

Who you gonna call? Beijing smokebusters to go on patrol

May 29 2015

China's capital seeks to snuff out smoking in indoor public places on Monday with a new ban, unprecedented fines and a hotline to report offenders, but enforcement is doubtful in one of the world's most tobacco-addicted countries.

Seen as the toughest anti-smoking legislation in China's history, the law makes smoking in Beijing locations such as offices, restaurants, hotels and hospitals punishable by fines.

Businesses that fail to rein in smoking on their premises can be fined up to 10,000 yuan (\$1,600) and repeat offenders could have their licences revoked.

Individual smokers themselves can be penalised 200 yuan.

As well as indoor smoking, the law prohibits lighting up in some open-air spaces close to schools, hospitals, and sports venues. Tobacco advertisements are not allowed to appear outdoors.

But experts and locals question whether enforcement will be effective.

Health commission inspectors will be in charge, carrying out spot-checks and acting on tip-offs from the public—posters in the capital advertise a hotline number, and the city government has launched a social media account allowing observers to upload images of smokers caught in the act.

It has also announced a poll for a hand gesture aimed at encouraging people not to smoke, with options of a "time-out" T shape using two fingers to a palm, a forward-facing "stop" palm, and a flat hand pressed up to the nose of the person signalling.

'Unrealistic'

But the law—limited to the capital—is not China's first such effort.

A similar nationwide measure was passed in 2011, albeit without financial sanctions, but implementation was lacklustre at best.

Experts and locals said enforcement would be an uphill battle in China, where World Health Organization (WHO) estimates say nearly 53 percent of men smoke, one of the highest rates in the world.

"The Beijing law is at the forefront of what we think is the right thing to do," said Bernhard Schwartlaender, the WHO's representative in China.

He praised the penalties as "hefty" and a "quantum leap forward on tobacco control", but added that previous anti-smoking laws had been poorly enforced.

"Let's wait and see. We don't expect it will be entirely smooth running."

Environmental and safety laws in China are often openly flouted because of limited official oversight, or corruption in the form of bribes to law enforcers.

Cigarettes remain cheap, with packs often costing less than 10 yuan, and Chinese experts were also cautious.

Yang Gonghuan, former vice-director of China's centre for disease

control told AFP: "It is unrealistic to absolutely abolish 'indoor smoking' since too many people smoke."

"The key point is whether there is supervision," she said, adding the measures could take years to work.

At his restaurant in the capital, chef Li Tiecheng took a smoke break on the pavement outside—while customers inside surrounding establishments puffed away at their tables.

"I don't think you can just rely on policy," he said of the law. "It's a matter of education."

One barrier to imposing similar measures across the country is the continued clout of China's state-run tobacco industry, which provides the government with colossal amounts of money: 911 billion yuan (\$146 billion) in taxes and profits in 2014, an increase of 12 percent year-on-year.

China's tobacco regulator shares offices and senior officials with the state-owned China National Tobacco Corp—a near-monopoly and by far the world's biggest cigarette producer.

Angela Pratt, technical officer of WHO China's Tobacco Free Initiative, said the resulting conflict of interest was acute, telling reporters: "It's like the health minister turning up to discuss [tobacco](#) legislation, and the meeting is chaired by Philip Morris."

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