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In late February, the Mexican Senate approved strict anti-smoking regulations as part of an effort to reduce tobacco-related illnesses and to protect the public from secondhand smoke. The new rules prohibit smoking in all enclosed areas, although bars and restaurants will be allowed to have designated areas for smokers. While the measure gained wide support across the political spectrum, there was some concern that reducing smoking would hurt the tobacco industry, particularly small-scale growers and laborers who work in the fields.

Public protected against secondhand smoke

The initiative, which the Senate approved by a 101-5 margin, extends a partial ban, in place in Mexico City since January, to the entire country. President Felipe Calderon is expected to sign the legislation, which was already approved by the Chamber of Deputies in late 2007. The anti-smoking initiative, which is intended to protect the public against secondhand smoke, covers all indoor workplaces and enclosed public spaces such as offices, schools, hospitals, public transportation, restaurants, and bars, and all government buildings. Smoking in bars and restaurants will only be allowed in designated rooms or open-air patios. "There must be well-defined, cut-off areas, so that nonsmokers are not continually breathing in tobacco smoke and so that smokers can find a space where they are not sharing the same air," said Sen. Ernesto Saro Boardman, chair of the Senate health committee (Comision de Salud). Saro is a member of the governing Partido Accion Nacional (PAN).

The new regulations take other steps to discourage tobacco usage, such as requiring larger warnings on cigarette packs and banning the sale of individual cigarettes, a common practice on many streets in Mexico. The measure also gives authorities the right to close businesses that sell cigarettes to minors. Proponents say the new regulations are only intended to create a minimum standard, and state legislatures are free to expand on their own regulations, including setting fines and other sanctions that are stricter than those in the federal law. Under the federal law, fines were set at 5,000 pesos (US$467) for individuals and 200,000 pesos (US$18,000) for businesses. Businesses could face fines as high as 500,000 pesos (US$46,000) if they engage in activities that promote smoking among minors.

The easy approval of the anti-smoking legislation is an advance from past legislative efforts to control smoking in Mexico, which has become a major health concern. Government estimates indicate that around 13 million of Mexico's 105 million people are smokers. In 2005, the finance committee (Comision de Hacienda) in the lower house approved a sharp increase in cigarette taxes, but the full Chamber of Deputies overrode the proposal (SourceMex, November 09, 2005). The defeat of the measure was in part the result of heavy lobbying from then President Vicente Fox's administration, which had made an agreement with major cigarette companies to seek a
moratorium on new cigarette taxes in exchange for funding from those companies to promote health initiatives (SourceMex, November 15, 2006).

In August 2007, Calderon scrapped the agreement with the tobacco companies, which was seen by some as a precursor to passage of the anti-smoking legislation this year (SourceMex, August 15, 2007). Administration urged to help tobacco growers There was resistance to the new anti-smoking law from tobacco companies and some agricultural groups such as the Confederacion Nacional Campesina (CNC), which warned that the initiative would spell the end for Mexico's tobacco industry. CNC spokeswoman Hilaria Dominguez warned that the land devoted to tobacco in Mexico would continue to decline, causing the loss of thousands of jobs for campesinos in Mexico. Some members of the Senate shared the CNC's concerns about the potential impact on tobacco-growing areas in Nayarit, Veracruz, and Chiapas states.

The Senate bill contained an accompanying resolution urging the Calderon administration to devise a plan to help tobacco growers convert to alternative crops. "The impact of this legislation is going to be severe, particularly in parts of Nayarit, which will not only face economic hardships but social, political, and cultural repercussions," said Sen. Francisco Castellon, a member of the center-left Partido de la Revolucion Democratica (PRD). [Note: Peso-dollar conversions in this article are based on the Interbank rate in effect on Feb. 27, reported at 10.70 pesos per US$1.00]

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