



WHAT THE OPPOSITION WILL SAY ABOUT THE DANGERS OF SECONDHAND SMOKE

In attempts to subvert the issue and depict as Secondhand Smoke (SHS) not being a health hazard, the opposition will rely on many false claims and statements.

The following statements have been made at previous public hearings on smoke free issues.

“There is no actual science proving secondhand smoke causes death and illness.”

- ✘ There are numerous studies that show a relationship between secondhand smoke and health. It is based on epidemiological data of the contributing factors that lead to morbidity and mortality¹.
- ✘ Every major governmental and health organization and legitimate researchers have clearly affirmed that SHS causes death and illness².
- ✘ The type of scientific research that would not use epidemiological data will never be performed on humans. The type of study that would conclusively show a cause and effect relationship would require taking a normal healthy group of people, dividing them into a control and experimental group, and placing them in a controlled environment for a significant amount of time to rule out any other factors. Then the experimental group would intentionally be exposed to SHS while the control group is not. The researchers could then show the difference in the groups by the number of people who develop disease and/or die during the experiment, thus conclusively proving SHS causes death and illness in the experimental group. Participants must always be protected from any potential harm in all forms of research, making this type of study illegal and unethical³.

“No one’s ever died from secondhand smoke. Show me a death certificate that shows secondhand smoke as the cause of death.”

- ✘ Other things you will never see as the cause of death: drunk driving, hate crime, or natural disaster – but it is still known that those factors *contribute* to deaths.
- ✘ Death certificates show the disease or condition that caused the death, not the *contributing factors* that caused the disease or condition. Numerous studies have shown that SHS is a contributing factor to heart disease, stroke, asthma, and chronic obstructive pulmonary disease. These are listed as the causes of death on the death certificate¹.
- ✘ According to the CDC, secondhand smoke related deaths are the 3rd leading preventable cause of death in the U.S., killing 53,000 nonsmokers each year¹.

“The number of death attributed to secondhand smoke changes, ranging from 30,000 to 65,000.”

- ✘ The numbers are estimates based on sound statistical formulas from the CDC⁴.
- ✘ The 53,000 number is based on the *midpoints* of the estimated ranges of deaths from heart disease, lung cancer, and SIDS. This is in a table in the Executive Summary of the 1997 CalEPA report⁴.
- ✘ The CDC quotes the lower bound estimate for heart disease plus lung cancer from the 1997 CalEPA report.(They leave out SIDS because the CDC estimate is only for adult deaths.) The higher numbers that are being quoted are the upper bounds for the margin of error (also from 1997 CalEPA)⁴.

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“The EPA study was thrown out in a court of law.”

- ✘ That is only the first part of the story. While true that in 1998 a federal judge, Judge William Osteen did invalidate parts of the EPA report regarding classifying SHS a Class A carcinogen, he also formerly worked as a tobacco lobbyist⁵. **(CFTFK)**
- ✘ The second part of the story is that the US Court of Appeals for the 4th Circuit Court vacated Osteen’s judgment in 2002, *leaving the EPA report in full standing*^{2,5}.
- ✘ Numerous organizations have conducted studies that validate the findings, including the National Cancer Institute, US Public Health Service National Toxicology Program, the California Environmental Protection Agency, the International Agency for Research on Cancer, the American College of Occupational and Environmental Medicine, and the U.S Surgeon General⁶.

“OSHA dropped plans for federal rules on indoor smoking because they found no evidence it is harmful.”

- ✘ OSHA did propose regulations for Indoor Air Quality in 1994, recognizing that the EPA data validated the dangers of SHS and the need for regulation⁷.
- ✘ In 2001, they did withdrawal their proposal, and according to the OSHA Federal Register, they state the reason being that “In the years since the proposal was issued, a great many state and local governments and private employers have taken action to curtail smoking in public areas and in workplaces.” It was not because they did not recognize the dangers of SHS⁸.
- ✘ They were also receiving a large amount of tobacco industry pressure to do nothing on the issue, as evidence in numerous Phillip Morris internal documents regarding how they would address and subvert the proposed regulation⁹. **(PM docs)**

“A study published in the British Medical Journal (2003) proves that there is casual relationship between secondhand smoke and lung cancer deaths.”

- ✘ The authors, Entrom & Kabat, received funding for this study from the Center for Indoor Air Research, which was created by several tobacco companies for the stated purpose of perpetuating the idea that there is a controversy about the dangers of secondhand smoke².
- ✘ This study used data from a study by American Cancer Society, who immediately spoke out against the study, reporting that their data had been misused and that the researchers used flawed methodology².
- ✘ The study looked at mortality from heart disease or lung cancer in nonsmokers who were married to smokers and covered a time period from 1959 to 1998. Some of the critical flaws that resulted in the false conclusion include not measuring for secondhand smoke exposure from any source other than the spouse; including the workplace. They also did not take into account either spouse’s smoking status after 1972, though the study continued for 26 more years; and classified the nonsmoking spouse as still exposed to secondhand smoke in that 26 year period, during which time the “smoking spouse” could have quit smoking or died, not to mention that they could have divorced or separated².

“Ventilation systems remove smoke from the air.”

- ✘ The Board of Directors for ASHRAE (American Society of Heating, Refrigerating, and Air Conditioning Engineers), the U.S. and international standard-setting body for indoor air quality, unanimously adopted an important new position statement on secondhand tobacco smoke at its June 30, 2005 meeting: "no other engineering approaches, including current and advances dilution ventilation or air cleaning technologies, have demonstrated or should be relied upon to control health risks from ETS exposure in spaces where smoking occurs." ASHRAE "encourages elimination of smoking in the indoor environment as the optimal way to minimize ETS exposure."¹⁰
- ✘ Each system has a disclaimer that they do not make any claims about removing the toxic chemicals still in the air and protecting health¹¹.
- ✘ Also, both the USEPA and IEPA have stated that no standards currently exist for ETS and that the only acceptable level of safe exposure is no exposure at all^{12,13}.

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“Studies done by the opposition are labeled flawed because of their funding source, then so should the ones for the proponents.”

- × Studies validating the dangerous of secondhand smoke have been conducted by both national health organizations and government agencies, published in peer reviewed journals, and adhere to the strict research guidelines².
- × Studies funded by the tobacco industry tend to rely on flawed research that can be manipulated and misrepresented².
- × The tobacco industry has a long history of misleading the public on the dangers its products. They are simply out to protect their own interests and will say and do what is necessary to maintain their business².

“All these anti-smoking bills are being pushed by RWJF so that Johnson & Johnson can sell more stop smoking products, such as NicoDerm.”

- × Johnson & Johnson does not sell any tobacco cessation products¹⁴.
- × GlaxoSmithKline, a pharmaceuticals company with no relationship to Johnson & Johnson, sells nicotine replacement products: Commit (Lozenge), NicoDerm CQ (patch), Nicorette (gum). (NiQuitin CQ & Nicabate CQ are the NicoDerm names in some other countries)¹⁵.
- × GlaxoSmithKline is also the makers of prescription medicines Zyban and Wellbutrin, which may also be prescribed during the quit process¹⁵.
- × Pfizer is the maker of Nicotrol® brand Inhaler and Nasal Spray¹⁶.

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- ¹ American's for Non-Smokers' Rights Fact Sheet. Secondhand Smoke: The Science, October 2005. Accessed March 9, 2006. Downloaded from <http://www.no-smoke.org/pdf/SHS.pdf>
- ² American's for Non-Smokers' Rights Fact Sheet. What to Expect from the Tobacco Industry, November 2004. . Accessed March 9, 2006. Downloaded from <http://www.no-smoke.org/pdf/whattoexpect.pdf>
- ³ University of Kentucky - Office of Research Integrity. Human Research. Accessed March 9, 2006. Downloaded from <http://www.research.uky.edu/ori/human.htm>
- ⁴ Glantz. S.A. Number of secondhand smoke deaths, November 28, 2005. Accessed February 24, 2006. Downloaded from <http://www.ucsf.edu/its/listserv/stanglantz-l/0469.html>
- ⁵ Campaign for Tobacco Free Kids. Secondhand smoke, EPA, and the Courts. Accessed March 9, 2006. Downloaded from <http://www.tobaccofreekids.org/research/factsheets/pdf/0038.pdf>
- ⁶ Campaign for Tobacco Free Kids. Health Harms from Secondhand Smoke. Accessed March 9, 2006. Downloaded from <http://www.tobaccofreekids.org/research/factsheets/pdf/0103.pdf>
- ⁷ OSHA Indoor Air Quality - 59:15968-16039. - Notice of proposed rulemaking; notice of informal public hearing. Accessed March 9, 2006. Downloaded at http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGISTER&p_id=13369
- ⁸ OSHA. Indoor Air Quality - 66:64946. Withdrawal of proposal. Accessed March 9, 2006. Downloaded from http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGISTER&p_id=16954
- ⁹ Discussion points – OSHA's Proposed Rule on Workplace IAQ, date. Accessed March 8, 2006. Downloaded from http://www.pmdocs.com/PDF/2501341076_1140_0.PDF
- ¹⁰ American Society of Heating, Refrigerating and Air-Conditioning Engineers. Environmental Tobacco Smoke – Position Statement, June 30, 2005. Accessed March 9, 2006. Downloaded from http://www.ashrae.org/content/ASHRAE/ASHRAE/ArticleAltFormat/20058211239_347.pdf
- ¹¹ American's for Non-Smokers' Rights. Ventilation and Air Filtration: What Air Filtration Companies and the Tobacco Industry are Saying. Accessed March 9, 2006. Downloaded from <http://www.no-smoke.org/pdf/ventilationquotes.pdf>
- ¹² Letter to Senator Richard Durbin, January 3, 2006. From Helen Tsiapas, Environmental Protection Specialist, United States Environmental Protection Agency.
- ¹³ Letter to Ald. Bruce Strom, January 12, 2006. From Douglas Scott, Director, Illinois Environmental Protection Agency.
- ¹⁴ Johnson's & Johnson's - Products. Accessed March 9, 2006. Downloaded from <http://www.jnj.com/product/index.htm;jsessionid=B1W23CZ3H1CWWCQPCCFWU2YKB2IIWTT1>
- ¹⁵ GlaxoSmithKline. Accessed March 9, 2006. Downloaded from <http://www.gsk.com/>
- ¹⁶ Pfizer. Accessed March 9, 2006. Downloaded from <http://www.pfizer.com/pfizer/do/index.jsp>

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