



Comments from the American Cancer Society Cancer Action Network on the National Center for Healthy Housing and American Public Health Association's *National Healthy Housing Standard* – Draft for Public Comment

Comment on Section 5.4: Air Sealing –Stretch Provisions Pertaining to Second Hand Smoke Exposure

The American Cancer Society Cancer Action Network (ACS CAN) appreciates the opportunity to comment on the National Center for Healthy Housing and the American Public Health Association's draft National Healthy Housing Standard. ACS CAN is the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society dedicated to eliminating cancer as a major health problem. ACS CAN works to encourage lawmakers and candidates to support laws and policies that will make cancer a top national priority.

While we commend the National Center for Healthy Housing and the American Public Health Association for their work to develop an attainable, enforceable, evidence-based and practicable healthy housing standard suitable for adoption by local and state governments and federal agencies, we have significant concerns with the provisions related to secondhand smoke exposure in Section 5.4: Air Sealing.

Minimum Requirements

ACS CAN strongly recommends that protections against exposure to secondhand smoke be minimum requirements, rather than stretch provisions. Tobacco use is the leading preventable cause of death in the United States, causing an estimated 443,000 deaths each year,¹ including approximately 42,000 nonsmoker deaths² caused by exposure to secondhand smoke. At least 30 percent of all cancer deaths and 87 percent of lung cancer deaths are caused by tobacco.³ In addition to increasing the risk for many types of cancers, exposure to secondhand smoke also increases the risk for heart disease, sudden infant death syndrome (SIDS), acute respiratory infections, ear problems, and more severe asthma.⁴ According to the Surgeon General, there is no safe level of exposure to secondhand smoke.^{5 6} Secondhand smoke contains more than 7,000 chemicals, including hundreds that are toxic and approximately 70 carcinogens, such as arsenic, formaldehyde, benzene, and vinyl chloride.⁷

¹ Centers for Disease Control and Prevention. Smoking-Attributable Mortality, Years of Potential Life Lost, and Productivity Losses – United States, 2000-2004. *MMWR* 2008; 57(45): 1226-1228.

² Max W, Sung H-Y, Shi Y. Deaths from Secondhand Smoke Exposure in the United States: Economic Implications. *Am J Pub Health*, 2012, 102(11): 2173-2180.

³ American Cancer Society. *Cancer Facts & Figures 2013*. Atlanta: American Cancer Society, 2013.

⁴ U.S. Department of Health and Human Services (HHS). *The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General*. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006.

⁵ HHS, 2006.

⁶ HHS. *How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease: A Report of the Surgeon General*. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2010.

⁷ HHS, 2006.

In multi-unit housing facilities, defined as facilities that have two or more adjoining units that are either market rate or government subsidized, secondhand smoke can spread from common areas or units with smokers into apartments where no one smokes. Heating, ventilating, and air conditioning systems cannot eliminate secondhand smoke, and may actually distribute the smoke throughout buildings.⁵ In a 2010 position statement on environmental tobacco smoke, the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) said “the only means of effectively eliminating health risk associated with indoor exposure is to ban smoking activity,” adding that “the public now expects smoke-free air which cannot be accomplished with any engineering or other approaches”.⁸

The involuntary exposure to secondhand smoke in the home is a serious hazard that affects millions of individuals living in multi-unit housing across the nation. In a recent nationwide survey, 81 percent of adults reported that they do not allow smoking in their home.⁹ However, according to the Centers for Disease Control and Prevention, an estimated 27.6-28.9 million multi-unit housing residents are still exposed to secondhand smoke originating outside of their home.¹⁰ African Americans¹¹ and low-income individuals¹² are particularly likely to be exposed to secondhand smoke. A recent study estimated that prohibiting smoking in all U.S. subsidized housing, a small subset of all multi-unit housing, could save approximately \$521 million per year in reduced secondhand smoke-related health care expenditures, reduced renovation expenditures, and reduced smoking-attributable fire losses.¹³

The best way to protect people from the dangers of secondhand smoke is to establish and implement a strong smoke-free policy. Therefore, ACS CAN strongly recommends that as a minimum requirement all owners or operators of multi-unit housing facilities should be required to develop and implement a smoke-free policy that clearly explains all of the areas on the property where smoking is and is not allowed. The multi-unit housing facility owner or operator should also as a minimum requirement be mandated to inform current and prospective tenants about the smoke-free policy. This should be accomplished through provisions in lease agreements and renewals, annual notices, and conspicuous signage throughout the property clearly indicating where smoking is and is not allowed. The smoke-free policy must be clear and transparent, and mechanisms for monitoring and enforcement of the policy must be in place in order to increase compliance with and support for the policy among multi-unit housing residents.

ACS CAN also strongly recommends that as a minimum requirement, the smoke-free policy should be required to prohibit smoking in all indoor common areas of multi-unit housing facilities, within 15-20 feet of all windows, entrances, and ventilation systems, in outdoor food service, eating areas, and playgrounds, and within 15-20 feet of these places where smoking is prohibited. The use of e-cigarettes and other electronic smoking devices should be prohibited in any area where smoking is prohibited.

⁸ American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE). ASHRAE Position Document on Environmental Tobacco Smoke. Atlanta, GA: ASHRAE, 2010.

⁹ King BA, Dube SR, Homa DM. Smoke-Free Rules and Secondhand Smoke Exposure in Homes and Vehicles Among US Adults, 2009-2010. *Prev Chron Dis* 2013; 10.

¹⁰ King BA, Babb SD, Tynan MA, Gerzoff RB. National and State Estimates of Secondhand Smoke Infiltration of U.S. Multiunit Housing Residents. *Nicotine Tob Res* 2013; 15(17): 1316-21.

¹¹ Centers for Disease Control and Prevention. Vital Signs: Nonsmokers' Exposure to Secondhand Smoke – United States, 1999-2008. *MMWR* 2010; 59(35):1141-1146.

¹² HHS, 2006.

¹³ King BA, Peck RM, Babb SD. Cost Savings Associated with Prohibiting Smoking in U.S. Subsidized Housing. *Am J Prev Med* 2013; 44(6).

Stretch Provisions

While ACS CAN recommends that the development and implementation of a 100 percent smoke-free policy covering all indoor common areas and some outdoor areas of a multi-unit housing facility be minimum standards for healthy housing, we recommend a number of additional protections against exposure to secondhand smoke as stretch provisions to further protect multi-unit housing residents from the dangers of secondhand smoke and to create a healthy housing environment.

Multi-unit housing facility owners or operators should consider making most, if not all, outdoor areas 100 percent smoke-free. The impact of outdoor tobacco smoke is variable and depends on situational factors.¹⁴ However, secondhand smoke concentrations may be as high outdoors as indoors when in close proximity to smokers.¹⁵ Prohibiting smoking in outdoor areas of multi-unit housing facilities also helps to change social norms through modeling non-smoking behavior and may encourage smokers to quit or reduce their tobacco use.

Multi-unit housing facility owners or operators should also consider requiring the individual units of all multi-unit housing facilities and their adjoining balconies and patios to be 100 percent smoke-free, as this is the only way to completely protect residents from the harms of secondhand smoke. As noted previously, heating, ventilating, and air conditioning systems cannot eliminate secondhand smoke, and may actually distribute the smoke throughout buildings. Allowing smoking within some or all units in a multi-unit housing facility is no more effective in protecting against secondhand smoke exposure than having a designated smoking section in a restaurant. Making the individual units of multi-unit housing areas smoke-free does not discriminate against smokers; it simply regulates where smoking behavior may take place in order to protect the health of all residents. This policy may have the additional benefit of encouraging smokers to quit or cut down on their smoking. Nearly half (48%) of smokers and nine in ten nonsmokers (89%) already prohibit smoking in their homes,¹⁶ so this provision would simply put into policy what a majority of people already mandate for their own homes, indicating it would likely have significant support among smokers and non-smokers alike.

Conclusion

In conclusion, ACS CAN strongly recommends that the National Healthy Housing Standards consider the many harmful effects of exposure to secondhand smoke in the home and make the development and implementation of a 100 percent smoke-free policy covering all public indoor areas and some outdoor areas of multi-unit housing facilities minimum requirements for healthy housing. Extending these smoke-free policies to additional outdoor areas and the individual units of multi-unit housing facilities should also be considered as stretch provisions. A healthy home is a smoke-free home, and eliminating exposure to secondhand smoke in the home for all U.S. residents is essential to preventing millions of deaths from cancer, heart disease, and other tobacco-related diseases for years to come.

Thank you again for this opportunity to provide input. If you have any questions or we can provide any additional information, please contact Melissa Maitin-Shepard at Melissa.maitin-shepard@cancer.org or 202-585-3205. We look forward to working with you in support of healthy homes and healthy people.

¹⁴ Klepeis NE, Ott WR, Switzer P. Real-Time Measurement of Outdoor Tobacco Smoke Particles. *J Air Waste Manag Assoc.* 2007;57:5(522-534).

¹⁵ Repace JL. Benefits of Smoke-free Regulation in Outdoor Settings: Beaches, Golf Courses, Parks, Patios, and in Motor Vehicles. *William Mitchell Law Review* 2008; 34(4): 1621-1638.

¹⁶ King, Dube et al, 2013.