

Joan B Soriano,
Director
CIMERA,
Esteve Fernández,
Julio Ancochea,
Manel Nebot,
Rodrigo Córdoba,
and Juan Antonio Riesco Miranda

If we want to help people to stop smoking we need to do more than just tell them that it is bad for them,[1] but any calls from Brussels have to be implemented at the national level.[2] Spain is considered the tobacco shop of Europe,[3] where the street price of a Marlboro pack in Madrid, Barcelona or elsewhere here is less than 3.5 euros; that is just three quid!. Sadly, European smokers get their value for money for their airplane tickets to sunny Spain, bargain hunting for our unbeatable prices of tobacco. Meanwhile, almost one third of adult Spaniards are smokers,[4] and our outlier teenager rates (40% and up) have just began to decrease.[5] Four years ago we asked for smoke-free regulations, and we were granted a smoking law (Law 28/2005) in place since January 1st, 2006,[6] which included a ban in workplaces. It was good, but not good enough, as stated elsewhere.[7,8] The ban is still only partial in bars and restaurants, as those venues of less than 100 m2 might choose not to go smoke-free (and 80% of them did), and smoking rooms are still allowed in venues greater than 100 m2. Law 28/2005 produced some benefit, but it is now considered largely outdated,[9] and even this "Spanish model" is being used by tobacco-industry to undermine total smoke-free legislation in other countries, for the sake of tolerance.[10,11] An unexpected, nice surprise came up last summer, when the new Spanish Health Minister promised a new law for 2010, which would actually protect all non-smokers, including hospitality workers, by extending the restriction of smoking to all workplaces without exceptions, in accordance with our European neighbours.[2,11] While we are still waiting for the draft of the new law, the public debate for and against extending the ban in bars and restaurants has already started. Following the lead of others elsewhere,[13] as individual citizens we feel empowered to action. Therefore, we kindly drafted a wish list to improve the current Law 28/2005, by considering the following topics:

Decision-makers in Spain should know that 70% of Spanish citizens agree with smoke-free policies,[14] and that we want a new law in agreement with the WHO Framework Convention for Tobacco Control, ratified by Spain in 2005.[3] The new law should contain no exceptions to smoke-free workplaces and protect the nearly one million workers in the hospitality sector in Spain. Similarly, exceptions in prisons, social centres and even in hospitals (for mental health services and asylums) should also be avoided. Moreover, smoke-free campus policies might be introduced by means of this new law, perhaps with an extended 50-meter no-tobacco safety perimeter around schools and health centres, hence pointing Spain as a new leader in tobacco control policies worldwide. The new law should limit sale-points of tobacco to existing licensed places, while disallowing new tobacco-machines in bars and restaurants or unsupervised by their owners. It would also make a most wonderful gift to smokers that the Spanish National Service would

cover smoking cessation treatments, at least for the less favoured social groups. As hundreds of studies have proven, an increase of taxation in all tobacco products may discourage a substantial proportion of smokers to continue smoking, and discourage our youngsters to starting with this habit.[15]

Spain holds the Presidency of the European Union up to June 2010, and we should be model citizens. Should any of the BMJ readers think of any other ways to improve this legislation in Spain or internationally for the benefit of all, please let us know. Thanks indeed.

Yours,

Joan B Soriano, MD
Director, Program of Epidemiology and Clinical Research, CIMERA
Recinte Hospital Joan March, Carretera Soller Km 12
07110 - Bunyola, Spain
Email: jbsoriano@caubet-cimera.es

Esteve Fernández, MD, PhD
Director, Tobacco Control Research Programme,
Institut Català d'Oncologia, Barcelona, Spain
Email: efernandez@iconcologia.net

Julio Ancochea, MD
Scientific Coordinator of the COPD National Strategy
Hospital La Princesa, Madrid, Spain
Email: j.ancochea@separ.es and juli119@separ.es

Manel Nebot, MD PhD
Agència de Salut Pública, Barcelona, Spain
Email: mnebot@aspb.es

Rodrigo Córdoba, MD
Departamento de Medicina y Psiquiatría,
Facultad de Medicina, Universidad de Zaragoza, Zaragoza, Spain
Email: rcordobag@papps.org

Juan Antonio Riesco Miranda, MD
Neumología. Hospital S. Pedro Alcántara. Cáceres, Spain
Email: jrm4653@yahoo.es

References

1. Treasure T, Treasure J. Smoking cessation. BMJ 2010;340:b5630. doi: 10.1136/bmj.b5630.
2. Stafford N. EU calls for uniform action against smoking in public places across all states. BMJ;339:b5431.

3. World Health Organization. WHO Report on the global tobacco epidemic, 2009. Implementing smoke-free environments. Geneva: WHO; 2009. [Accessed 14 Dec 2009] Available at: http://www.who.int/tobacco/mpower/2009/GTCR_2009-web.pdf .
4. Encuesta Europea de Salud en España. Avance de resultados del segundo y tercer trimestre de 2009 (as of December 29, 2009) <http://www.ine.es/prensa/np582.pdf> .
5. Ministerio de Salud y Política Social. Encuesta Nacional de Salud. Madrid: Ministerio de Sanidad y Política Social; 2009 [Accessed 16 Oct 2009]. Available at: <http://www.msc.es/estadEstudios/estadisticas/encuestaNacional/home.htm> .
6. Ley de medidas sanitarias frente al tabaquismo y reguladora de la venta, el suministro y la publicidad de los productos del tabaco. Ley Nº 28/2005 (27 diciembre 2005) [Accessed 20 Nov 2009]. Available at : http://www.boe.es/g/es/bases_datos/doc.php?coleccion=iberlex&id=2005/21261 .
7. Fernández E. Spain: going smoke free. *Tob Control* 2006;15:79–80.
8. Riesco JA. [Why do we need a new anti-smoking law in Spain?]. *Prev Tab* 2008;10:123-4.
9. Galán I, López MJ. [Three years with "Tobacco-control law": cleaner air but not clean enough]. *Gac Sanit* 2009;23:87-90.
10. Schneider NK, Pötschke-Langer M. The "Spanish Model" of non- smoker protection in hospitality venues: a failed approach. Heidelberg: German Cancer Research Center; 2008. [Accessed 29 Nov 2009]. Available at: http://www.tabakkontrolle.de/pdf/AdWfP_The_spanish_Model_engl.pdf.
11. Muggli ME, Lockhart NJ, Ebbert JO, Jimenez Ruiz CA, Riesco Miranda JA, Hurt RD. Legislating tolerance: Spain´s national public smoking law. *Tob Control* 2009 (in press, available online 21 oct 2009).
12. The European Lung White Book: The First Comprehensive Survey on Respiratory Health in Europe. Brussels: ERS; 2004.
13. Brandt AM. FDA regulation of tobacco--pitfalls and possibilities. *N Engl J Med* 2008;359:445-8.
14. Centro de Investigaciones Sociológicas. Tabaquismo y nueva normativa antitabaco. Estudio Nº 2627. Madrid: Centro de Investigaciones Sociológicas; 2008. [Accessed 12 Dec 2008]. Available at: http://www.cis.es/cis/open/cm/ES/1_encuestas/estudios/ver.jsp?estudio=5058 .
15. Editorial. COPD-more than just tobacco smoke. *Lancet* 2009;374:663.

Competing interests: None declared