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SMOKE-FREE ONTARIO ACT: HOW THE ACT AFFECTS DAY NURSERIES AND PRIVATE HOME DAY CARE



Smoke-Free Ontario Act How the Act Affects: Day Nurseries and Private Home Day Care

The Basics

- The Smoke-Free Ontario Act came into force on May 31, 2006.
- The Act prohibits smoking in enclosed workplaces and enclosed public places in Ontario in order to protect workers and the public from the hazards of second-hand smoke.

Day Nurseries and Private Home Day Care

Smoking is prohibited in a day nursery licensed under the *Day Nurseries Act*. In addition, where private home day care is provided under the *Day Nurseries Act*, the entire premises must be smoke-free at all times whether children are present or not.

Licensed private home day care refers to day care provided in a private home under a license issued by the Ministry of Children and Youth Services to a private-home day care agency. A private home day care agency provides, at more than one location, private home day care for five children or less who are under ten years of age in a private residence other than the home of the parent/guardian of the child. Homes are supervised and monitored by the agency.

For further information, the Ministry of Children and Youth Services website address is www.children.gov.on.ca.

Responsibilities of Operators

- Ensure that everyone is aware that smoking is prohibited.
- Remove ashtrays and any object that serves as one.
- Ensure that no one smokes on the premises.
- Ensure a person who does not comply does not remain on the premises.
- Post *No Smoking* signs at all entrances, exits, washrooms, and other appropriate locations. For information on acquiring required signage, please contact *Your Health Connection* at 705-721-7520 or 1-877-721-7520.

Enforcement

The Simcoe Muskoka District Health Unit will carry out inspections and investigate complaints in day nurseries and places where licensed private home day care is provided in order to enforce the Act.



Penalties

There is no maximum corporate fine listed for contravention of this section of the Act, meaning the fine amount would be left up to a justice of the peace. An individual could be subject to a maximum fine of \$5,000.

This fact sheet is intended as a quick reference only. For more information, please contact *Your Health Connection* at 705-721-7520 or 1-877-721-7520.

You may also obtain information by calling toll-free:

- **INFOline** 1-866-396-1760
- **TTY** 1-800-387-5559

Hours of operation: Monday to Friday, 8:30am - 5:00pm

For more information on the Smoke-Free Ontario Act, please visit the Ontario Ministry of Health Promotion and Sport website: <http://www.mhp.gov.on.ca/en/smoke-free/default.asp>.

January 2007



**simcoe
muskoka**
DISTRICT HEALTH UNIT

Tel: 705-721-7520
Toll free: 1-877-721-7520
www.simcoemuskokahealth.org



SMOKING IN MOTOR VEHICLES WITH CHILDREN PRESENT



FACT SHEET

Ministry of Health Promotion

SMOKING IN MOTOR VEHICLES WITH CHILDREN PRESENT

January, 2009

THE LAW

- As of January 21, 2009, the Smoke-Free Ontario Act prohibits persons from smoking or having lighted tobacco in a motor vehicle if another person who is less than 16 years old is inside the vehicle.
- Any person – driver or passenger – in a motor vehicle, who is smoking while someone else under the age of 16 is present, will be committing an offence.
- The law applies to both moving and stationary vehicles and will apply to motor vehicles, regardless of whether any window, sunroof, rooftop, door, or other feature of the vehicle is open.

PURPOSE

- To protect children from the harmful health effects caused by exposure to second-hand smoke in motor vehicles.

SECOND-HAND SMOKE AND CHILDREN

- Second-hand smoke in motor vehicles can be up to 27 times greater than in a smoker's home.
- Children are especially vulnerable to second-hand smoke because they breathe more air relative to body weight. As a result, they absorb more tobacco smoke toxins than adults.
- Children who breathe second-hand smoke are more likely to suffer health problems such as Sudden Infant Death Syndrome, asthma, and cancer and cardiac disease later in life.
- Exposure to second-hand smoke has also been linked to lower cognitive test scores compared with children who were not exposed.

ENFORCEMENT

- Ontario police have the authority to enforce the prohibition of smoking a cigarette, or lighting tobacco in a motor vehicle if another person who is less than 16 years old is inside the vehicle.
- Voluntary compliance is our primary objective.
- Persons who fail to comply with the prohibition may be ticketed, or if charged and found guilty, be subject to a fine up to \$250.

MORE INFORMATION

- www.ontario.ca/smokefree
- For help quitting smoking, contact Smokers' Helpline at 1-877-513-5333 or www.smokershelpline.ca.

SECONDHAND SMOKE FACT SHEET

What is Secondhand Smoke?

Secondhand smoke comes from two sources:

- Mainstream smoke – the smoke first inhaled by the smoker and then exhaled.
- Sidestream smoke – the smoke that goes into the air from the end of a burning cigarette containing twice the nicotine and tar than mainstream smoke and five times the carbon monoxide.

Secondhand smoke contains toxic substances including more than 40 which can cause cancer. It is more dangerous than directly inhaled smoke. This is due to the fact that cigarettes burn for approximately 12 minutes, but smokers usually only inhale for 30 seconds.

Even after lit tobacco is extinguished, the toxins from the smoke get trapped in hair, skin, fabric, carpet, furniture, and toys. Chemicals from these toxins continue to pollute the air that people breathe.

Health Risks of Secondhand Smoke Exposure

A non-smoker exposed to secondhand smoke has a 25 per cent increased chance of developing lung cancer. Health Canada estimates that secondhand smoke is responsible for the lung cancer deaths of more than 300 non-smokers each year, as well as thousands more deaths from other diseases linked to its exposure.

Health risks of secondhand smoke include:

- cancer (of the lungs, sinuses, brain, breast, uterus, cervix, thyroid, as well as leukemia and lymphoma)
- heart disease and stroke
- the aggravation of asthma, allergies and angina
- reduced ability to take in and use oxygen
- increased heart rate and blood pressure
- eye irritation, headache, nasal discomfort, sneezing, coughing, sore throat, nausea, and dizziness

Secondhand Smoke Exposure and Unborn Children

Nicotine speeds up the heartbeat of the fetus and can slow down the growth of the baby's lungs and breathing passages.

Carbon monoxide can reduce the oxygen supply to the fetus by 25 per cent which can lead to lower birth weights.

Secondhand Smoke Exposure and Children

Infants and children breathe in more secondhand smoke than adults because they have higher respiratory rates.

Secondhand smoke among children can lead to:

- an increased risk of developing cancer and heart disease as an adult
- impaired lung function
- middle ear infections
- food allergies
- an increased risk of sudden infant death syndrome (SIDS)
- chronic respiratory illness, such as asthma
- a possible negative impact on behaviour, attention and cognition

Protect your family and friends from the dangers of secondhand smoke.

Make your home and car smoke free.

Ask caregivers, including family, not to smoke around you and your children.

For more information on how to make your home and car smoke free and/or for information about quitting smoking, contact *Your Health Connection* at 705-721-7520 or 1-877-721-7520 or visit www.simcoemuskokahealth.org.