

DH conducts enforcement operation against waterpipe smoking in no smoking areas (with photos)

The Tobacco and Alcohol Control Office (TACO) of the Department of Health (DH) conducted an enforcement operation against illegal waterpipe smoking activities in no smoking areas in Tsim Sha Tsui District yesterday night (August 16).

During the operation, officers from TACO (including plainclothes officers) issued a total of eleven fixed penalty notices (FPNs) to persons illegally smoking waterpipes at one bar. TACO's investigation is ongoing and prosecution may also be taken against operators of the bar who are suspected of contravening the Smoking (Public Health) Ordinance (Cap. 371) (the Ordinance) and the Criminal Procedure Ordinance (Cap. 221) for aiding and abetting smoking offences. TACO will also notify the Liquor Licensing Board on the above-mentioned violation.

Under the Ordinance, conducting a smoking act in a statutory no smoking area (such as indoor areas of bars or restaurants) is prohibited. Any person doing a smoking act in statutory no smoking areas are liable to a fixed penalty of \$1,500. Moreover, where smoking products (including waterpipes) are sold, in bars or otherwise, the restrictions on the promotion and sale of smoking products stipulated in the Ordinance apply. Offenders are liable on summary conviction to a maximum fine of \$50,000. Venue managers of statutory no smoking areas are empowered by the Ordinance to request the smoking offender to cease the act; if the offender is not co-operative, he/she may contact the Police for assistance.

Also, under the Criminal Procedure Ordinance, any person who aids, abets, counsels or procures the commission by another person of any offence shall be guilty of the like offence. A spokesman for the DH appeals to operators and venue managers of bars/restaurants not to assist any person in breaching the statutory smoking prohibitions, or provide a waterpipe apparatus and tobacco to customers for use.

The DH spokesman stressed that TACO will follow up and investigate every complaint about illegal smoking, and will conduct inspections and take enforcement actions in the venue concerned. TACO will also conduct joint inspections and enforcement action (including plainclothes operations) with other law enforcement agencies from time to time with a view to enhancing the effectiveness of law enforcement. The DH will continue to closely monitor and take stringent enforcement actions to tackle illegal waterpipe smoking. In the past 12 months, TACO conducted 105 operations against illegal waterpipe smoking activities in no smoking areas. A total of 145 FPNs were issued against smoking offenders, while 74 summonses were issued to staff members and operators of the bars/restaurants for other related offences.

The spokesman said that waterpipe is a smoking product and its combustion of fuel (e.g. charcoal) releases carbon monoxide. Carbon monoxide is a colourless, odourless and tasteless gas which is a by-product from incomplete combustion of any fuel which contains carbon, such as charcoals. Exposure to a low concentration of carbon monoxide can lead to a range of symptoms such as dizziness, headache, tiredness and nausea; whereas exposure to a high concentration of carbon monoxide can lead to impaired vision, disturbed co-ordination, unconsciousness, brain damage or even death. People should seek medical attention immediately if suspected of developing symptoms of carbon monoxide poisoning.

Due to deeper inhalation and longer smoking session, waterpipe users usually inhale more toxins than they would when smoking cigarettes. A typical one-hour waterpipe smoking session exposes the user to 100 to 200 times the volume of smoke inhaled from a single conventional cigarette. Moreover, sharing a waterpipe apparatus increases the risk of infectious disease transmission such as tuberculosis. Furthermore, the areas in bars/restaurants where waterpipes are handled or kept have been found to be unhygienic during previous enforcement operations. The spokesman cautions against waterpipe smoking or the use of other smoking products. Smokers should quit smoking as early as possible for their own health and that of others. For more information on the hazards of waterpipe smoking, please visit www.livetobaccofree.hk/pdfs/waterpipe_leaflet_new.pdf.

