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Bar owners upset with smoking proposal

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COLUMBUS — Bar and tavern owners believe proposed rules regarding indoor smoking would curb profits and lead to layoffs because smokers would spend less time at their businesses, according to a tobacco-funded study released Wednesday.

Four out of five tavern owners surveyed predicted revenues would decrease more than 15 percent, if proposed workplace safety rules under consideration by the federal Occupational Safety and Health Board are enacted.

"Obviously, this is a thinly veiled attempt by OSHA to enact a smoking ban that would gravely impact the hospitality industry," Philip A. Craig, Ohio Licensed Beverage Association president, said at a news conference announcing the survey's findings. "Compliance with these provisions would be a costly nightmare for any small business owner — not only the

hospitality industry," OSHA's proposal would require all businesses that permit smoking to provide a separate, enclosed area with ventilation directly outdoors.

Employees also could not be forced to work in areas where smoking is allowed. Fines could be levied against employers who break the policy.

Craig urged OSHA to reopen hearings on the plan and make changes.

The survey, conducted in September for the Ohio Licensed Beverage Association, shows that 84 percent of bar and tavern owners, as well as 51 percent of restaurant owners, believe the proposal would cut revenue because smokers would go elsewhere.

Seventy-three percent of bar and tavern owners and 71 percent of restaurant owners said layoffs likely would result from the OSHA proposal.

Philip Morris Cos. Inc. paid for the study, the results of which were based on interviews of 300 bar, tav-

ern and restaurant owners in Ohio. Tony Scartz, owner of Tony's Italian Restaurant for 14 years in a trendy part of downtown Columbus, said he opposed the rule.

"If smoking is prohibited in restaurants, smokers — and the nonsmokers who choose to dine with them — may choose to eat out less often," he said. "Smokers who dine out will tend to linger less over their meals, forgoing dessert and coffee in favor of leaving to smoke. The impact? Lower sales for restaurant and tavern owners and decreased tips for employees."

A spokeswoman said OSHA still is evaluating more than 110,000 letters regarding proposal.

"We are busy," Susan Fleming said. She did not know when the agency will make a decision.

The plan to regulate indoor tobacco smoke is rolled into a larger proposal aimed at limiting workers' exposure to several substances, including paint fumes during renovations.

The agency estimates that 700

cases of lung cancer and between 2,000 and 13,000 deaths result each year from workers inhaling second-hand smoke while on the job.

"We are confident that compliance with the rule will reduce the suffering and disease associated with poor indoor air quality and environmental tobacco," U.S. Labor Secretary Robert B. Reich said in a 1994 statement announcing the proposed rule.

The survey released Wednesday found that 98 percent of bar owners and 87 percent of restaurant owners believe businesses — not the government — should set policies on indoor smoking.

For example, Scartz said he changes the amount of seating available to smokers and nonsmokers each night, depending on demand.