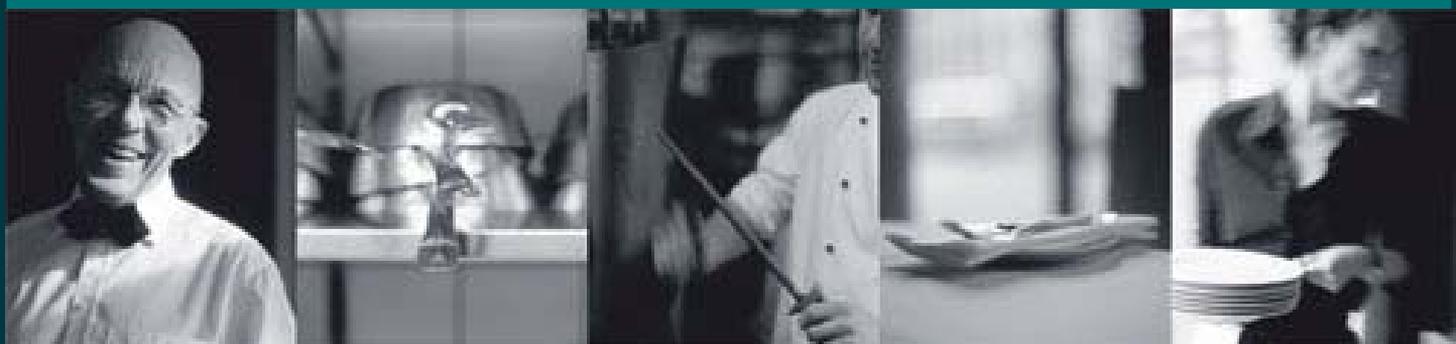


## Norway's ban on smoking in bars and restaurants – *A review of the first year*



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Contact: Department for Tobacco Control  
Mailing address: P.O. Box 7000 St Olavs plass, 0130 Oslo  
Street address: Universitetsgata 2, Oslo

Tel.: (+47) 241-63000  
Fax: (+47) 241-63001  
[www.shdir.no](http://www.shdir.no)

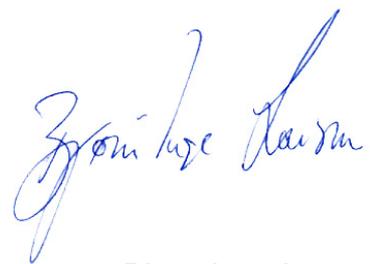
## Foreword

There were many expectations about the ban on smoking in bars and restaurants when it was introduced a year ago. However, the authorities and the industry were well prepared, and the time was ripe for employees in the hospitality industry to be granted the statutory right to a smoke-free working environment.

Norway's bars and restaurants and their guests adapted to the new situation very quickly. People went outside to smoke, and employees were able to enjoy better air quality and better health.

Today, three of four members of the general public report that they think the ban on smoking in bars and restaurants has been a success. This is very much the authorities' impression as well.

Many, not least the general public, have contributed to making this process relatively painless. We would nonetheless like to pay special tribute to owners and employees in the hospitality industry who have dealt with these challenges in a professional manner.



Bjørn-Inge Larsen  
Director General, Directorate for Health and Social Affairs



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# 1 Introduction and summary

On 1 June 2004, Norway banned smoking in bars, pubs, cafés, restaurants and other hospitality establishments. One year after enactment of the ban, we can confirm that the transition has been extremely smooth. It is also gratifying to ascertain that the main intention behind the Act, i.e. a better working environment for employees, has been achieved.

There were many predictions about how the ban would work. Some expected a state of chaos outside bars and restaurants, accompanied by a steep downturn for the industry. Others also expected the general public to largely ignore the ban.

These predictions did not materialize. Already on the eve of 1 June last year, people could be observed smoking outside as though it were the most natural thing in the world. Reports from the general public, those who work in the industry and the inspection authorities all indicate very few problems related to enforcement of the ban. Most people have respected it. There are no grounds for contending that the hospitality industry has lost business because of the ban on smoking. Meanwhile, the most gratifying aspect is that a survey established that employees have a significantly better working environment and that they report that they are healthier than before the law was amended. Public support is also increasing.

## 1.1 Summary of the main findings

In other words, experience from the first year of the ban indicates a number of positive tendencies. This report is based on reports from the inspection authorities and three different independent surveys. The main findings indicate that:

- People generally comply with the ban;
- The inspection authorities and the employees experience very few problems with compliance;
- A growing number of people support the ban;
- Guests state that air quality has improved;
- Breweries record a slight decline in the sale of beer;
- There is little difference in the turnover index of bars and restaurants before/after;
- There has been a distinct improvement in air quality in the workplace;
- Far fewer employees state that they have general medical problems;
- Fewer employees state that they experience respiratory problems;
- 1 of 10 employees has quit smoking.

These findings will be explored later in this report.

## 1.2 Background for the ban

In 1988, a new provision was adopted and incorporated into the Act relating to the prevention of the harmful effects of tobacco, i.e. the Tobacco Act. §6 of the Tobacco Act states that the air is to be smoke-free in premises and vehicles accessible to the general public, and in meeting rooms, work premises and institutions where two or

more individuals are gathered. The rules are designed to protect people from passive smoking. Since 1988, the hospitality industry has been exempted from the general rule regarding smoke-free premises. Until 1 June 2004, employees in this industry had less protection against passive smoking at work than other groups of wage-earners. The main objective of the amendment in 2004 banning smoking in bars and restaurants was to improve employees' working environment.

### **1.3 What does the ban on smoking entail?**

The ban on smoking in bars and restaurants applies to premises where food and/or drink are served and which are also places of work or accessible to the general public. Smoking is prohibited in such places. Nor does the Act allow the establishment of unattended smoking areas for guests. The owner or manager of the premises is responsible for ensuring compliance with the provisions. Pursuant to § 6 of the Tobacco Act, responsibility for inspection and control shall be divided between the municipal authorities and the Norwegian Labour Inspection Authority.

### **1.4 Evaluations**

Several evaluations are being conducted to assess the consequences of smoke-free bars and restaurants. The results of the surveys will generally be published as articles in national and international journals, and part of the evaluations will be published as a series of reports.

The Norwegian Institute for Alcohol and Drug Research (SIRUS) and the Research Centre for Health Promotion (HEMIL Centre) at the University of Bergen were already engaged in a major project to evaluate the authorities' overall efforts to prevent tobacco-related diseases from 2003 to 2007. The evaluation of smoke-free bars and restaurants is a part of that project.

The most comprehensive current and completed projects:

- The HEMIL Centre has conducted a survey among a sample of employees in the hospitality industry concerning their work experience with the ban and how it has affected their working environment. This is a panel study conducted by MMI consisting of a preliminary survey and two follow-up surveys, only one of which has been completed to date. The first preliminary reports from the study have been completed.
- SIRUS has conducted a survey among the general public about attitudes to and the consequences of the ban, and evaluated the media campaign. Data from Statistics Norway and MMI has been used. One preliminary report and some individual results have been completed.
- SIRUS is also analysing the economic consequences of smoke-free bars and restaurants. Although some preliminary results are ready, the reports are not yet available.
- The National Institute of Occupational Health, Norway (STAMI) has measured the changes, if any, in air quality in bars and restaurants, as well as lung function and biological markers of nicotine exposure among employees before and after 1 June 2004. The results have not yet been published.

## 2 Do people respect the ban?

### 2.1 The Norwegian Labour Inspection Authority's impression

The Norwegian Labour Inspection Authority has worked actively to follow up the regulations regarding smoke-free bars and restaurants. The Authority reports that implementation has exceeded all expectations.

There has been extensive cooperation between the municipalities and Norwegian Labour Inspection Authority in connection with oversight of the ban.

The Norwegian Labour Inspection Authority conducted 915 inspections, mainly focusing on the Tobacco Act, at bars and restaurants from 1 May 2004 to 1 May 2005. Of that number, 290 of the inspections led to reactions involving one or more orders to make changes. As regards outdoor service, some establishments had gone to such great lengths to enclose areas that they were instructed to remove parts of their enclosures. Only a few such decisions have been appealed.

### 2.2 Compliance

In the spring of 2005, the Directorate for Health and Social Affairs asked the municipal inspection authorities about their experience with the ban on smoking. As of 30 May 2005, responses had been received from 252 of Norway's 433 municipalities. The reports indicate that the majority of the municipalities have had a positive experience with the ban.

The reports from the municipalities that have dealt with cases relating to the ban indicate that most of the cases have involved the interpretation of the regulations as they apply to bingo halls and outdoor serving areas. All in all, however, there have been very few cases of this type.

Excerpts from the feedback from municipalities:

"...[The inspection authorities] have not received any particular feedback, and we are under the impression that all parties respect the law and find conditions and the new ban satisfactory. Employees, in particular, appear to be satisfied."

"We were favourably surprised by how well prepared bars and restaurants were for the change in the law. It has been said that the general public has respected the ban on smoking without any problems. Bars and restaurants had nothing but favourable comments on the change."

"We are sad to see that two restaurants and one café have been forced to close down in our municipality. According to the owners, they have closed because people have stopped going out as a result of the ban."

"It is our impression that the people who work in the industry experience the changes as very favourable for their everyday working environment. The result is actually better hygiene, lesser odours and dust, and satisfied employees."

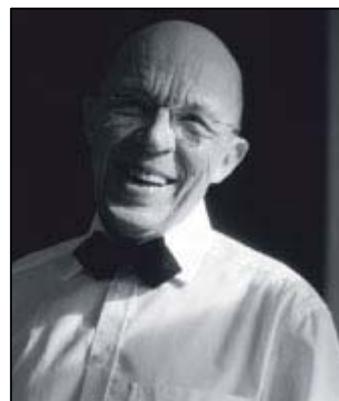
"Granted, all the owners are not enthusiastic about the Act, but no one expected that they would be."

"The general public has generally got used to smoke-free bars and restaurants, and any violations will therefore be very noticeable. The trend has actually progressed so far that we have been met by amazement when inspectors appear at bars and restaurants. Hospitality personnel do not understand the need for following up a law that works so well."

"Our impression is that the Act works well and that compliance is generally very good. Inspections have become considerably easier since the statutory requirements are more absolute than before. The Act is living up to its intention of protecting the health of the general public and employees. People who could not previously take advantage of different bars, restaurants, tearooms, etc. have a whole new social life. The only problem we encounter from time to time is smoking at outdoor tables, where 'enclosures' may entail the absence of a genuinely smoke-free environment. We experience that the new law is among the most important and most effective health-promoting measures implemented in Norway for many years. It is a joy for the services to be part of such an initiative to improve public health."

### **2.3 Employees' experience?**

In the initial round of a study conducted among bar and restaurant employees in May 2004, employees were asked what they expected to happen when they would have to enforce the complete ban on smoking in restaurants, bars, pubs, cafés, etc. There was considerable scepticism about how enforcement would work. No fewer than 43 per cent expected many guests to refuse to abide by the law. After four months of experience with the ban on smoking, only 7 per cent reported that many guests refused to abide by the law. In other words, there have been fewer problems associated with the ban than people expected ahead of time.

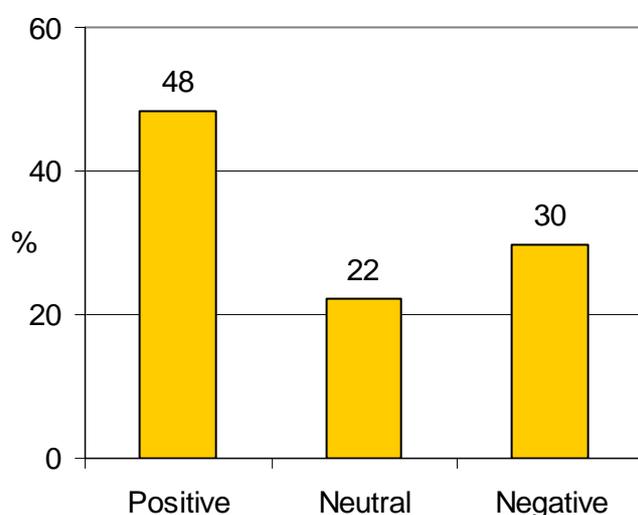


Prior to 1 June 2004, when smoking was still allowed in designated smoking zones, a whopping 41 per cent of employees stated that it would make them uncomfortable to ask guests to please refrain from smoking. This percentage had dropped to 21 per cent by the time of the follow-up survey, after all bars and restaurants had been made smoke-free. The percentage who was of the opinion that they were to a great extent in compliance with the old provision (dividing customers into smoking and no-smoking zones) was 51 per cent. The percentage in compliance with the new provision (a full ban on smoking) was, however, no less than 90 per cent. Thus it appears that the new provision is easier to enforce than the old one.

## 2.4 Employees' attitudes to the ban

About half the employees in the hospitality industry expressed support for smoke-free bars and restaurants. Before the legislative amendment entered into force, 48 per cent were positive, while 30 per cent were negative. The others (22 per cent) were undecided. The share supporting the ban increased by 3 percentage points after the law was enacted, while the percentage against increased by one percentage point. These changes are not statistically reliable. Notwithstanding, it is clear that the already considerable support for the legislative amendment on the part of employees who work in bars and restaurants continued after the Act entered into force. Objections to the ban increased by just one point. The percentage who feared they would lose their job climbed from 24 per cent to 32 per cent.

Figure 1: Attitude to the ban on smoking among employees in the catering industry prior to the Act's entry into force (Hetland & Aarø, 2005b)

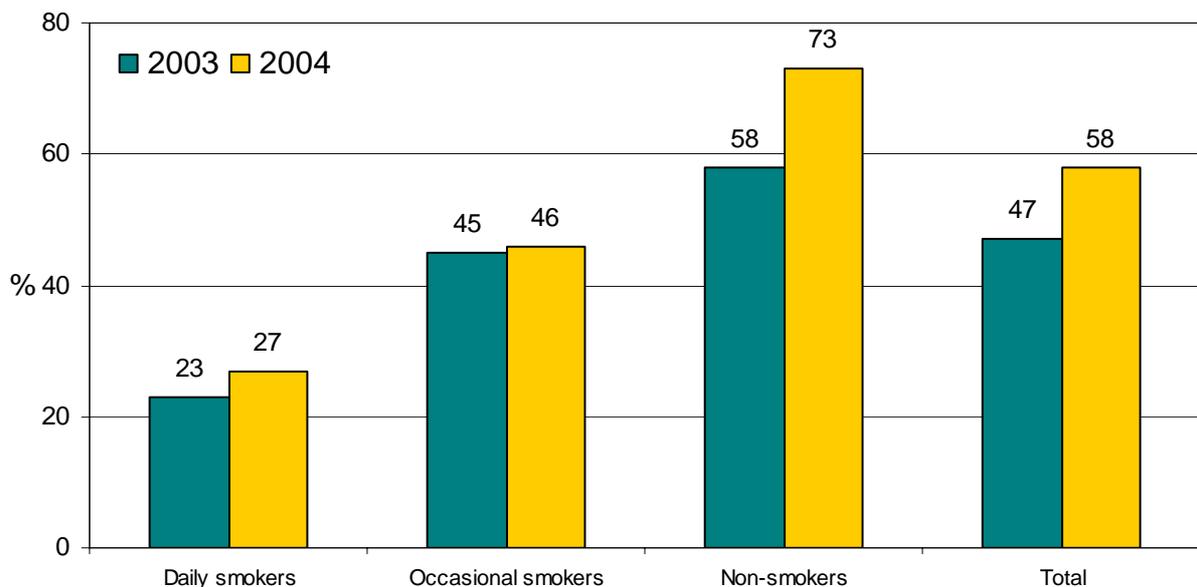


## 3 The general public's experience

### 3.1 Support for smoke-free bars and restaurants has increased

Support for the ban on smoking in bars and restaurants increased significantly after 1 June 2004. Roughly 60 per cent of the adult population expressed strong support for the legislative amendment. Figure 2 shows the change in support for the Act before and after implementation, depending on whether or not people were smokers. No significant increase has been observed in the smokers' support since the ban was introduced, but support has increased sharply among non-smokers.

Figure 2: "To what extent do you agree or disagree that Norwegian bars and restaurants should be smoke-free?" The percentage reporting a score of 6 or 7 on a 7-point scale where 1 is disagree completely and 7 is agree completely. Ages 16–74. Directorate for Health and Social Affairs/Statistics Norway.



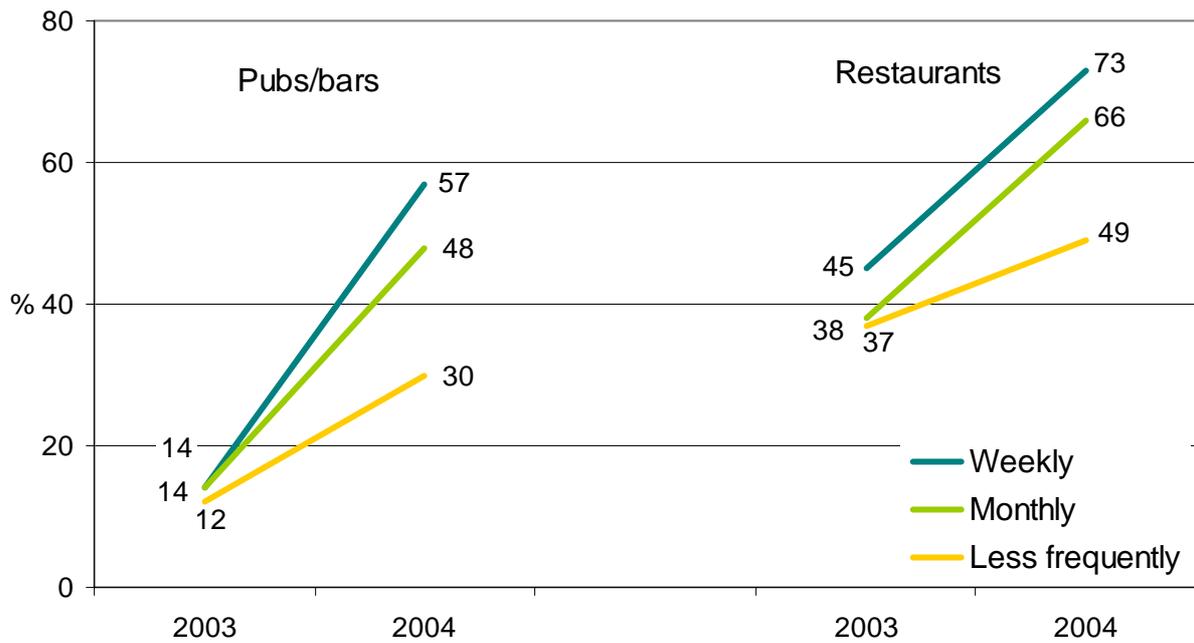
Other surveys also point in the same direction. Through repeated opinion polls (conducted by Norwegian Statistics and MMI), one sees a clear increase in the percentage who are in favour of smoke-free bars and restaurants. From March 2004 to May 2005, the percentage climbed from 54 per cent to 68 per cent. In May 2005, 83 per cent of the non-smokers, 55 per cent of the occasional smokers, and 34 per cent of those who smoke on a daily basis were positive to the ban. Support has increased in all groups. In an opinion poll conducted in May 2005 (MMI), 77 per cent said that they feel the ban on smoking in bars and restaurants has been successful. Fourteen per cent felt it has not been a success, and 10 per cent had no opinion.

### 3.2 Better indoor air quality

The guests' evaluation of air quality in pubs/bars and restaurants, respectively, showed a very significant change after bars and restaurants became smoke-free.

Among the guests who visit pubs/bars and restaurants on a monthly basis or more frequently, there was a substantial increase in the percentage who considered the air quality to be good the last time they were out after the ban on smoking was introduced. Of those who visit pubs/bars on a weekly basis, 14 per cent considered the air quality to be good prior to the ban on smoking, while 57 per cent said the same thing after the ban was introduced.

Figure 3: Percentage who reported good air quality the last time they visited a pub/bar or restaurant, by visiting frequency. Percentage reporting a score of 6 or 7 on the 7-point scale where 1 is very bad and 7 is very good. Ages 16–74. The Directorate for Health and Social Affairs/Statistics Norway.

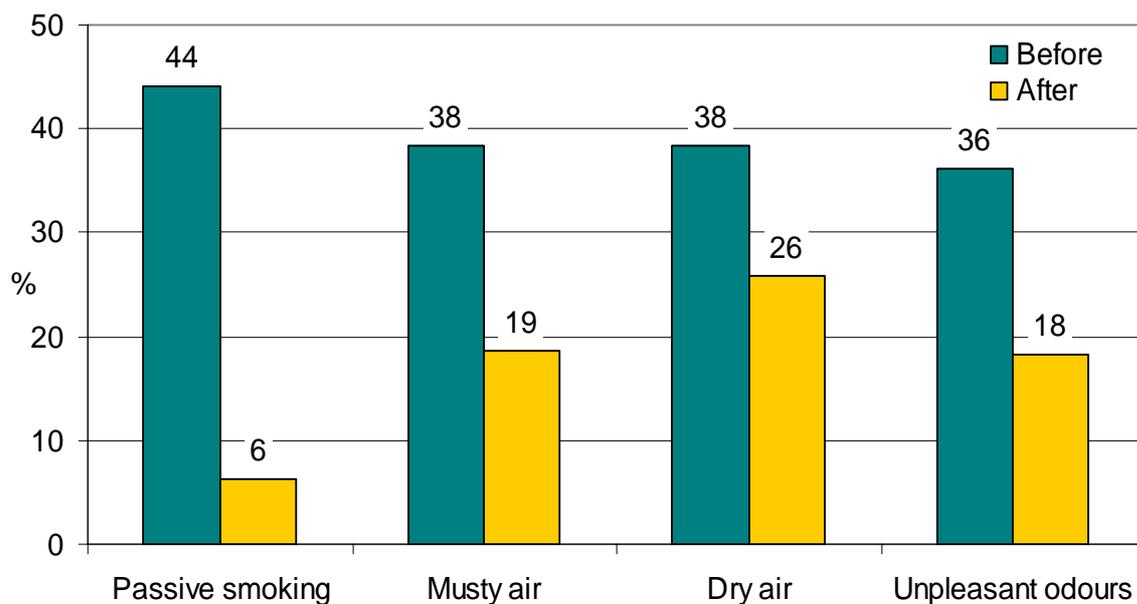


## 4 Improved working environment?

### 4.1 Air quality and health in the workplace

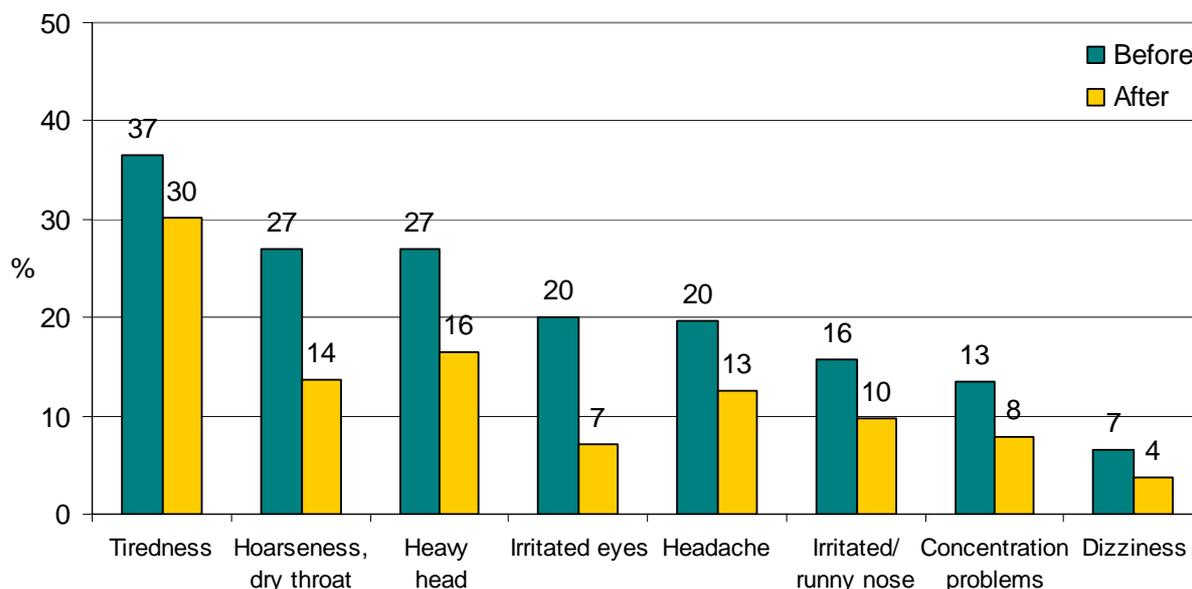
Hospitality industry employees responded to a survey that included questions about air quality in the workplace. They responded that there has been a distinct improvement in air quality as a result of pubs/bars and restaurants now being smoke-free. As shown in Figure 4, there has been a pronounced decline in the percentage of employees who report being bothered by passive smoking since enactment of the amendment (from 44 per cent to 6 per cent). There has also been a clear reduction in other air quality problems such as dry air, odours and musty air.

Figure 4: The percentage of employees in the hospitality industry who report experiencing problems with air quality in the workplace occasionally or frequently, before and after the introduction of smoke-free bars and restaurants (Hetland & Aarø, 2005)



Employees were also asked to specify how often they experienced different types of medical problems before and after the introduction of smoke-free bars and restaurants. The survey indicates that there has been a decrease in reports of all the general medical problems (Figure 5). The most pronounced decline was in the percentage who reported being bothered by hoarseness, irritated eyes or headaches.

Figure 5: The percentage of employees who reported having general medical problems every week or more frequently and after the introduction of smoke-free bars and restaurants (Hetland & Aarø, 2005).

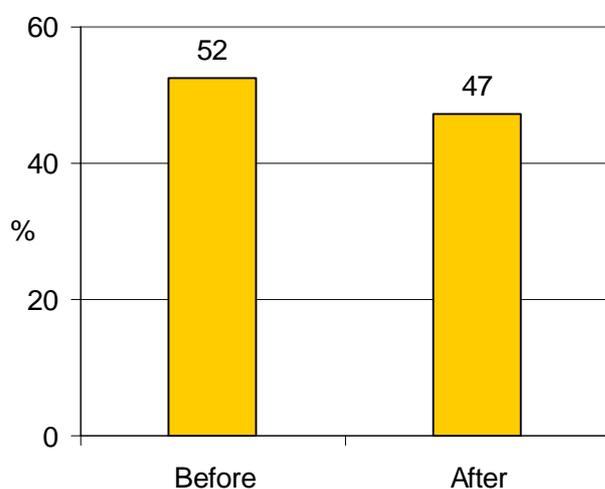


Thus it appears that the introduction of smoke-free bars and restaurants has entailed a substantial improvement in the subjectively experienced air quality in the workplace. General complaints among employees have also been reduced, most probably wholly or partially as a result of the improvement in air quality. This is a clear indication that the ban has worked according to its intention, and has given employees better air quality and better experienced health.

#### 4.2 Employees' smoking habits before and after the ban

The survey of employees in the hospitality industry showed that the proportion who smoked on a daily basis was reduced by 5 percentage points. In other words, of those who smoked before the Act was amended, one of ten had quit smoking on a daily basis. In addition it was found that among those who still smoked, there had been a decrease in the consumption of tobacco of roughly 10 per cent. This means the total decline in the consumption of cigarettes was nearly 20 per cent.

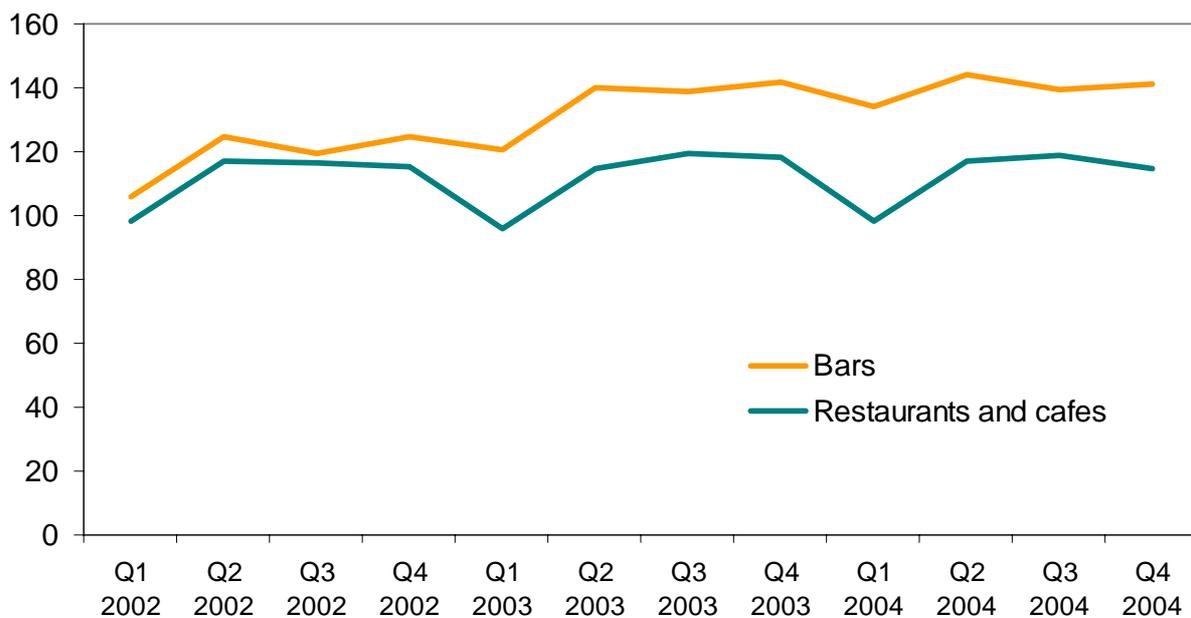
Figure 6: Percentage who smoked on a daily basis before and after the ban (Hetland & Aarø, 2005b)



## 5 The economic consequences of smoke-free bars and restaurants

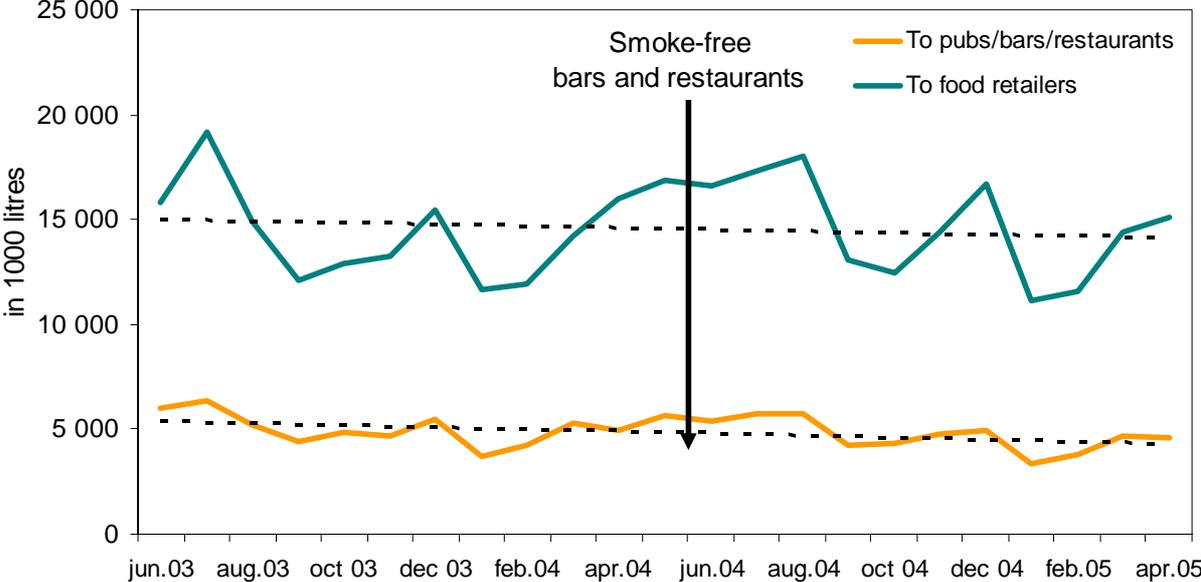
Statistics Norway publishes a turnover index for the hotel and restaurant industry. From 2001 to 2004, there was an increase in the turnover index (base year 2000 = 100) for restaurants and cafés (104.2-112.2). For pubs and bars, the turnover index increased from 105 to 140 during the same period. The quarterly turnover index from 2002 is presented in Figure 7, and indicates that restaurants and cafés appear to be subject to greater seasonal fluctuations than pubs and bars are. There was a decrease in the turnover of restaurants and cafés in the final quarter of 2003 compared with the final quarter of 2004, i.e. a decline of 3.5 index points. Pubs and bars experienced no change during the same periods of 2003 and 2004.

Figure 7: Turnover index in the hospitality industry. 2000=100.



Data from the Association of Norwegian Brewers and Soft Drink Producers (BROM) showed a decrease in the sale of beer from the breweries to bars and restaurants of 6 per cent during the 11-month period before the law was amended (June 2003 - April 2004), compared with the 11-month period after the amendment (June 2004 - April 2005). The sale of beer to food retailers increased by 2.2 per cent from the first period to the second. Figure 8 indicates that sales from breweries to food retailers showed larger fluctuations than sales to the hospitality industry. This is mainly a function of price competition on beer between the grocery chains.

Figure 8: Sale of beer (in 1000 litres) to pubs/bars, restaurants and food retailers. Figures provided by the Association of Norwegian Brewers and Soft Drink Producers



## 6 An international trend

More and more countries are adopting legislation to protect people from passive smoking. Experience from other countries is also positive.

Ireland was the first country in Europe to ban smoking. The Irish law entered into force on 29 March 2004. The Irish ban applies to all workplaces, including bars and restaurants. Results indicate, among other things, that compliance of more than 90 per cent after one year. There is also strong support for smoke-free workplaces. Studies there show that air quality has improved and that carbon monoxide levels in blood have decreased by 45 per cent among non-smoking hospitality personnel.

In Italy, bars and restaurants became smoke-free on 10 January 2005. Italy's former minister of health has stated that the ban on smoking was well received, despite formidable protests in the beginning. The Italian Act allows smoking rooms based on the fulfilment of strict conditions, meaning very few bars or restaurants have created smoking rooms. The Swedish ban that will enter into force on 1 June 2005 also allows the creation of separate smoking rooms on certain terms and conditions. There is strong support for the act in Sweden. Malta introduced a similar ban on smoking in bars and restaurants on 5 October 2004.



The Scottish government has proposed introducing smoke-free bars and restaurants as from March 2006. Similar legislation is also being considered in England. Bans on smoking are currently being debated in many European countries.

Five of Canada's ten provinces have banned smoking on public premises, and the majority also have bans in bars and restaurants. Nova Scotia will be banning smoking in bars as of 1 December 2006, while British Columbia allows smoking rooms. Two of the country's three territories also have rules banning smoking.

In the US, eight states now have a total ban on smoking. They are California, Delaware, New York, Connecticut, Maine, Massachusetts, Rhode Island and Vermont. Montana has decided to introduce a ban on smoking in restaurants from 1 October 2005. Florida, Utah, Hawaii, Idaho and North Dakota have banned smoking in restaurants. Many cities and municipalities also have local rules entailing a total ban on smoking.

New Zealand introduced a ban on smoking on 10 December 2004. Several territories in Australia have comparable legislation.

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