

FISH HOEK VALLEY RATEPAYERS & RESIDENTS ASSOCIATION

(Incorporating Fish Hoek, Clovelly and Sun Valley)

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**TO: DIRECTOR-GENERAL OF HEALTH
FOR THE ATTENTION OF CHIEF DIRECTOR. HEALTH PROMOTION,
NUTRITION, ORAL HEALTH AND FOOD CONTROL
MS LYNNE MOENG-MAHLANGU: lynn.moeng@health.gov.za**

**SUBJECT: COMMENTS ON THE DRAFT CONTROL OF TOBACCO PRODUCTS AND
ELECTRONIC DELIVERY SYSTEMS BILL 2017/8 ¹**

CLOSING: 9 AUGUST 2018 AT CLOSE OF BUSINESS

We, the Fish Hoek Valley Ratepayers and Residents Association (FHVRRRA), support Health Minister Aaron Motsoaledi's Bill to replace the Tobacco Products Control Act #83 of 1993 and its amendments as we feel that tobacco use is extremely injurious to the health of smokers, non-smokers and other users of tobacco products and has caused widespread addiction in society. We support the Bills' aims to:

- To provide for control over smoking, effectively clamping down on smoking in all public spaces (enclosed public place, workplace and public conveyance or private conveyance in the presence of adolescents);
- To regulate the sale and advertising of tobacco products and electronic delivery systems including confectionary or toy, etc. that resembles the relevant product;
- To regulate the packaging and appearance of tobacco products and electronic delivery systems and to make provision for the standardisation of their packaging thereby removing the branding to reduce the appeal of tobacco products to consumers while increasing the effectiveness of health warnings on the packaging of tobacco products;
- To provide for standards in respect of the manufacturing and export of tobacco products and electronic delivery systems to reduce the ability of the packaging of tobacco products to mislead consumers about the harmful effects of smoking or using tobacco products;
- To prohibit the sale of tobacco products and electronic delivery systems to and by persons under the age of 18 years;
- To prohibit the free distribution of tobacco products and electronic delivery systems; and
- To prohibit the sale of tobacco products and electronic delivery systems by means of vending machines.

We feel this should discourage the use and reduce the incidence of tobacco-related illness, disability and death. One in five child deaths is due to pneumonia in Cape Town, which can be attributed to secondary smoke.

¹ https://c.ymcdn.com/sites/saioash.site-ym.com/resource/resmgr/docs/GG41617_R.475_of_2018.pdf

We look forward to seeing the prescribed signs in all public spaces, conveyances and workplaces.

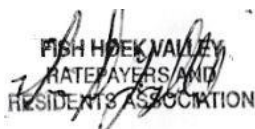
Our only concern is the prescribed distance from an operable window, ventilation inlet or entrance and exit out of a place where smoking is prohibited, is not defined or might be insufficient. We hope this prescribed distance is a minimum of 50 meters as tobacco smoke can often be detected at the First Avenue entrance / exit of the Fish Hoek Arcade when a South-Easter blows smoke through from the Main Road entrance / exit in Fish Hoek.

The fact that the bill proposes fewer opportunities to smoke in public means that the City's agencies (Health Department, Cape Town Traffic Service, Metro Police) and the South African Police Service will have a far easier time in terms of enforcement. One of the biggest offenders of non-compliance are social establishments, particularly nightclubs. "More importantly, it will reduce the potential harm caused by second-hand smoke. Despite ongoing taxation and fairly stringent legislation, we have not seen a tremendous downturn in smoking rates in Cape Town." ² Our sincere hope is that this legislation will ultimately benefit public health.

RECOMMENDATIONS

We support the Control of Tobacco Products and Electronic Delivery Systems Bill.

Our only recommendation, for the reasons stated above, is that the regulation regarding the prescribed distance described in clause 2 (1) (b) is set at a minimum of 50 meters from any operable window, ventilation inlet or entrance and exit out of a place for any tobacco or nicotine smoking or delivery device.

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SIGNATURE	
DATE	31 May 2018

² *Draft Tobacco Bill could hit all the right notes*, Alderman JP Smith , City of Cape Town Media Release of 31 May 2018