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HOWARD J. RUBENSTEIN ASSOCIATES, INC.  
1345 Avenue of The Americas New York, N.Y. 10105 489-6900

## Mayor's proposed law sparks great smoking debate

### EXECUTIVE FORUM

#### Proposal is pro-people

I am pleased to have this opportunity to address New York's business community on an important issue of the public's health. One of the most important problems currently facing New Yorkers is tobacco and its effects on health. Tobacco is the No. 1 cause of premature illness and death in the United States.

This month Mayor Koch is presenting a bill to the City Council that would restrict smoking in public places, in restaurants and in the workplace. It will give precedence to the rights of the 70% of New Yorkers who don't smoke. This bill isn't anti-smoker. It specifically makes provisions for those who smoke. But the proposed legislation

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Stephen C. Joseph, M.D., New York City Health Commissioner, was most recently in charge of children's health programs for Unicef.

#### Burning issue

Mayor Koch has imposed on city buildings some of the toughest anti-smoking rules in the nation. If the City Council goes along, restaurants, offices and other private facilities throughout the city could become smoke-free zones.

Both sides see the issue as one of basic rights. Supporters hope nonsmokers will be spared the health risks of "passive smoking." Opponents say everyday courtesy, not inflexible rules, should be used to resolve the dispute.



Paul Severino is chairman of the Committee for Common Courtesy, whose expenses are paid by the Tobacco Institute.

#### Restriction ill advised

Perhaps H.L. Mencken was anticipating today's debate about smoking on the job and in public places when he wrote: "For every problem there is a solution that is simple, neat and wrong."

Mayor Koch's Smoking Pollution Control Act of 1986 is such a simple—and wrong—solution. Indeed, the proposed law is an unfair solution in search of a "problem" that is, at most, a minor concern.

Further, the measure is an insult to the vast majority of us who think that smokers and nonsmokers can work, eat and sit together without inviting a scenario akin to the shoot-out at the O.K. Corral. The Committee for Common Courtesy, a

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# Proposal is pro-people

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is pro-people, whether smokers or nonsmokers.

The efforts of public health pioneers during the past 15 or 20 years have brought us to the point where the major victories over the devastating health hazards posed by smoking are well within our reach.

The experience of 100 cities and states in enacting and successfully implementing smoking control legislation in recent years gives us confidence that similar success in New York is possible—indeed, probable.

The tobacco industry is aware that the passage of a meaningful Smoking Pollution Control Act in New York City will be the hinge on which the national conflict will turn. The "Cancer Companies," as I call them, are pouring money and influence into the city in a desperate

attempt to stem the tide.

Why is this legislation so important from a public health standpoint? There are three reasons:

First, passage of this legislation represents primary prevention of the hazards of involuntary smoking. The bill protects not only those citizens with allergies, chronic respiratory disease and cardiovascular disease, but all of us against the proven health hazards of second-hand smoke.

More than 11,000 New Yorkers die each year of smoking-related causes, and the annual cost to this City's economy due to smoking-related illness and premature death is \$2.5 billion (by cruel coincidence, the same as the tobacco industry's advertising and promotion budget). The mayor's proposed bill is an effective way to begin to remedy this loss in terms of lives and dollars.

Second, enactment of this bill will

be a powerful lever toward changing public attitudes about smoking. Studies in other communities have shown that this type of legislation has been followed by a decline in cigarette consumption of up to 20%.

I am particularly concerned about the way that the public perceptions of smoking affect our young people.

Some 20% of New Yorkers age 15 to 20 already smoke; 10% of those who smoke will die of lung cancer if present trends continue. Young women and minority youth are of particular concern. We must prevent a next generation of smokers.

Third, effective action on the smoking front will open up public health possibilities concerning a variety of attitude, behavior and lifestyle issues. A recent National Center for Health Statistics study showed that 95% of all Americans, across all age groups, know that smoking causes cancer and cardiovascular disease. Legislation such as that proposed by the mayor will give people support and confidence for the promotion of their own health. In New York, as elsewhere, more than half of all smokers say they have tried to quit within the past year.

The high-priced talent that the Tobacco Institute is importing into New York claims this as an issue to be solved by "common courtesy," especially in New York restaurants. This is pure nonsense. New York restaurants once had spittoons at each table. They don't anymore and everyone's courtesy is served the better for it.

If a Jumbo Jet crashed and killed everyone aboard every day of the year, there would be no doubt about the public's response. Yet the equivalent of two jumbo jet loads of people die every day due to tobacco in this country. The mayor's proposed bill represents an excellent and timely opportunity to reduce the loss of life and help bring health and economic well-being to all New Yorkers, and perhaps, the rest of this country, as well.

# Restriction ill advised

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broad-based group of New York City residents, believes restrictive smoking legislation is unnecessary, unfair, unwise, unwanted and economically destructive.

Proponents claim smoking bans at work and elsewhere are necessary on health grounds. Many experts disagree. They note that improvement in indoor air quality will come not from smoking restrictions, but from solutions to truly significant problems with the air we breathe in our offices, restaurants and other public places—problems of poor ventilation, asbestos, formaldehyde and other factors.

Just as environmental tobacco smoke doesn't represent any established hazard to the nonsmoker, it shouldn't be an irritant to the average nonsmoker, assuming ventilation equipment is properly installed and maintained and is functioning according to indoor air quality standards established by the city.

It should be noted that right now—without law—business owners and operators are free to establish any smoking/nonsmoking arrangement they see fit to keep employees and patrons happy. But when New York business leaders were asked whether they wanted to regulate smoking more than 80% said no. The vast majority of respondents to a recent Business Council of New York State survey said occasional differences between smokers and nonsmokers were best worked out individually, through common sense, courtesy and cooperation. In addition, the Business Council concluded that such restrictions are "virtually unenforceable."

Business and labor share a deep concern over the costs of smoking prohibitions. Indeed, the costs of Mayor Koch's proposal should worry every New York taxpayer

Direct annual costs to New York City business and taxpayers could exceed \$265 million, according to a conservative estimate prepared for the New York AFL-CIO by the economic consulting firm of James Sarver & Associates.

And what about important tourist and convention business? We at the Committee for Common Courtesy believe these economically significant visitors to our city should be allowed to enjoy their stay without having their personal, legal customs monitored by every town merchant and "smoking police" from the half-dozen city agencies and departments that may have some enforcement responsibility.

Restaurant owners and operators share the concerns of fellow business proprietors. Restaurantiers must please their customers if they want to remain in business, making sure their regular customers remain regular customers and providing maximum comfort for all patrons.

As the former president of the New York City Council, I sat on numerous panels such as the one charged with reviewing this proposed ordinance. I have had to weigh the merits of all sorts of issues, had to take the public's pulse on any number of concerns.

The proposed no-smoking bill—the worst of its kind in the country—would turn our city's sports arenas, convention halls, restaurants and workplaces into giant boxing rings, pitting New Yorkers against one another.

Today, smokers and nonsmokers work out differences through mutual understanding. I guarantee that this will change just as soon as "legal rights" are thrown into the equation—citizens on both sides will exercise their "rights."

New York will be the loser, financially and otherwise. It is in the best interest of this city for the mayor's plan to be rejected.

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