



KIISS

Keeping Homes and Cars Smoke Free for Kids



Volume 4 Issue 1

<http://www.kiiss.org>

November, 2005

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This just in

- **Washington state passes (by 63 percent) strongest smoke-free law in the nation, making it the 10th state to go smoke-free.**
- **New study reveals heart attack rates in Pueblo, CO fell almost 30 percent after implementation of that city's smoking ban.**
- **US fails to ratify global treaty regulating tobacco, forfeiting their vote at the U.N.'s tobacco conference in February.**
- **Data shows that from 2002 to 2004 the number of New Yorkers who smoke fell by almost 200,000.**

Yum bans smoking at KFC and Pizza Hut

LOUISVILLE, Ky. (Aug. 12) - Yum! Brand's Inc. said it would ban smoking at all of its U.S. company-owned KFC and Pizza Hut restaurants beginning next week. Yum's company-owned Taco Bell units banned smoking in 1994.

As part of its new policy — which will be phased in beginning next week — the company, which also owns A&W and Long John Silver's, said "No Smoking" signs will be placed in all 1,200 KFC

and 1,675 Pizza Hut outlets nationwide. Both chains will "actively encourage their respective franchise operators to participate in the effort," Yum said of its 4,200 domestic franchised KFC outlets and 4,600 U.S. Pizza Hut operated by franchisees.

Separately, Yum said same-store sales for company-owned restaurants in the United States for the

Continued on page 2

Restaurant, bar workers need protection

By PAUL MCINTYRE
President/CEO KIISS

Today, hundreds of cities; ten states, including New York and California; and several European countries, including Italy and Ireland, have all gone smoke-free in restaurants and bars. Yet the majority of workers in the United States of America remain mired in the backwaters of this crucial worker-protection policy.

Despite the fact that it's been more than a decade since the Environmental Protection Agency proclaimed secondhand tobacco smoke is a Group A carcinogen, most American restaurateurs and bar owners still say that since cigarettes are legal, where Americans smoke should not be restricted.

Proponents of this position should know that more than a half-

century after another infamous indoor air pollutant, asbestos, was identified, it too remains legal. Yet attorneys continue to negotiate huge settlements for workers suffering from asbestos-related illnesses with hundreds of billions already paid out and 200,000 more cases still in court.

At its peak, asbestos killed 8,000 to 10,000 people annually whereas secondhand smoke is thought to kill approximately 53,000 non-smokers every year.

Asbestos producers knew for decades that exposure to asbestos dust posed a serious health risk, but did little or nothing to protect their workers and ended up paying a high price.

When Pittsburg Corning, for ex-

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Study Tallies Annual Cost of Secondhand Smoke

By THEO FRANCIS
THE WALL STREET JOURNAL
August 17, 2005

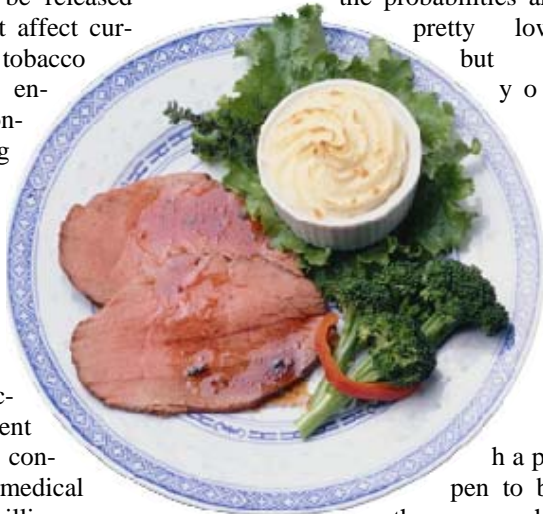
The effects of secondhand tobacco smoke cost the U.S. economy nearly \$10 billion a year, ranging from medical bills to lost hours on the job, according to a study commissioned by insurance actuaries.

While the study, to be released today, probably won't affect current litigation against tobacco companies, it could encourage insurers to consider separate pricing for nonsmokers exposed to tobacco smoke, attorneys say.

A smaller proportion of nonsmokers have been exposed to secondhand smoke in recent years, but the study concludes that direct medical costs total about \$5 billion annually, while indirect costs, including lost wages and costs related to disabilities, total about \$4.7 bil-

business school arrived at these figures after reviewing more than 200 studies published since 1964. Among the medical conditions more common among those exposed to secondhand smoke, the researchers concluded, are sudden infant death syndrome and chronic pulmonary disease, as well as asthma and spontaneous abortion.

"If you look at any one individual, the probabilities are pretty low, but if you o u



h a p - pen to be the one who gets lung cancer, it's significant to you," said Donald F. Behan, the study's lead author and a senior research associate with Georgia State University's J. Mack Robinson College of Business. "There seems to be a relatively greater impact on children than adults."

The study eventually could lead life and health insurers to charge more to insure people exposed to what the industry calls environmental tobacco smoke, according to Tim Harris, a member of the actuarial society's board of governors and a principal in St. Louis with actuarial firm Milliman Inc.

For now, tests to gauge exposure to tobacco smoke are costly and imprecise, Mr. Harris added, but

some insurers could decide to ask applicants about exposure at home or work.

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...

Edward L. Sweda, senior attorney with the Tobacco Products Liability Project at Northeastern University School of Law in Boston, said a study pinning down the costs of secondhand smoke is likely to be more helpful in the public-policy debate over smoking bans than in current litigation against tobacco companies.

YUM (continued)

four weeks ending Aug. 6 had risen 9 percent at Taco Bell and 5 percent at KFC, but had fallen 2 percent at Pizza Hut. The company also said that systemwide sales for the four-week period ended July 31 increased 16 percent in local currency for its China division, which includes mainland China, Thailand and KFC Taiwan. The non-China international division's systemwide sales rose 3 percent in local currency for the period ended July 11.

Published in Nation's Restaurant News, August 12, 2005

...
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lion. Members of the Society of Actuaries and a researcher at Georgia State University

Restaurants and bars gain business under smoke ban

Excerpted from story by Stephen Smith, Boston Globe
April 4, 2005

Sales and employment at Massachusetts restaurants and bars grew slightly during the first six months of a statewide smoking ban, disproving predictions that the prohibition would inflict serious damage on the hospitality industry, Harvard researchers are scheduled to report today.

As part of the study, analysts from the Harvard School of Public Health tested the air in 27 bars and restaurants both before and after the ban went into effect last July 5. The result: Dangerous cancer-causing toxins plummeted by 93 percent once cigarettes, cigars, and pipes were banished.

The findings arrive as the campaign to eliminate smoking from its last indoor public havens gains momentum not just nationally but globally, with European nations, led by Ireland, moving to extinguish the tradition of a Scotch and a smoke at pubs, nightclubs, and restaurants.

It is a movement hailed as a signal public health triumph and a sweeping social shift. But an increasing body of evidence also suggests that what's good for the health of workers and patrons may also boost the bottom line of businesses.

The Harvard researchers reviewed state tax records for all restau-

rants, bars, and nightclubs from July through December of last year -- the first six months of the statewide ban -- and compared them with receipts for the comparable period in previous years.

To make an apples-to-apples comparison, the researchers took into account inflation. Even after doing that, they found that tax collections on meals rose about 9 percent after the ban went into effect compared with the July through December average for 1999 through 2003.

The researchers also found that alcoholic beverage excise tax collections remained essentially steady.

Similarly, the figures showed a slight rise in the number of people working in restaurants and bars.

Even the business alliance that once stood determinedly in opposition to the ban, sending it to repeated defeats on Beacon Hill, concedes that the law has had no persistent negative effects.

"It caused kind of a minor blip in business at first," said Gail Anastas, director of communications for the Massachusetts Restaurant Association. "But then they did things to attract people back. Everybody just wanted a level

playing field, and when it went statewide, it made it the same for everyone."

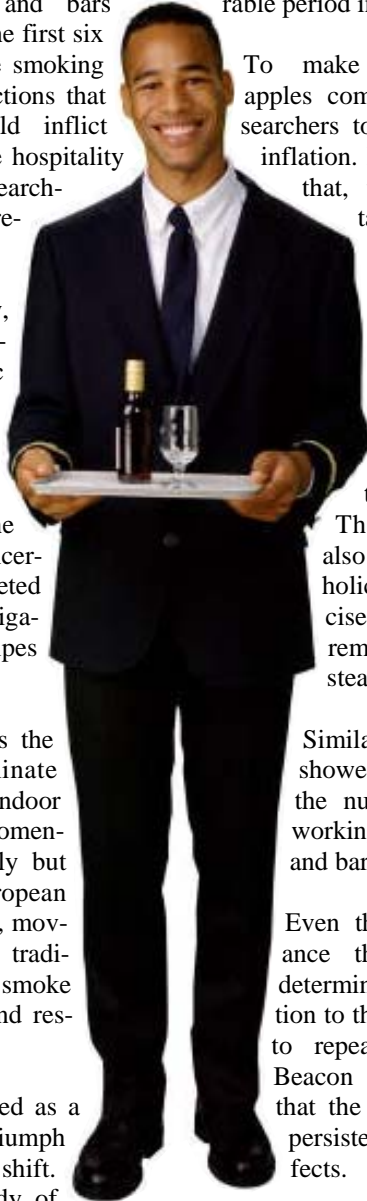
The statewide smoking ban, approved overwhelmingly by legislators and signed into law last year by Governor Mitt Romney, ended a patchwork of tobacco prohibitions that had begun one evening in November 1993. That's when the people of Brookline, gathered in Town Meeting, enacted what was then the most comprehensive smoking ban in the commonwealth's history.

In the years that followed, dozens of cities and towns approved bans, including Boston and most of its suburbs.

...
Dangerous cancer-causing toxins plummeted by 93 percent once cigarettes, cigars, and pipes were banished
...

Brookline conducted some of the earliest studies evaluating the economic consequences of smoking bans and found that restaurants and bars overall in the town weren't hurt by the prohibition.

"It may happen that there are losses for some individual businesses that have staked their entire revenue stream on smokers," said Alan Balsam, Brookline's public health commissioner. "But those establishments are few and far between."



New Report Links Secondhand Smoke to Breast Cancer

By JEAN CARTER
Project Director, KIISS

A study recently released by the California Environmental Protection Agency's Air Resources Board (ARB) has shown a significantly increased risk of breast cancer for non-smoking women exposed to secondhand smoke (also known as Environmental Tobacco Smoke).

These findings have energized the controversy over the relationship between secondhand smoke and breast cancer. Most studies prior to the CAL/EPA study found, as USA Today reported earlier this year, no connection between female smokers and breast cancer.

The report also promises to aid those struggling for legislation restricting smoking in the workplace, particularly in restaurants and bars. An important finding of

...
The risk of developing breast cancer ... is greater among younger non-smoking women than it is among older non-smoking women
...

this study is that the risk of developing breast cancer as a result of exposure to secondhand smoke is greater among younger non-smoking women than it is among older non-smoking women.

Paul McIntyre, President of Kids Involuntarily Inhaling Second-

hand Smoke, said, "These findings should be of particular concern to restaurants, where so

...
A majority of those working in the foodservice industry fall into this risk category
...

many young women are employed."

According to National Restaurant Association statistics, a majority of those working in the foodservice industry fall into this risk category: 52 percent of employees working in foodservice are under 30 years of age, and 55 percent are female. The Occupational Safety and Health Administration reports that nearly 30 percent of the employees at restaurant and eating and drinking establishments are under the age of 20.

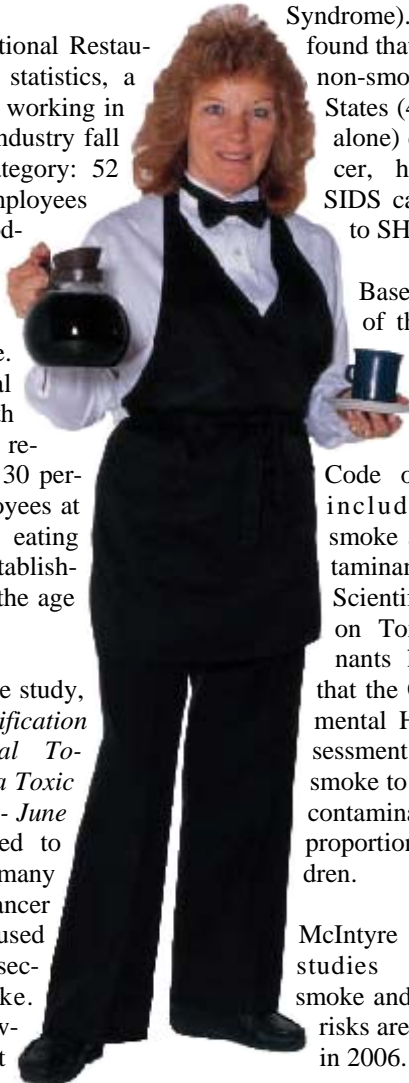
The authors of the study, *Proposed Identification of Environmental Tobacco Smoke as a Toxic Air Contaminant - June 24, 2005* declined to estimate how many cases of breast cancer each year are caused by exposure to secondhand smoke. They did, however, state that it

could represent "a significant number of cases", as breast cancer is the second leading cause of cancer deaths in women. More than 211,000 women are diagnosed with breast cancer each year, and more than 43,000 of those will succumb to it.

Among the other health risks of exposure to secondhand smoke confirmed by the study are: heart disease, lung and nasal sinus cancers, low birth weight, asthma onset or exacerbation, middle ear infection, bronchitis, pneumonia, and SIDS (Sudden Infant Death Syndrome). The study also found that each year, 50,000 non-smokers in the United States (4,000 in California alone) die from lung cancer, heart disease and SIDS caused by exposure to SHS.

Based on the findings of this report, staff of the ARB will now begin the process of amending the California Code of Regulations to include secondhand smoke as a toxic air contaminant. In addition, the Scientific Review Panel on Toxic Air Contaminants has recommended that the Office of Environmental Health Hazard Assessment add secondhand smoke to the list of toxic air contaminants that may disproportionately affect children.

McIntyre says several more studies on secondhand smoke and workplace cancer risks are due to be released in 2006.



Restaurant, bar workers need protection (continued)

ample, bought an asbestos manufacturing plant in Tyler, Texas, it asked the Industrial Hygiene Foundation of America to evaluate the asbestos dust levels there. High levels of asbestos pollution were measured. The recommendation: better ventilation -- the same response often applied when concerns about secondhand smoke exposure are raised.

Later more than 200 workers from the Tyler plant died from asbestos-related cancers. Researchers from the University of Texas determined that factory workers at

...
Will the issue take a half-century to resolve as asbestos did?
...

the Tyler asbestos plant were dying of lung cancer at a rate of four to five times the national average.

Workers exposed to secondhand tobacco smoke face similarly dire consequences. A study released by the University of Minnesota Cancer Center in May revealed

that nonsmoking employees had up to 25 times more nicotine in their bodies on days when they worked in restaurants and bars than on days they were not at work.

Even Philip Morris acknowledges such dangers on its Web site where it states, "Public health officials have concluded that secondhand smoke from cigarettes causes disease, including lung cancer and heart disease in non-smoking adults..."

What can America do to avoid similar liability and hardships now that we are knowledgeable about the health risks of secondhand smoke? Will the issue take a half-century to resolve as asbestos did, or will those responsible for protecting the health of America's workers act more quickly?

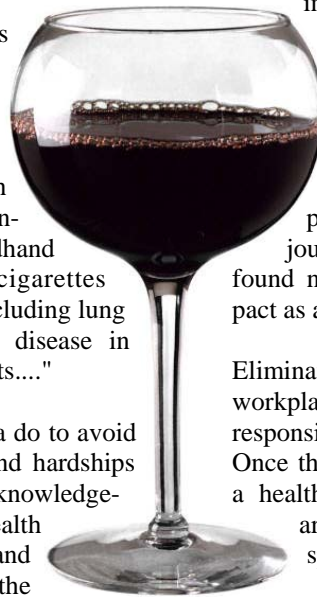
The tobacco company's assertion that restaurants and bars must allow smoking or go out of business is not backed by facts. While anecdotal stories and tobacco-

industry funded studies continue to proclaim economic loss due to smoking bans, these claims are unfounded.

Only one out of 31 tobacco-industry supported studies finding a negative economic impact has been published in a peer-reviewed journal, while 23 of 60 non-industry funded studies have appeared in peer-reviewed journals, and all 23 have found no negative economic impact as a result of smoking bans.

Eliminating tobacco smoke in the workplace is the duty of every responsible employer in America. Once there is reasonable proof of a health risk, reasonable people are compelled to act responsibly with it.

Restaurants are the No. 1 employer of young people in America. With their health at stake, let's not make the asbestos industry's mistake and wait too long to take care of the health risks secondhand smoke poses. America needs to eliminate this hazard for restaurant and bar employees now, before it's tragically too late for many of them.



Restaurateur Michael O'Neal Named Chairman of Kids Involuntarily Inhaling Secondhand Smoke (KIISS)

New York City restaurateur Michael O'Neal has been named Chairman of the Board of Kids Involuntarily Inhaling Secondhand Smoke (KIISS), a Roseville, California based nonprofit that works to educate restaurant owners nationwide about the benefits of going smoke free.

O'Neal, who has three restaurants in New York City - O'Neal's Restaurant, West 79th Street Boat Basin Cafe, and the Ballfields Cafe' - has been an actively involved restaurant owner and operator since 1964.

One of his most passionate causes

has been to work to make restaurants and bars smoke free environments where his businesses are located, as well as nationwide.

"A dozen years ago when I started advocating for smoke-free restau-

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Kids Involuntarily Inhaling Secondhand Smoke (KIISS) was founded in April of 2000 with a mission, "Dedicated to eliminating kids' involuntary inhalation of secondhand smoke and its multiple health risks."



Michael O'Neal named Chairman of KIISS (cont.)

rants I was a lone-wolf among my peers who owned restaurants," O'Neal said. "Now everyday a new city, state or country is coming our way on smoke-free restaurants."

"Currently more than one third of restaurants nationwide are smoke free by law," O'Neal says adding, "That number will likely grow by 10 to 15 percent by year's end".

O'Neal is past president of the New York City Chapter of the New York State Restaurant Association, past chairman of the New York State Restaurant Association,

and is an emeritus member of the National Restaurant Association board of directors.

His culinary career began in 1962 as a Foodservice Officer in the U.S. Air Force, followed by employment with Restaurant Associates in 1963, and the opening of his first restaurant, "The Ginger Man" in New York City in 1964.

With his namesake restaurant across the street from NYC's Lincoln Center, O'Neal has always been keenly involved in the arts, and local political and civic committees.

Married to NYC real estate broker Christine O'Neal, the couple has two children and one grandchild.



Michael O'Neal