

Webmaster SFCA

From: Lynell Whipple [admin@naswla.org]
Sent: Monday, March 16, 2009 8:04 AM
To: Lynell Whipple
Subject: BR City Council reconsidering Caterie rezoning request on Wednesday, March 18th at 4:00pm. We need your support.

The information below was sent to my via the American Cancer Society.

Good Morning !!

The Metro Council in Baton Rouge on Wednesday, March 18th will be reconsidering the Caterie's request to switch their license from a restaurant to a bar so they can allow smoking and compete with nearby bars that can still allow smoking. This requires a zoning change in Baton Rouge. This is a step in the wrong direction and could result in other restaurants doing the same so they can allow smoking and re-expose their workers to secondhand smoke.

If this passes, this will undo a lot of the hard work we have accomplished over the last several years and is a major step in the wrong direction in the fight against cancer.

Please call your Metro Council member and ask that they vote NO to this license change and remind them that 87% of registered voters support the current smokefree air law.

Issue of Concern

On Wednesday, March 18, 2009 the Metropolitan Council for the City and Parish of East Baton Rouge, at its 4:00 p.m. meeting at the Governmental Building, will reconsider approving the Caterie changing its status from a restaurant to a bar.

The local music venue, which has been on Perkins since the 1970s, wants to allow customers to smoke so it can "compete" with several newer, nearby bars with zoning statuses that allow smoking, such as The Bulldog, Happy Note and Duvic's. Currently, The Louisiana Smoke - Free Air Act prohibits smoking in restaurants.

This is a step in the wrong direction for public health and could ultimately weaken the protections provided to workers by The Louisiana Smoke - Free Air Act.

OUR POSITION

This is a step in the wrong direction because it:

- Allows workers who have been protected to be exposed to SHS again;
- Ignores the public's desires for smoke-free environments when you consider that 81% of registered voters are in support of the law;
- Threatens our rich Louisiana musical culture in that it puts our musicians lives at risk and forces them to breathe secondhand smoke to get a paycheck; and
- Sets a bad precedent and tells businesses that it's okay to place bad business practices above the health of their workers.

FACTS ABOUT THE LOUISIANA SMOKE-FREE AIR ACT

(ACT 815)

- The "Louisiana Smoke-Free Air Act" (also called Act 815) went into effect January 1, 2007. The law protects

workers, children, and the general public from the dangerous health effects of secondhand smoke exposure by eliminating smoking in schools, public places and most workplaces.

- The Louisiana Smoke-Free Air Act is one of the most significant political victories for public health in recent history - one that will have a long term, positive impact on the health of Louisianans and the state's healthcare system.
- There is widespread support for The Louisiana Smoke-Free Air Act in Louisiana. 81% of registered voters in Louisiana are in favor of the fact that the law requires all restaurants to be smoke-free.
- Before the Louisiana Smoke-Free Air Act was enacted on January 1, 2007, Louisiana restaurants that allowed smoking had over 8 times more indoor air pollution than they do today.
- Restaurants that allowed smoking before the enactment of the law had indoor air quality measurements defined as "Hazardous" by the US Environmental Protection Agency (EPA). Today, the indoor air quality measurements in Louisiana restaurants fall into the EPA's "Moderate" rating.
- Exempt from the law are: free standing bars, casinos, tobacco shops, private residences and automobiles (unless such a home or vehicle is used for public transportation of children for health care or day care), up to 50% of hotel motel rooms, and private convention functions.
- Even restaurants that have video poker machines must be smoke-free. A bar is defined as a business holding a Class AG liquor license where the primary purpose of the business is to sell alcohol with food sales being considered secondary to alcohol sales.

TOUGH QUESTIONS

If this is approved, wouldn't it "level the playing field" for restaurant owners who are concerned about unfair advantages for bars that serve food?

- While the intent is to create a level playing field, based on our experience, this would actually set a precedent for other businesses to put bad business practices over the health of their workers.
- There are sufficient data from around the country that show that smoke-free laws most often have a neutral and even positive effect on business.
- There is no evidence that suggests that The Louisiana Smoke-Free Air Act has negatively impacted restaurants in Louisiana. In fact, according to Louisiana Restaurant Association data, restaurant revenues in Louisiana are projected to continue to increase in the coming years.

You say that The Louisiana Smoke-Free Air Act is about health and protecting workers from secondhand smoke exposure. When will you go after ALL workplaces at the state level, including bars and casinos?

- It's absolutely about protecting workers from secondhand smoke exposure. And thanks to The Louisiana Smoke-Free Air Act, local communities now have the power to enact laws that are stronger than the state law. With that said, TFL will continue to work with and support communities that are ready to pass local policies to protect all workers at the local level.
- We will seek protections for all workers at the state level after local communities express their desires to do so and when we have ample evidence of local support across the state.

What do you mean by evidence?

- Prior to The Louisiana Smoke-Free Air Act, 16 local communities passed local ordinances that provided protection from secondhand smoke and created momentum and support for the current statewide law. The Louisiana Smoke-Free Air Act allows local communities to enact ordinances stronger than the state law. We will continue to work with communities in the year ahead and if/when they decide to pass a local ordinance stronger than the state law, we will be there to assist.

ADDITIONAL FACTS / STATS ON SECONDHAND SMOKE EXPOSURE

Tobacco Use & Secondhand Smoke Exposure

- Annually, approximately 1,000 adults, children and babies in Louisiana die from disease and illness related to secondhand smoke exposure.
- Annual health care expenditures in Louisiana from secondhand smoke exposure: \$79.2 million.
- Breathing just 30 minutes of SHS smoke has the same effect as smoking a cigarette yourself.
- Inhaling secondhand smoke immediately increases your risk of developing heart disease.

Please pick up the phone today and call your Council member and urge them to do the right thing! Also, if you are available to attend the meeting please contact me for further information. Thank you for all you do in the fight against cancer.

The American Cancer Society's Cancer Resource Network offers information, day-to-day help, and emotional support to anyone affected by cancer. For more information about cancer resources in our community, call 800-ACS-2345 or visit www.cancer.org anytime, day or night.

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