



NEWS RELEASE

**For Immediate Release:
February 17, 2004**

SMOKE-FREE DECISION THROWS ISSUE BACK TO PROVINCE

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Canadian Cancer Society
Ontario Division

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Non-Smokers'
Rights Association

Ontario Lung Association

Ontario Medical Association

Supporting Agencies

Alcohol and Drug
Concerns Inc.

Association of Local
Public Health Agencies

Cancer Care Ontario

Ontario Association of
Children's Aid Societies

Ontario Association of
Naturopathic Doctors

Ontario Federation of Home
and School Associations

Ontario Physical and Health
Education Association

Ontario Public Health
Association

Physicians for a
Smoke-Free Canada

Registered Nurses
Association of Ontario

The Ontario College
of Family Physicians

Toronto – Today's decision by a provincial tribunal to throw out 100% smoke-free restaurant and bar orders issued by Northwestern Ontario Medical Officer of Health Dr. Pete Sarsfield puts the onus on the provincial government to enact its promised smoke-free law sooner rather than later, according to the province's leading anti-tobacco coalition.

"Today's decision by the Health Services Appeal and Review Board was strictly a matter of jurisdiction and not of medical science," said Michael Perley, Director of the Ontario Campaign for Action on Tobacco. "The panel simply stated that Dr. Sarsfield tried to apply his authority to control public health risks to second-hand smoke, which the board found to be outside his jurisdiction."

"While it would have been helpful to allow medical officers of health to issue this kind of order," Perley went on to say, "many methods of controlling second-hand smoke – notably local bylaws and provincial law – remain. A province-wide law has been promised as soon as the Spring session of the legislature which begins March 22nd, and we expect to the province will act on this promise."

The board's decision concerned appeals of six different orders issued by Dr. Sarsfield in June 2002 requiring the affected businesses to become 100% smoke-free under Section 13 of the Health Protection and Promotion Act.

The Ontario Campaign for Action on Tobacco is a coalition of provincial health agencies that have been working together since the early '90s in support of the implementation of effective tobacco control policies in the province of Ontario.

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