

Submission

No 68

INQUIRY INTO TOBACCO SMOKING IN NEW SOUTH WALES

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Summary

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Inquiry into Tobacco Smoking
Submission 68



NSW Fire Brigades
Submission
to
Parliament of New South Wales
Joint Select Committee
on
Tobacco Smoking

Commissioner Greg Mullins AFSM

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Executive Summary

Statistics from overseas and in Australia show that cigarettes and smoking materials are the leading cause of fire fatalities. They are also responsible for at least 4,500 structure fires per year in Australia and 7% of all bushfires.

There are inconsistencies with recording death and injuries by fires across the different jurisdictions in Australia. Problems about whether cigarettes or other smoking materials cause particular fires lead to conservative estimates of the number of people killed and injured in cigarette caused fires. Twenty three percent of fire-caused deaths are estimated to be caused by cigarette caused fires. This translates to 21 deaths per year with considerably more morbidity (Chapman and Balmain, 2004).

The NSW Fire Brigades (NSWFB), in conjunction with the Australasian Fire Authorities Council (AFAC), other Australian fire services, Emergency Management Australia and the NSW State Emergency Management Committee, is leading the push for a new national Standard to require introduction of reduced fire risk cigarettes. The quickest way to do this would be to base an Australian Standard on the same standard that underpins legislation that was recently introduced in New York State in the USA and in Canada.

Cigarettes are manufactured in a manner that ensures they stay alight when not being smoked. A Reduced Fire Risk Cigarette is classified as a cigarette where 75% of cigarettes tested self extinguish before completing a full length burn. The cigarette can achieve this performance by any method chosen by the manufacturer. The most common method is to band the cigarette paper at intervals, reducing the porosity of the paper. When the cigarette reaches this band it extinguishes unless being actively smoked at the time. Other common methods are to change the diameter of the cigarette, reduce the tobacco density, removal or reduction of chemical additives, or the presence or length of a filter.

The Augmented Australasian Police Ministers' Council in March 2005 endorsed a recommendation that a national cigarette ignition propensity standard be drafted. This standard was to be validated by research and appropriate consultation including AFAC, Standards Australia and the tobacco industry.

The NSWFB (representing AFAC) presented a proposal for a Reduced Fire Risk Standard in September 2005 based on the U.S. ASTM Standard. Standards Australia accepted this proposal and a Committee was formed including the tobacco industry, health, fire services, testing and consumer representatives to progress the issue. This Committee is known as the AS CS102 Committee – Reduced Fire Risk Cigarettes.

The Committee now has in place a draft standard that is currently being debated, altered and changed to suit Australian needs. The Committee last met on the 2 May 2006 and the draft standard is being progressed.

The Standard should be completed by the Committee within the next few months. It will then go to the Standards Australia Board for determination. If approved it will then proceed to

public comment for a period of nine weeks. After possible amendment following public comment, the new standard would be published as an Australian Standard.

To assist with efforts to reduce the number of fire fatalities both within NSW and across Australia caused by cigarettes, it is recommended that the Select Committee:

1. Note that cigarettes are a leading cause of fires in buildings, homes and bushland,
2. Note that cigarette caused fires are a major cause of fire deaths in NSW and Australia, and
3. Endorse the initiative of the NSWFB and the Minister for Emergency Services in pushing for an Australian Standard for Reduced Fire Risk (RFR) Cigarettes and national legislation that only allows RFR cigarettes to be sold in Australia.

Introduction

Section 6 of the Fire Brigades Act places a responsibility on the Commissioner of the NSWFB to prevent and suppress fires. The prevention role has historically relied predominantly on legislation, standards, building codes, dangerous goods codes, inspections and education programs.

To develop effective fire prevention programs, fire services investigate fires and statistical information, analyse data on fire cause origin, and spread, and then suggest legislative and regulatory changes and education programs as appropriate.

Over a five year period in NSW, 32 out of 233 fire deaths were directly attributed by the Coroner to cigarettes as the ignition factor. Furthermore, 63 of the 233 fires had "undetermined" causes, which in some cases may also have been due to cigarettes.

The National Coroners Information system for the period 2000 to 2005 shows that 63 fire deaths out of 678 Australia wide were directly attributable to cigarettes.

Annually, cigarettes cause at least 4,574 structure fires across Australia and could be responsible for up to 78,894 more.. It is estimated that 7% of all bushfires in Australia are attributable to discarded cigarettes

Investigation of fires and analysis of statistics in all states in Australia and overseas point to cigarettes as being one of the major causes (if not the major cause) of fire fatalities and a major cause of structure fires and bushfires.

Historically, the major strategies used to prevent fires from cigarettes involved public education and the introduction of legislation to produce fire safe products such as clothing, soft furniture and bedding. In many ways, this was an attempt to fire safe the world against the cigarette rather than reduce the risk of the actual ignition source itself

These strategies have had some success but considering the reduction in smoking that has taken place in recent times, it is alarming to note the consistently high levels of fire fatalities that are attributed to cigarettes. Whilst it is still a priority to fire safe many products such as clothing and furniture, the NSWFB holds the firm view, which is shared by every other Australian fire service, that it is now also time to try to reduce the risk from the ignition source itself –cigarettes.

A standard has been developed by the US National Institute of Standards and Technology (NIST) and the American Society for Testing Materials (ASTM) known as ASTM 2187-04 Standard Test Method for Measuring the Ignition Strength for Cigarettes (ASTM International, 2004).

This standard is an easily repeatable and reproducible test that measures whether or not a cigarette will complete a full length burn or will self extinguish. The test is relatively simple and cheap to carry out. This test when used in conjunction with legislation can reduce or limit the ignition potential of cigarettes.

This ASTM Standard is now called up under legislation in several states in the US including New York, Vermont and Canada and all cigarettes sold in Canada must also be tested under this standard. The legislation in these places requires that 75% of a cigarettes tested must self extinguish before completing a full length burn.

Preliminary results from New York State have indicated that fire deaths attributed to cigarettes have reduced.

Defining the Problem

Cigarettes and lighted tobacco products are the leading ignition cause of fire deaths and the third leading cause of fire-related injuries in both the United States and in Canada. In 2001, 31,200 cigarette-induced fires occurred in the United States. These fires were responsible for the loss of 830 civilian lives and 17770 injuries, as well as firefighter fatalities and injuries. They also caused US\$386 million dollars in direct property damage. Other costs include health care costs, lost productivity, and costs associated with fire and emergency services. Further, two out of five victims of cigarette induced fires are not the smokers themselves but persons who live in the same building. These victims often include young children or older persons who have less ability to respond and escape from a fire (Harvard School of Public Health, 2005).

Dr Simon Chapman and Antony Balmain produced a paper for the Commonwealth Department of Aging in April 2004. The overall aim of this paper was to bring together the most recent data about Reduced Fire Risk Cigarettes. They found that annually, cigarettes cause at least 4,574 fires across Australia and could be responsible for up to 78,894 more. It is estimated that 7% of all bushfires in Australia are attributable to discarded cigarettes. Twenty three per cent of fire deaths are attributed to cigarettes; this means 21 deaths per year. 1998 data estimates that cigarette related fires across Australia caused \$80.6 million in damage (Chapman and Balmain, 2004).

Historically, the approach to preventing these types of fires has been to educate the public about how to properly dispose of cigarettes and to introduce legislation to make products such as clothing, soft furnishings and bedding more fire safe. These solutions with general fire safety advances such as smoke alarms and increased fire safety in building codes has seen some reduction in fire deaths. Although these programs are integral parts of fire prevention and should continue, they do not attack the key problem itself which is the ignition potential of the cigarette..

Fire services throughout the world are now arguing that to properly address the problem, the risk needs to be reduced at its source. the tobacco industry has had the technology needed to reduce the ignition potential of cigarettes for many years, however it has not until now been introduced.

The problem of cigarette related fires needs to be addressed using a risk management approach which involves reducing the likelihood of the event taking place and putting control measures in place to counteract the consequences. Reducing the ignition potential of cigarettes reduces the likelihood, whilst education programs and fire safe furniture and clothing designs are controls put in place to deal with the consequences. Both the likelihood and the consequences need to be addressed.

Solutions

Fire services believe that given the problem has been defined, solutions need now need to be developed to reduce the likelihood, thus reducing the consequences.

Reducing the probability of cigarettes causing fires should also lead to a reduction in damage, injuries and fatalities. This could be achieved in several ways:

- Preventing smoking or banning cigarettes. Whilst this may be desirable from a fire service perspective and a health perspective it is perhaps not a realistic option in the immediate future.
- Reducing the number of people smoking. Again, this is desirable from a fire service perspective as it reduces the possible number of ignition sources; however, this has to be seen as a very long-term objective involving more than just fire services, and it will not eliminate nor greatly reduce cigarettes as an ignition source.
- Dealing with the ignition source itself. Inherently, cigarettes are a possible ignition source for a fire. Whilst a totally fire safe cigarette has not been developed, technology is available that can reduce the ignition potential of a lit cigarette and as such reduce the risk of fire. The most practical method is to design cigarettes that self extinguish when not being smoked. The best way of achieving this at this time is to design cigarettes to meet a standard test for measuring their ignition strength. Adapting ASTM E 2187-04 to an Australian Standard would provide a suitable test. Legislation (preferably at a federal level) would then be required to call up this Standard.

Ways in which controls can be put in place to reduce the consequences of cigarette related fires to the community are-

- Continuing with community education campaigns that educate the public as part of general fire safety campaigns.

Implementing specific community education campaigns that educate smokers about the dangers of smoking within the context of fire. A specific campaign has just been developed by the National Fire Protection Association in the US which could perhaps be adopted in NSW.

- Introducing legislation making smoke alarms and fire suppression systems compulsory in all buildings in which people sleep. This has been partially achieved in NSW with the recent (1st May 2006) introduction of smoke alarm legislation. Residential sprinkler systems should be considered in the future.
- Continue to develop standards and legislation to ensure that products such as clothing, soft furnishings and bedding are designed and manufactured in ways that reduce the likelihood of ignition from heat sources such as cigarettes

Recommendations

It is recommended to the Joint Select Committee into Tobacco Smoking :

1. Note that cigarettes are a leading cause of fires in buildings, homes and bushland,
2. Note that cigarette caused fires are a leading cause of fire deaths in NSW and Australia, and
3. Endorse the initiative of the NSWFB and the Minister for Emergency Services in pushing for an Australian Standard for Reduced Fire Risk (RFR) Cigarettes and national legislation that only allows RFR cigarettes to be sold in Australia.

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