

Compliance with New York State's Clean Indoor Air Act: Three Year Follow-up Statewide Observational Study

Introduction

New York State's comprehensive Clean Indoor Air Act (CIAA) became effective March 26, 2003 prohibiting smoking in virtually all workplaces in the state. An observational study of public venues including restaurants, bars and bowling alleys took place to obtain baseline and one year post-implementation compliance with results presented in "The Health and Economic Impact of New York's Clean Indoor Air Act", New York State Department of Health July 2006 report. This report provides information from the 2006 follow-up observation designed to extend our knowledge of the level of compliance in restaurants and bars across New York State three years after the CIAA took effect.

Methods

An observational study of bars and restaurants three years post enactment of New York State's CIAA was undertaken. New York State Tobacco Control Program Partners conducted unobtrusive observations of two restaurants and three bars randomly selected from each county in their catchment areas. This sample consisted of the same bars and restaurants observed two years ago with a third randomly selected bar added for each county for the year three follow-up. Replacement venues, also randomly selected, were provided when an observation could not be conducted in the event a venue had closed or the observer determined the venue to be unsafe. A third bar from each of the state's 62 counties was added to the sample from the previous observational study to increase the power of analysis with this venue type. Anecdotal information indicated that compliance in bars may be softening; giving reason to add an additional location in each county.

Method of observation was the same as at baseline and year one. Observers were trained to visit each of the assigned sites in their county and to complete a venue-specific observational checklist. The checklist required the observer to note the number of individuals smoking cigarettes, the presence of visible smoke, detection of odor, the presence of ashtrays, signs indicating that smoking was not allowed, and any items with tobacco industry (promotional) names or logos such as napkins, signs, or other paraphernalia. Observations took place between June 29, 2006 and August 12, 2006. Each venue was observed on a Thursday, Friday or Saturday at a time when business was active. A total of 168 bars and 121 restaurants were involved in the study.

Results

Compliance in bars at baseline was 11.2%, increasing to 84.1% at year one and remaining essentially unchanged ($p>0.05$) at 79.0% three years after the law (see Figure 1). Compliance in restaurants was 47.7% prior to the law, increasing to 98.9% at year one and currently holding at 99.2%.

Table 1 provides a list of other observed indicators from baseline, year one and year three observations. Results in bars show that other indicators are consistent with lower than preferred levels of compliance, except for signage which improved. Results for other indicators in restaurants are consistent with smoking compliance findings. Similar to bars, signage improved from two years ago.

Conclusion

Compliance to the CIAA continues at a high rate in restaurants across the state. In contrast, compliance in bars remains below preferred levels three years after the law, despite an increase in appropriate signage. Results for restaurants are highly satisfactory and may suggest a goal to which program interventions could strive to achieve for bars.

Table 1. Other indicators of smoking or tobacco promotion before and after implementation of CIAA. Observational Study in New York State Bars and Restaurants 2003-2006.

	Baseline	Year 1	Year 3
Bars			
Ashtrays	86.2	9.1	13.8
Visibility	75.9	14.8	18.6
Odor	82.8	25.0	29.3
Promotional Items	20.7	9.1	7.8
Signs	6.9	31.8	56.3
Restaurants			
Ashtrays	60.2	1.1	0.0
Visibility	48.4	1.1	1.2
Odor	53.9	1.1	4.2
Promotional Items	8.6	5.3	0.8
Signs	34.4	38.3	63.0

Figure 1. Percentage of Bars and Restaurants In New York State in Compliance with CIAA, 2003-2006

