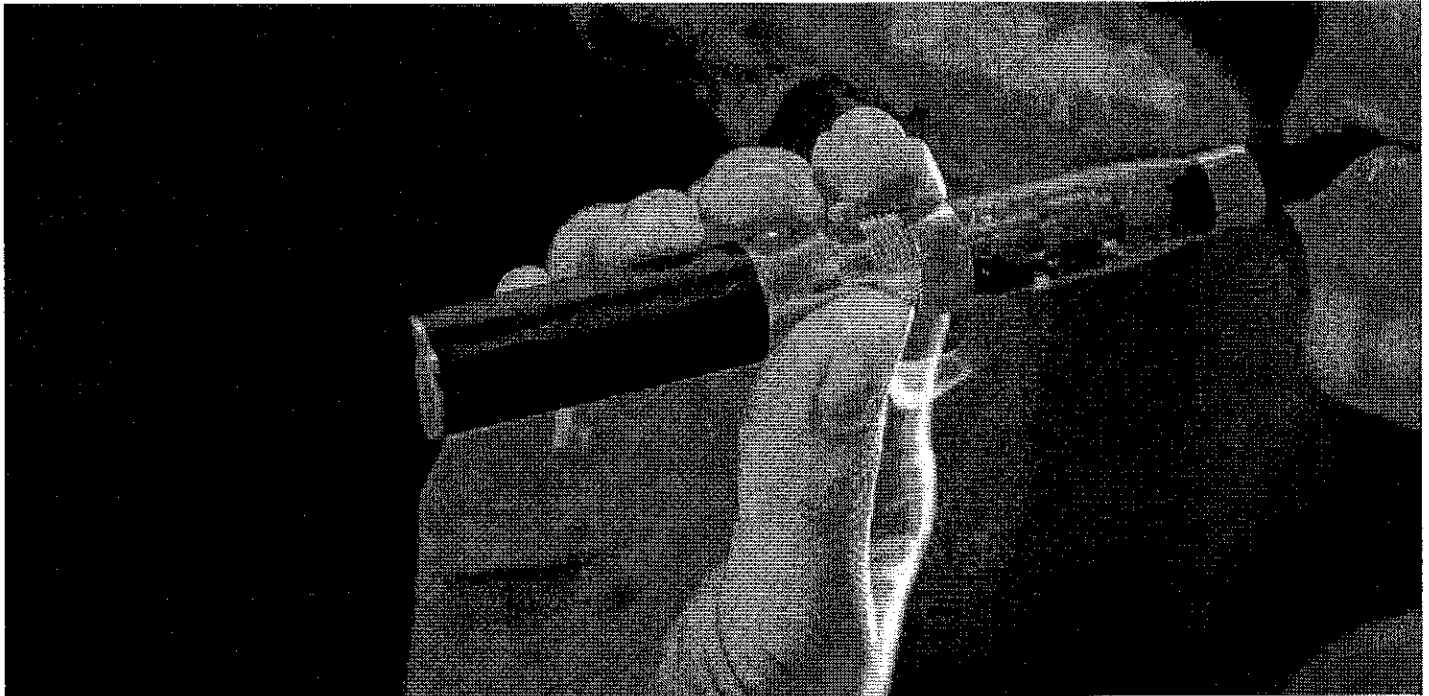


Par Mathieu Roy-Comeau mercredi 27 mai 2015mercredi 27 mai 2015



À compter du 1er juillet, il sera interdit de fumer sur les terrasses, les terrains de jeux, les sentiers et les plages. - Acadie Nouvelle: Mathieu Roy-Comeau

FREDERICTON – Le gouvernement provincial élargit l'interdiction de fumer dans les endroits publics et proscrit du même coup l'usage de la cigarette électronique.



Les cigarettes électroniques seront interdites là où l'usage du tabac est déjà prohibé. – Archives

À compter du 1^{er} juillet, il sera interdit de fumer sur les terrasses, les terrains de jeux, les sentiers et les plages du Nouveau-Brunswick. Le ministre de la Santé, Victor Boudreau, a déposé un projet de loi en ce sens à l'Assemblée législative, mercredi.

La cigarette électronique et la pipe à eau seront prohibées dans tous les endroits où l'usage du tabac traditionnel est déjà interdit.

Le ministre Boudreau espère à la fois réduire les risques d'exposition à la fumée secondaire et le soustraire l'usage du tabac au regard des jeunes.

«C'est important de s'assurer que ça ne soit pas normalisé pour les jeunes. On ne veut pas qu'un jeune voie des adultes en train de fumer, que ça soit des cigarettes traditionnelles ou des cigarettes électroniques parce que ça sous-entend que c'est correct de fumer.»

Les fumeurs devront se tenir à au moins neuf mètres des portes des endroits publics fermés ou des lieux de travail intérieurs et à au moins vingt mètres des aires de jeux pour enfants.

Les visiteurs des parcs provinciaux devront également s'abstenir de fumer, sauf dans les emplacements de camping, les terrains de golf et les endroits désignés.

Le Parti libéral avait promis en campagne électorale d'élargir la Loi sur les endroits sans fumée.

«Jusqu'à aujourd'hui, nous étions probablement parmi les provinces qui réglementaient le moins. Là, nous allons nous rattraper. Ça nous amène certainement parmi les meilleures provinces en ce qui a trait aux réglementations entourant cette question», a dit Victor Boudreau.

Les associations qui luttent contre le tabac et le bureau de la médecin-hygiéniste en chef de la province ont salué la décision du gouvernement.

«C'est une nouvelle exceptionnelle. C'est un pas dans la bonne direction pour un Nouveau-Brunswick sans fumée. Ça va réduire l'exposition à la fumée secondaire et à long terme ça va dénormaliser l'usage du tabac», a affirmé le vice-président de l'Association pulmonaire du Nouveau-Brunswick, Arthur Thomson.

«En interdisant la cigarette dans les endroits publics, on décourage les gens de fumer. Si ça peut réduire le nombre de fumeurs en général, c'est une très bonne journée», a commenté le président sortant du conseil d'administration de la Société canadienne du cancer au Nouveau-Brunswick, Neil Russon.

Il souhaite maintenant que le gouvernement s'attaque aux cigarettes aromatisées au menthol ou au goût de fruits. La vente de ces produits sera interdite en Nouvelle-Écosse dès dimanche.

«Nous allons continuer à réclamer une loi sur les cigarettes aromatisées. Environ 52 % des jeunes fumeurs ont déjà fumé des cigarettes aromatisées», a indiqué M. Russon.

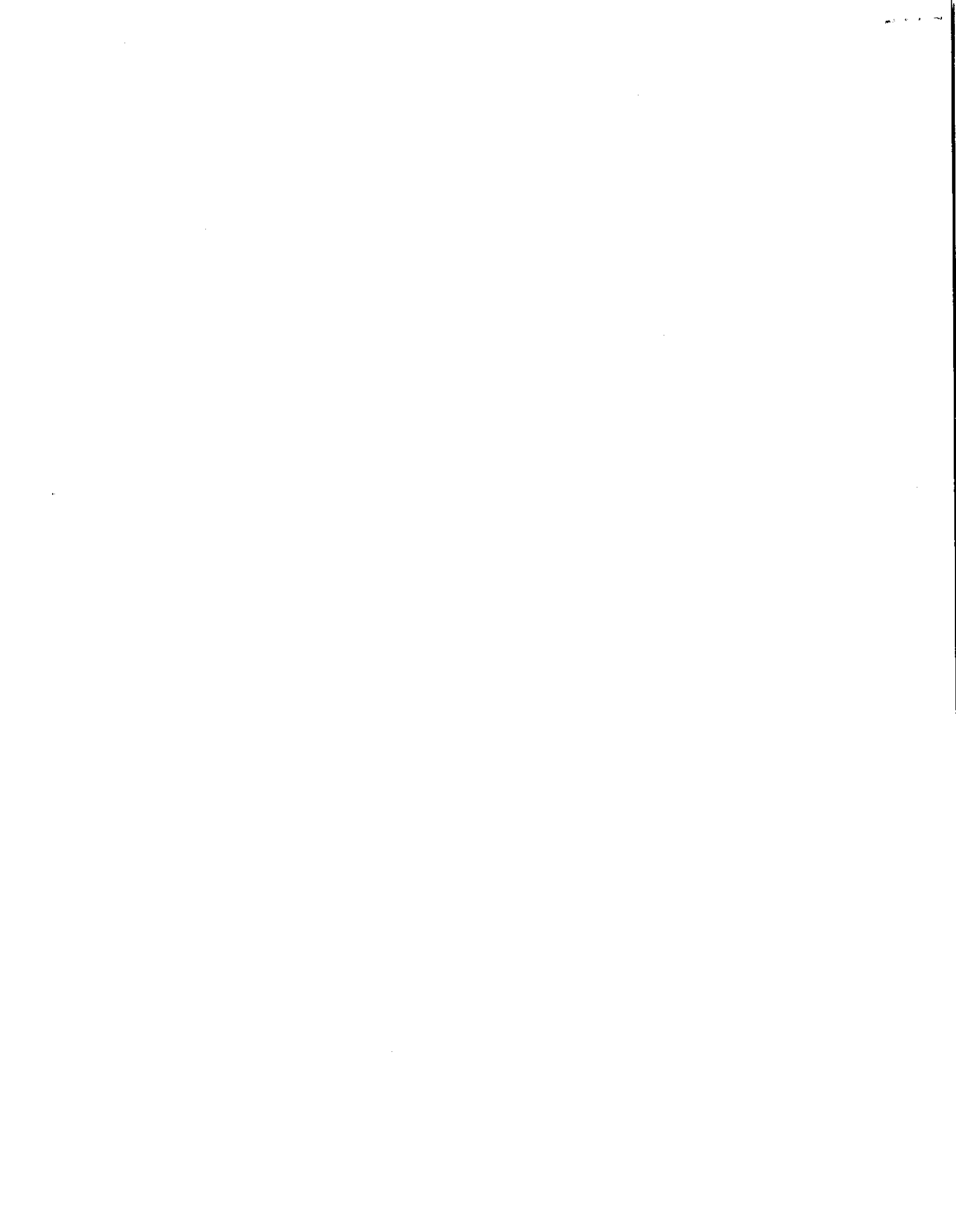
M. Thomson demande également au gouvernement de réglementer la vente des cigarettes électroniques. «Nous devons maintenant traiter la vente des cigarettes électroniques de la même façon que le tabac», a-t-il dit.

Le Parti progressiste-conservateur entend voter pour le projet de loi. La porte-parole de l'opposition officielle déplore cependant l'immobilisme de Fredericton en matière de cigarettes aromatisées.

«Je ne comprends pas pourquoi ce n'est pas là. Ça aurait dû faire partie du projet de loi. Nous allons voir si c'est possible de faire un amendement», a déclaré la députée Madeleine Dubé.

Le gouvernement est déjà en train de se pencher sur ces deux dossiers, a assuré le ministre de la Santé.

«Nous étudions le dossier et nous observons ce que font les autres provinces. Nous étudions à la fois la vente de cigarettes électroniques aux mineurs et le tabac aromatisé.»



New smoking ban on patios, playgrounds now in force

Canada Day marks the start of tough, new outdoor smoking rules in New Brunswick

CBC News Posted: Jul 01, 2015 6:00 AM AT Last Updated: Jul 01, 2015 8:44 AM AT

New Brunswickers looking to celebrate Canada Day on a patio, playground or near other public spaces will not have to worry about any unwanted cigarette smoke wafting their way.

These new changes are a result of the amendments made earlier this year to the Smoke-Free Places Act and the Tobacco Sales Act.

"These changes represent our government's commitment to helping New Brunswickers live longer, healthier lives," said Health Minister Victor Boudreau in a statement.

The new rules apply to a whole series of outdoor locations. That means no smoking or vaping on patios, or similar outdoor facilities where food and or alcohol is served.

The new rules prohibit smoking:

- Within three metres away from the patio's boundary
- Nine metres from doorways, windows and air intakes of enclosed public places and indoor workplaces
- Nine metres from a public walking or jogging trail in an outdoor public place
- Twenty metres from children's equipment and sports areas located in an outdoor public place
- Every square metre of a provincial parks except within the boundaries of rented campsites, golf courses and designated areas within the park.

E-cigarettes and water pipes are also banned anywhere that cigarettes are prohibited.

The fine for violating the smoking ban ranges between \$140 and \$1,100 for an individual, while a manager or owner of a building who allows smoking in an area not permitted could be fined between \$240 and \$5,200.

The provincial government has also banned the sale of e-cigarettes and their liquids people under 19 years of age.

The new law also imposes age and promotion restrictions on these products, requires the supplies to be hidden from sight and bans the sale of smoking supplies to minors.

The crack down will ramp up another notch in another six months.

On Jan. 1, 2016, all flavoured tobacco including menthol will be banned.

The provincial government is giving store owners until January in order to allow them to get rid of their current stock.

There's no word from the Health Department about what the penalties are for breaking the new law.

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Nouveau-Brunswick

L'interdiction de fumer élargie pour protéger les enfants

Première publication 27 mai 2015 à 16h59



Crédit photo : Archives Agence QMI

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Agence QMI

Le **Nouveau-Brunswick** va élargir l'interdiction de fumer dans des lieux publics, afin de réduire l'exposition des enfants à l'usage du tabac.

Dès le 1er juillet, il sera notamment **interdit de fumer sur les terrasses** et autres installations extérieures semblables où l'on sert de la nourriture et de l'alcool, sur **l'équipement de terrain de jeux pour enfants**, sur **les sentiers de marche et de course à pied** dans des lieux publics, de même qu'à l'intérieur des limites des **parcs provinciaux**.

Selon le ministre de la Santé, Victor Boudreau, ces mesures contribueront à «dénormaliser encore davantage l'usage du tabac et à réduire le temps d'exposition des enfants à l'usage du tabac en tant qu'activité socialement acceptable».

En outre, les cigarettes électroniques et les pipes à l'eau seront interdites partout où l'usage du tabac est déjà interdit.

Il y a quelques semaines, le populaire centre de ski Whistler Blackcomb en Colombie-Britannique avait annoncé qu'il ne tolérerait plus les fumeurs sur son site, incluant les sentiers pédestres, les télésièges, les stationnements, les pistes cyclables, les bars, les restaurants et les terrasses.

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