

For Business Operators

Support Book for Responding to Revised Health Promotion Act



STOP

Eliminate involuntary secondhand
smoke exposure.

- Indoor smoking is prohibited in many facilities.
- Persons under 20 years of age are prohibited from entering areas where smoking is allowed.
- For indoor smoking, it is required to create a smoking area.
- A sign must be posted for a designated smoking room.

To Business Operators

New regulations on smoking have been established to prevent health hazards caused by passive smoking.

The Act on the Partial Revision of the Health Promotion Act was enacted in July 2018. With an eye toward the full implementation of the revised law on April 1, 2020, preparations are currently underway. Aiming to prevent unwanted passive smoking, especially in consideration of children and people with health issues in particular, who can be more susceptible to the effects of exposure to secondhand tobacco smoke, the revised law prohibits smoking in public facilities other than in designated smoking areas in those facilities, and stipulates measures to be taken by persons who have the legal right to operate and manage the facilities (hereinafter “facility operators”). Application of the new regulations is to types of facilities used by many people.

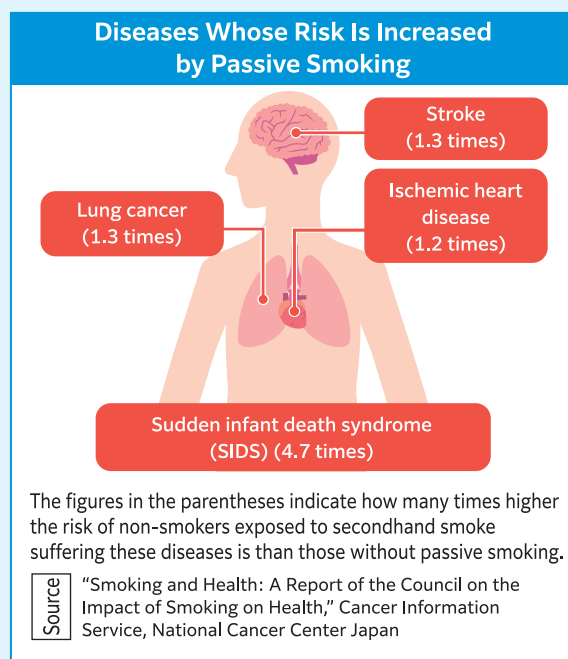
Under the new regulations, for example, facility operators are required to, when setting up an indoor smoking area, display a sign at the entrance indicating that smoking is allowed. Serious violators who fail to display such signs required under the law or to comply with administrative guidance will receive administrative punishment (a non-criminal fine).

Under its “Healthy Nagoya Plan 21 (secondary),” the City of Nagoya is seeking to create a society in which all citizens can live a physically and mentally healthy life. To prevent passive smoking that can have effects on people’s health, we ask for your kind understanding and cooperation concerning these smoking regulations.

Health Effects of Passive Smoking

The list of diseases whose risk is increased by passive smoking* includes lung cancer, ischemic heart disease, stroke, and sudden infant death syndrome (SIDS). It is estimated that if they had not been exposed to secondhand smoke, about 15,000 people a year could have been saved from dying from these illnesses.

* Diseases which have sufficient (solid) evidence indicating a causal relationship with passive smoking



Estimate of Annual Deaths Attributable to Passive Smoking

	Male	Female
Lung cancer	627	1,857
Ischemic heart disease	1,571	2,888
Stroke	2,325	5,689
Subtotal	4,523	10,434
Sudden infant death syndrome (SIDS)	73	
Total	15,030 (persons)	

* Of the total number of deaths from each disease, the proportion of deaths attributable to passive smoking was calculated, which was multiplied by the number of deaths registered in 2014.

Source “Research on comprehensive assessment of the effects of antismoking measures and their impact on the economy,” a general research project on countermeasures for lifestyle-related diseases, including cardiovascular disease and diabetes under Health, Labour and Welfare Sciences Research Grants, the Ministry of Health, Labour and Welfare, Japan

Smoking is, in principle, prohibited in all the facilities used by many people.

If you are planning to set up a smoking area within your facility, you are required to take necessary measures. Please check to see what measures you need to take, using the flowchart.

Is your facility a school, hospital, child welfare institution, or government office?

A Yes

B No

B No

Are tobacco products sold face-to-face in your facility?

A Yes

B No

Yes

A

Is your facility a cigar bar or tobacco shop?

A Yes

B No

* For the requirements that cigar bars and tobacco shops should satisfy, see page 5.

B No

Is your facility an eating and drinking establishment that meets **all the following three conditions**?

1. An existing establishment as of April 1, 2020
2. An establishment with a customer seating space of up to 100 square meters
3. An establishment run by an individual or a small- and medium-sized company (capitalized at up to 50 million yen)

A Yes

B No

B No

Type
1

Eating and drinking establishments (excluding existing small-scale ones), offices, etc.

See page 3.

Type
2

Existing small-scale eating and drinking establishments
You may be required to submit notification.

See page 4.

Type
3

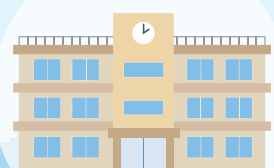
Cigar bars/
tobacco shops

See page 5.

Type
4

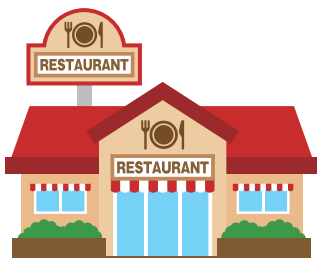
Schools, hospitals, etc.

See page 6.



Target





Eating and drinking establishments (excluding existing small-scale ones), offices, factories, hotels/inns, railways, ships, etc.



Smoking is, in principle, prohibited inside your facility.
If you are planning to set up a smoking area, measures to be taken vary depending on the availability of food services, the type of cigarettes allowed to be smoked, and the extent of the smoking area.

Necessary Measures to Be Taken

Smoking room establishment patterns

	Extent of smoking area	
	Part of the facility	The whole of the facility
<ul style="list-style-type: none"> It is allowed to offer food and drink Smoking is possible 	<p>It is not permitted to set up a smoking room where people can eat and drink</p> 	<p>It is not allowed to designate the whole of the facility as a smoking-permitted area</p> 
<ul style="list-style-type: none"> It is allowed to offer food and drink <u>Heat-not-burn tobacco smoking only</u> is possible <p>See page 7.</p>	<p>Set up a room dedicated to <u>heat-not-burn tobacco smoking</u> (Transitional measure)</p> 	
<ul style="list-style-type: none"> <u>It is not allowed to offer food and drink</u> Smoking is possible <p>See page 7.</p>	<p>Set up a <u>smoking room</u></p> 	

* Persons under 20 years of age are prohibited from entering areas where smoking is allowed.

* When smoking rooms are created on passenger ships or trains, it is necessary to meet the requirements for smoking rooms or rooms dedicated to heat-not-burn tobacco smoking.

* Places for people to stay (houses, private rooms of hotels and welfare facilities, etc.) are exempt from these regulations.

Target

Eating and drinking establishments that meet the following three conditions.







- 1 An existing establishment as of April 1, 2020
- 2 An establishment with up to 100 square meters of floor space for customers
- 3 An establishment run by an individual or a small-and medium-sized company (capitalized at up to 50 million yen)



Smoking is, in principle, prohibited inside your facility.
If you are planning to set up a smoking area, measures to be taken vary depending on the availability of food services, the type of cigarettes allowed to be smoked, and the extent of the smoking area.

Necessary Measures to Be Taken

Smoking room establishment patterns

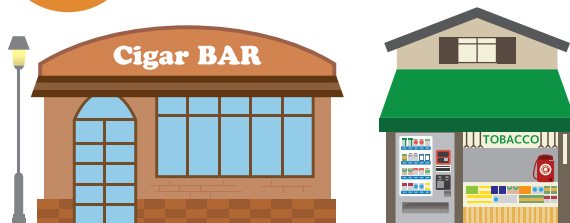
	Extent of smoking area	
	Part of the facility	The whole of the facility
<ul style="list-style-type: none"> It is allowed to offer food and drink Smoking is possible 	Set up a <u>smoking-permitted room</u> (Transitional measure) See page 8. You are required to submit notification 	Make the <u>facility smoking-permitted</u> (Transitional measure) See page 8. You are required to submit notification 
<ul style="list-style-type: none"> It is allowed to offer food and drink <u>Heat-not-burn tobacco smoking only</u> is possible 	Set up a room <u>dedicated to heat-not-burn tobacco smoking</u> (Transitional measure) See page 7. 	
<ul style="list-style-type: none"> <u>It is not allowed to offer food and drink</u> Smoking is possible 	Set up a <u>smoking room</u> See page 7. 	It is not allowed to designate the whole of the facility as a smoking room 

* Persons under 20 years of age are prohibited from entering areas where smoking is allowed.

Cigar bars and tobacco shops

Target

Bars for the purpose of smoking, and tobacco shops with smoking areas inside



Smoking is, in principle, prohibited inside your facility.
However, you may designate the whole or part of the facility as a smoking-permitted area.

Requirements to be satisfied by bars for the purpose of smoking

- ① Cigarettes are sold face-to-face (including traveling sales).
 - ② Mainly designed to offer a place for smoking inside the facility.
 - ③ Equipped with a kitchen and offers food/drink to customers (excluding meals generally regarded as staple food*).
- * Rice, bread (excluding pastries), noodles, etc.

Requirements to be satisfied by tobacco shops

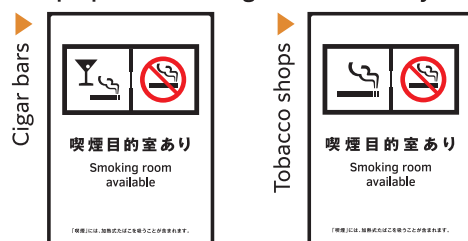
- ① Cigarettes or products used for smoking are sold. (For cigarettes, face-to-face sale only) Cigarettes or products used for smoking sold at the shop account for approx. 50% or more of the shop's shelf space.
- ② Mainly designed to offer a place for smoking inside the facility.

Necessary Measures to Be Taken

If you are planning to set up a smoking room (= a room for the purpose of smoking) inside the facility, the following requirements must be met.

- ① The smoking room to be created must meet the legally established technological standards. For technological standards: see page 9.

- ② It is required to display a sign (illustrated below) at the entrance of the facility indicating that there is a "room for the purpose of smoking inside the facility."



- ③ It is required to display a sign (illustrated below) at the entrance of the smoking room indicating that this is a "room for the purpose of smoking."



- * Persons under 20 years of age are prohibited from entering areas where smoking is allowed.
 * These signs can be downloaded from Nagoya City's official website.

If you are planning to designate the whole of the facility as a smoking area (= facility (room) intended for smoking), the following requirements must be satisfied.

- ① The smoking room to be created must meet the legally established technological standards. For technological standards: see page 9.

- ② It is required to display a sign (illustrated below) at the entrance of the facility indicating that this is a "facility for the purpose of smoking."



- * Persons under 20 years of age are prohibited from entering areas where smoking is allowed.
 * These signs can be downloaded from Nagoya City's official website.

The new regulations will come into force on April 1, 2020.

Schools, hospitals, etc.

Target

Schools, hospitals, health clinics, treatment clinics, birthing centers, nursing care facilities for elderly people, child welfare institutions, government offices, etc.



Smoking is totally banned on the premises of your facility.

However, a specific outdoor smoking area can be set up outdoors.

Necessary Measures to Be Taken



▶ About specific outdoor smoking areas

For the setting-up of a specific outdoor smoking area, the following requirements must be satisfied.

- 1 The place for smoking is marked off.
- 2 A sign is posted indicating that smoking is allowed in this area.
- 3 The smoking place is created in an area where no facility users normally enter.

* It is prohibited to set up a smoking area in buses, taxis, or airplanes. (The new regulations will come into force on April 1, 2020.)

The new regulations will come into force on July 1, 2019.

Room dedicated to smoking

- ▶ A “room dedicated to smoking” is a room where it is allowed to smoke cigarettes only. It is not allowed to do anything (eating, drinking, etc.) except smoking.

Requirements

- ① The smoking room must meet the legally established technological standards. **For technological standards: see page 9.**

- ② It is required to display a sign (illustrated below) **at the entrance of the facility** indicating that there is a “room dedicated to smoking inside the facility.”



- ③ It is required to display a sign (illustrated below) **at the entrance of the smoking room** indicating that this is a “room dedicated to smoking.”



- * Persons under 20 years of age are prohibited from entering areas where smoking is allowed.
- * These signs can be downloaded from Nagoya City's official website.

Room dedicated to heat-not-burn tobacco smoking (Transitional measure)

- ▶ A room dedicated to heat-not-burn tobacco smoking is a room where it is allowed to smoke heat-not-burn tobacco only. It is possible to do something (eating, drinking, etc.) other than smoking.

Requirements

- ① The smoking room must meet the legally established technological standards. **For technological standards: see page 9.**

- ② It is required to display a sign (illustrated below) **at the entrance of the facility** indicating that there is a “room dedicated to heat-not-burn tobacco smoking inside the facility.”



- ③ It is required to display a sign (illustrated below) **at the entrance of the smoking room** indicating that this is a “room dedicated to heat-not-burn tobacco smoking.”



- * Persons under 20 years of age are prohibited from entering areas where smoking is allowed.
- * These signs can be downloaded from Nagoya City's official website.

Smoking-permitted room/smoking-permitted facility (Transitional measure)

- This type of smoking area can be created only in existing small-scale eating and drinking establishments. It is also possible to do something (eating, drinking, etc.) other than smoking.

Requirements <Smoking-permitted room>

- ① The smoking room must meet the legally established technological standards. **For technological standards: see page 9.**

- ② It is required to display a sign (illustrated below) **at the entrance of the facility** indicating that there is a “smoking-permitted room inside the facility.”



- ③ It is required to display a sign (illustrated below) **at the entrance of the smoking-permitted room** indicating that this is a “smoking-permitted room.”

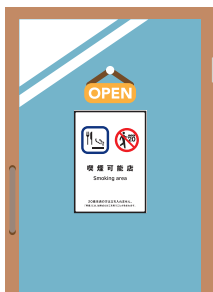


- * Persons under 20 years of age are prohibited from entering areas where smoking is allowed.
- * The signs will be sent to those submitting notification concerning the setting-up of a smoking-permitted room.

Requirements <Smoking-permitted facility>

- ① A smoking room must be totally separated with walls, ceilings, etc. to prevent secondhand smoke (including vapor) from flowing outside the smoking room.

- ② It is required to display a sign (illustrated below) **at the entrance of the facility** indicating that this is a “smoking-permitted facility.”



- * Persons under 20 years of age are prohibited from entering areas where smoking is allowed.
- * The signs will be sent to those submitting notification concerning the setting-up of a smoking-permitted room.

* If you are planning to set up a smoking-permitted room or a smoking-permitted facility:

- It is required to submit notification concerning the setting-up of a smoking-permitted room. **For details: see page 10.**
- It is required to keep documentation that state the floor area of the customer seating space in the facility and the amount of capital or the amount of investment. (There is no need to submit such documentation.)

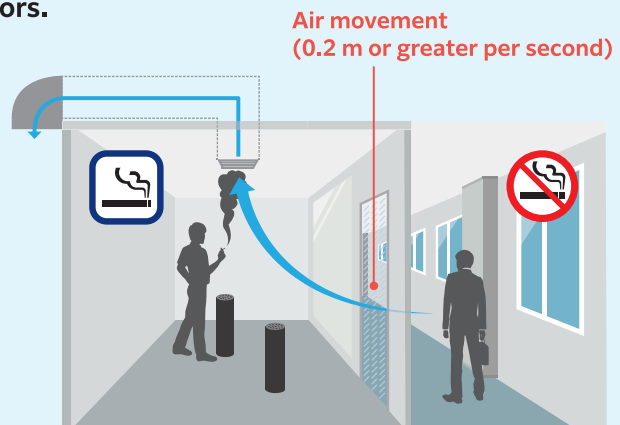
Technological Standards

(measures to be taken for “rooms/facilities for the purpose of smoking,” “smoking-permitted rooms,” “rooms dedicated to smoking,” and “rooms dedicated to heat-not-burn tobacco smoking” to prevent secondhand smoke from entering non-smoking area)

For the creation of smoking rooms, the following three standards must be met:

- 1** At the entrance of a smoking room, air movement from outside to inside must be 0.2 m or greater per second.
- 2** A smoking room must be totally separated with walls, ceilings, etc. to prevent secondhand smoke (including vapor; the same applies hereinafter) from flowing outside the smoking room.
- 3** Cigarette smoke must be exhausted outdoors.

* Where a facility that exists as of April 1, 2020 fails to meet the above-mentioned standards due to any reason which cannot be considered attributable to the personnel authorized for operation, the facility can prevent tobacco smoke from flowing outside to the same extent as the above three standards, by installing a smoking booth, etc. that can purify tobacco smoke and vent it outside.



Persons under 20 years of age prohibited from entering rooms where smoking is allowed

Persons under 20 years of age are totally prohibited from entering smoking areas as prescribed by law, even not for the purpose of smoking. This applies to employees too.

Measures to be taken by facilities with smoking rooms to protect employees from exposure to secondhand smoke

The revised Health Promotion Act requires facility operators to make efforts to take necessary measures to protect their employees from being exposed to secondhand smoke. The Industrial Safety and Health Act also obliges employers to make efforts to protect employees working in a closed environment from passive smoking.

Business operators are encouraged to implement countermeasures against passive smoking according to their facility circumstances, referring to the “Guidelines for Passive Smoking Prevention Measures in the Workplace,” which combines key elements of the Health Promotion Act with those of the Industrial Safety and Health Act to clearly describe what types of measures should be taken by business operators as their obligation to make efforts.

* The “Guidelines for Passive Smoking Prevention Measures in the Workplace” are made available on the Ministry of Health, Labour and Welfare website.

Financial Support System

As an official support program to help business operators to take passive smoking prevention measures, there is a financial support system to cover part of the expenses incurred for the creation of smoking rooms, which vary in type.

|| (Financial support) Subsidies for passive smoking prevention measures

This financial support system is designed to help small- and medium-sized companies implement measures to prevent passive smoking in the workplace by subsidizing part of the costs incurred to install smoking rooms, etc. that meet certain standards, including costs for construction, facility, machinery and equipment.

For detailed information: Please contact the Aichi Labour Bureau.

For inquiries about subsidy applications: The Planning Division, The Equal Employment Department (Tel: 052-857-0313)

For inquiries about technological matters, such as smoking rooms, etc.: The Industrial Health Division, The Labour Standards Department (Tel: 052-972-0256)

Obligations to give due consideration in setting up smoking areas

In designating smoking areas, **operators of facilities used by many people are obliged to pay due consideration to preventing unwanted passive smoking.** When taking necessary measures, for example, consideration should be given **not to setting up a smoking area near the entrance/exit of facilities or in a place where many facility users gather.** **For the installation of a smoke ventilation system, traffic volume and other surrounding conditions should also be taken into account.**



Existing small-scale eating and drinking establishments

Submission of notification for creation of a “smoking-permitted room” / “smoking-permitted facility”

If you are planning to create a “smoking-permitted room” or a “smoking-permitted facility,” you are required to notify the Nagoya Municipal Government of detailed information of the dining establishment (such as its name and address) using the prescribed form.

Notifications should be submitted to: * By post

Health Promotion Division, Health Department, Health & Welfare Bureau, City of Nagoya

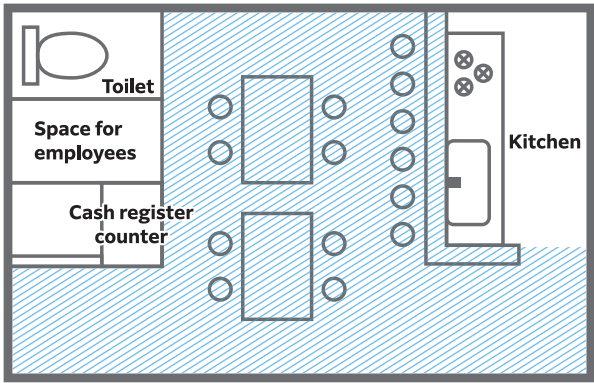
Postal address

Health Promotion Division, Health Department, Health & Welfare Bureau, City of Nagoya
3-1-1 Sannomaru, Naka-ku, Nagoya 460-8508

Inquiries

Tel: 052-972-4058 Fax: 052-972-4152 (8:45 – 17:30 except for Saturdays, Sundays, national holidays, and the year-end and New Year holidays)

* Please be sure to promptly inform the above-mentioned division using the prescribed form in case of any changes in the notification details or in case of abolishment of the “smoking-permitted room or facility.”

Frequently Asked Questions	Answers
Where can I get signs?	Signs can be downloaded from Nagoya City's official website.
<p>When setting up a "smoking-permitted room" or a "smoking-permitted facility," where can I obtain a copy of the designated notification form?</p> <p>* For smoking permitted facilities or facilities that are allowed to set up "smoking-permitted rooms," see page 4 and 8.</p>	<p>If you have received a copy of this Support Book by post:</p> <p>Please use the notification form, which is included, together with the Support Book, in the envelope.</p> <p>If you have NOT received a copy of this Support Book by post:</p> <p>Notification forms are available from Nagoya City's official website. Please download a notification form.</p>
<p>One of the requirements for setting up a "smoking-permitted room" is a dining establishment with a <u>customer seating space</u> of up to 100 square meters. What do you mean by "<u>customer seating space</u>"?</p> <p>* Three requirements to be met for the setting-up a "smoking-permitted room":</p> <ol style="list-style-type: none"> 1. An existing dining establishment as of April 1, 2020 2. An establishment with a <u>customer seating space</u> of up to 100 square meters 3. An establishment run by an individual or a small/medium-sized company (capitalized at up to 50 million yen) 	<p>Of the facility as a whole, a customer seating space refers to the area other than <u>kitchen</u>, <u>toilet</u>, <u>corridor</u>, <u>cash register counter</u> and <u>space for employees</u>, all of which are clearly separated from a dining floor space.</p> <p><Example of customer seating space></p>  <p>The blue shaded area indicates the customer seating space.</p>
What measures are necessary for bars?	<p>Bars for the purpose of smoking can designate the whole or part of the facilities as a smoking-permitted area.</p> <p>* For more detailed information, see page 5.</p>

[Contact]

Health Promotion Division, Health Department, Health & Welfare Bureau, City of Nagoya

Address	3-1-1 Sannomaru, Naka-ku, Nagoya 460-8508
Inquiries	<p>Tel: 052-972-4058 Fax: 052-972-4152</p> <p>(8:45 - 17:30 except for Saturdays, Sundays, national holidays, and the year-end and New Year holidays)</p>

Nagoya city passive smoking



<http://www.city.nagoya.jp/kenkofukushi/page/0000024729.html>

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