

Tobacco Free Outdoors - Frequently Asked Questions

Is there really a need for tobacco free outdoor policies?

Yes, these policies are similar to those prohibiting alcohol and litter or requiring that pets be leashed. Tobacco free outdoor policies protect the environment and the health and safety of people using recreational areas.

Why include all forms of tobacco?

All tobacco related litter is poisonous to children, pets, and wildlife, and is harmful to our environment.

Do tobacco free outdoor policies keep some people from using recreation areas?

People go to recreation areas to exercise or relax, not to use tobacco. Tobacco users work, shop, travel and reside in tobacco free places everyday.

Will smokers comply with tobacco free outdoor policies?

As a result of clean air laws and tobacco policies, most tobacco users have become accustomed to restrictions. Signs posted at parks and benches empower everyone using these recreation areas to support and enforce the policy through friendly reminders. Comprehensive policies include provisions to deal with persistent violators.

How do tobacco free outdoor policies at recreational areas affect youth tobacco use?

Children model adult behavior. When children see adults smoking in family friendly places, they see smoking as acceptable. Tobacco free policies help prevent youth tobacco use by showing adults as tobacco free role models throughout the community.

Are local governments able to enact policies restricting tobacco use?

United States Courts have declared that there is no legal “right to smoke” and smoking is not a protected activity under the U.S. Constitution. NYS law does not prohibit local governments from regulating tobacco use outdoors.

What other outdoor tobacco use restrictions exist in New York State?

Currently over 280 municipalities have enacted regulations to restrict tobacco use in outdoor recreational areas. View the full list at: www.tobaccofreenys.org or tobaccofreewny.org
Hundreds of hospitals, libraries, college campuses, community agencies and religious organizations have implemented entryway bans and tobacco free grounds policies to support the health of their patrons.

Is there assistance to help communities adopt tobacco free outdoor policies?

Yes, the Advancing Tobacco Free Communities program in New York can provide sample policies, assistance in creating outdoor tobacco use policies and some signage.

Please see contact information listed inside.

Why Are Tobacco-Free Outdoor Areas Important?



Making your outdoor areas tobacco-free keeps them beautiful and free of pollution, protects children and animals from ingesting toxic cigarette butts, prevents secondhand smoke exposure, and maintains positive role-modeling for youth.

PREVENTING LITTER AND POLLUTION

Discarded cigarette butts constitute the majority of litter on beaches, parks, playgrounds and sidewalks. The need to substantially reduce litter and associated clean up costs is a major reason cited by supporters of tobacco-free outdoor area policies.¹

Cigarette filters are not 100 percent biodegradable. As filters break down, they leach toxic chemicals into the ground that can seep into waterways, polluting water sources and poisoning wildlife.²

KEEPING CHILDREN SAFE

As important as it is to prevent secondhand smoke exposure for everyone, the need to protect children from secondhand smoke is even more critical. Children exposed to even small amounts of secondhand smoke are at an increased risk for adverse health effects.³

Discarded cigarette butts contain concentrated levels of carcinogens as well as nicotine which can be poisonous when ingested by children.⁴

1. Elizabeth G. Klein et al., Minnesota Tobacco Free Park Policies: Attitudes of the General Public and Park Policies, 9 NICOTINE & TOBACCO RES. S49, S49 (2007).
2. Thomas E. Novotny et al., Cigarette Butts and the Case for an Environmental Policy on Hazardous Cigarette Waste, 6 INT'L J. OF ENV. RES. & PUB. HEALTH 1,5, (2009).
3. Katarina Kallio et al., Arterial Intima-Media Thickness, Endothelial Function, and Apolipoproteins in Adolescents Frequently Exposed to Tobacco Smoke, 3 TOBACCO CONTROL 196, 200 (2010).
4. Centers for Disease Control & Prevention, Ingestion of Cigarette Butts by Children - Rhode Island, January 1994 - July 19996, MORBIDITY & MORTALITY WEEKLY REPORT, February 14, 1997, at 125.

SECONDHAND SMOKE OUTDOORS

Many people erroneously believe that it is not possible to be exposed to dangerous concentrations of secondhand smoke in outdoor areas. The truth is that there is no safe level of secondhand smoke exposure⁵, and there is growing evidence that secondhand smoke outdoors can reach concentrations found in indoor areas.⁶

Cigarette smoke contains over 4,000 identified chemical, 250 of which are known to be toxic⁷ and over 50 that are known or reasonably anticipated human carcinogens.⁸ Exposure to secondhand smoke causes a wide range of serious and life-threatening health issues, including heart disease,⁹ cancer,¹⁰ asthma,¹¹ and other respiratory problems.¹²

POSITIVE ROLE MODELING

Prohibiting tobacco use in outdoor spaces frequented by the public reduces the perception by young children that tobacco use is a common, acceptable and desirable adult behavior.¹³

PUBLIC SUPPORT

At least 280 municipalities in the state of New York have adopted a tobacco-free outdoor areas policy or ordinance. Many local communities throughout Western New York are included in this list.

1. Elizabeth G. Klein et al., Minnesota Tobacco Free Park policies: Attitudes of the General Public and Park Policies, 9 NICOTINE & TOBACCO RES. 549, 549 (2007).
2. Thomas E. Novotny et al., Cigarette Butts and the Case for an Environmental Policy on Hazardous Cigarette Waste, 6 INT'L J. OF ENV. RES. & PUB. HEALTH 1, 5, (2009).
3. Katarina Kallio et al., Arterial Intima-Media Thickness, Endothelial Function, and Apolipoproteins in Adolescents Frequently Exposed to Tobacco Smoke, 3 TOBACCO CONTROL 196, 200 (2010).
4. Centers for Disease Control & Prevention, Ingestion of Cigarette Butts by Children - Rhode Island, January 1994 - July 1999, MORBIDITY & MORTALITY WEEKLY REPORT, February 14, 1997, at 125.
5. CENTERS FOR DISEASE CONTROL & PREVENTION, U.S. DEPT. OF HEALTH & HUMAN SERVICES, THE HEALTH CONSEQUENCES OF INVOLUNTARY EXPOSURE TO TOBACCO SMOKE: A REPORT OF THE SURGEON GENERAL 65 (2006).
6. JAMES REPACE, MEASUREMENTS OF OUTDOOR AIR POLLUTION FROM SECOND-HAND SMOKE ON THE UMBC CAMPUS 2 (2005), available at <http://www.repace.com/pdf/outdoorair.pdf>; James Repace, Banning Outdoor Smoking is Scientifically Justifiable, 9 TOBACCO CONTROL 98, 98 (2000).
7. NAT'L TOXICOLOGY PROGRAM, U.S. DEPT. OF HEALTH & HUMAN SERVICES, REPORT ON CARCINOGENS, ELEVENTH EDITION 255 (2005).
8. Id. at 256.
9. CENTERS FOR DISEASE CONTROL & PREVENTION, *supra*note 5, at 509.
10. Id. at 423.
11. Id. at 555.
12. Id.
13. ASS'N FOR NONSMOKERS - MINN. PLAYING TOBACCO FREE: MAKING YOUR COMMUNITIES OUTDOOR RECREATION FACILITIES TOBACCO FREE 2 (2010).

Tobacco Free Outdoors - Key Messages and Facts

- Tobacco litter is poisonous and puts children, pets and wildlife at risk. Our playgrounds, parks and beaches should not be used as ash trays.
- Exposure to secondhand smoke in outdoor recreational areas can be hazardous. Outdoor recreational areas should be places that people can breathe fresh air and exercise smoke free.
- Tobacco free policies reduce secondhand smoke exposure and eliminate cigarette butts so families can enjoy outdoor activities in a healthy environment.
- Support for tobacco free policies is growing. Currently over 280 municipalities in New York State have passed regulations restricting tobacco use in outdoor recreational areas.

Environmental Impact

- Cigarette butts are the most common form of litter.¹
- Nearly all cigarette butts are made up of cellulose acetate fibers that can take decades to break down.²
- Cigarette butts are the most common form of trash found at beach cleanups.³
- Littered cigarette butts leach poisonous chemicals into our fresh and marine water.⁴
- Cigarette butts not properly extinguished can cause burns and are a major cause of fires.
- Cleanup of tobacco litter from recreational places can be costly to taxpayers.

Health Impact

- The U.S. Environmental Protection Agency has classified secondhand smoke as a Class A carcinogen placing it in the same category as radon, benzene, and asbestos.⁵
- Secondhand smoke contains more than 4,000 substances, over 40 of which cause cancer in humans.⁶
- The Surgeon General has declared that there is no safe level of second hand smoke.⁷
- Small amounts of secondhand smoke can trigger allergies, asthma attacks and breathing problems.⁸
- Because their lungs are smaller, children are more susceptible to the dangers associated with tobacco smoke even if outdoors.⁹
- A person sitting or standing next to a smoker outdoors can breathe in wisps of smoke that are many times more concentrated than normal background air pollution levels.¹⁰
- American Poison control Centers reported that over 5,400 children were poisoned by the ingestion of cigarette butts in 2008.¹¹ This number runs between 5,000-6,000 every year.

1,2 - www.cigarettelitter.org
3 - www.oceanconcernency.org
4 - www.kabv.org.au
5,6,8,9 - U.S. Environmental Protection Agency - www.epa.gov
7 - U.S. Dept. of Health and Human Services, "The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of The Surgeon General: 6 Major Conclusions of the Surgeon General," Office on Smoking and Health, 2006.
10 - <http://news.stanford.edu/news/2007/may9/smoking-050907.html>
11 - American Poison Control - www.aapcc.org/dnn/Portals/0/2008annualreport.pdf

For more information or questions on Tobacco Free Outdoors policy, please use the following contacts:



In Erie and Niagara Counties, contact:
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In Chautauqua, Cattaraugus and Allegany counties, contact:
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In Genesee, Orleans, Wyoming or Livingston Counties, contact
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