



## What is Health Code 190: Ban on Smokeless Tobacco Use?

In April 2015, the San Francisco Board of Supervisors unanimously approved San Francisco Health Code Article 190. This ordinance prohibits the use of tobacco products, including smokeless tobacco, on all properties that are (1) designated or otherwise identified as being a sport or playing field for organized sports and (2) subject to the prohibition on smoking contained in Article 19I of the Health Code, "Prohibiting Smoking in City Park and Recreational Areas and Farmers' Markets."

Effective January 1, 2016, no owner, manager, or operator of a "sports arena," including stadiums, as defined in Article 19F of the Health Code shall knowingly or intentionally permit, and no person on the premises shall engage in the use of tobacco products in **ANY enclosed or open part of the sports arena**, such as parking lots, VIP lounges, ramps, and locker rooms.

## Why is this important to the health of San Franciscans?

Smokeless tobacco (chew, snuff, etc.) has long been associated with sports, especially baseball. Almost every night between April and November, baseball players can be seen on TV using smokeless tobacco. This is especially dangerous for young children, especially those who are athletes themselves, who admire and view these players as their personal heroes. Viewing their role models using smokeless tobacco may influence youths to start using themselves. Smokeless tobacco usage has been linked to oral, pancreatic, and esophageal cancer. It may also cause heart disease, gum disease, and oral lesions other than cancer, such as leukoplakia (precancerous white patches in the mouth). Several retired Major League Baseball legends such as Curt Schilling and Tony Gwynn have suffered the deleterious effects of long term smokeless tobacco usage. Prohibiting the use of tobacco in sports arenas, especially smokeless tobacco, will protect and improve the health of sports fans and players, alike.

## What does my organization need to do to comply with 190?

**SFHC 190 requires that any person who owns, operates, or manages property subject to Article 190 to post clear and prominent "no use of smokeless tobacco products" signs at each entrance to the property.** The San Francisco Department of Public Health (SFPDH) will have available for public review in July 2016 draft rules and regulations to provide signage guidance.

## Who do I contact for more information?

The Department realizes that this may be an inconvenience and would be more than happy to assist you in the implementation of the new ordinance. Please review the SFPDH – Population Health Division - Environmental Health Branch website at <https://www.sfdph.org/dph/EH/Air/Smoking.asp> for additional information or send an email to [DPH.Smoke\\_Free@sfdph.org](mailto:DPH.Smoke_Free@sfdph.org).

## Definitions

**"Sports arenas"**: health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys and similar places where the public assembles either to engage in physical exercise, participate in athletic competition or witness sports events. (SFHC Section 1009.21(t))

**"Tobacco products"** means (1) any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated chewed, absorbed, dissolved, inhaled, snorted, or sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, bidis or snuff; (2) any device or component, part, or accessory that delivers nicotine alone or combined with other substances to the person using the device including but not limited to electronic cigarettes, cigars, or pipes, whether or not the device or component is sold separately. "Tobacco Product" does not include any product that has been approved by the United States Food and Drug Administration for use as a tobacco cessation product where such product is marketed and sold solely for such an approved purpose. (SFHC Section 190.2)