

CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH  
Board of Health

Regulation Relating to the Clean Indoor Air Worker Protection Law  
and to Evidence-Based Health Informational Messages and Signs Required in Establishments  
Where Indoor Hookah or E-Hookah Use is Permitted

Approved [Date]

**WHEREAS**, Section 5-301(b) of the Philadelphia Home Rule Charter authorizes the Board of Health to issue Department of Public Health regulations for the preservation and promotion of the health of the people of Philadelphia; and

**WHEREAS**, an existing Board of Health regulation, Approved October 8, 2015, governs waivers or exceptions issued under the Philadelphia Clean Indoor Air Worker Protection Law, Phila. Code Section 10-602; and

**WHEREAS**, Section 10-602(3)(b) of The Philadelphia Code provides that Section 10-602(3)(a) of the Clean Indoor Air Worker Protection Law does not apply to certain excepted establishments; and

**WHEREAS**, Section 10-602(5)(a)(.1) of The Philadelphia Code provides that the owner, operator, manager, employer or other person in control of premises that are excepted from Section 10-602(3)(a) of The Philadelphia Code shall display prominently at each entrance, and elsewhere as specified by regulation, evidence-based signs informing of the health risks associated with hookah use to address an identified knowledge deficit among users; and

**WHEREAS**, Section 10-602(5)(a)(.2) of The Philadelphia Code provides that the owner, operator, manager, employer or other person in control of premises that are excepted from Section 10-602(3)(a) of The Philadelphia Code shall display an evidence-based health information message in accordance with regulations promulgated by the Board of Health on any menu or menu board on which hookah, water pipe, or shisha or other similar product if the Board of Health identifies a product-specific health knowledge deficit among users, appears as a menu item; and

**WHEREAS**, Section 10-614(2)(b) of The Philadelphia Code provides that Section 10-614(2)(a) of The Philadelphia Code related to prohibition of the use of Electronic Smoking Devices does not apply to certain excepted establishments; and

**WHEREAS**, Section 10-614(4)(a)(.1) of The Philadelphia Code provides that the owner, operator, manager, employer or other person in control of premises that are excepted from Section 10-614(2)(a) of The Philadelphia Code may be required by Board of Health regulations to display evidence-based signs informing of the health risks associated with the use of e-hookah or other similar products if the Board of Health identifies a product-specific knowledge deficit among users; and

**WHEREAS**, Section 10-614(4)(a)(.2) of The Philadelphia Code provides that establishments where e-hookah or other similar products may be used pursuant to an exception to Section 10-614(2)(a) shall display an evidence-based health information message in accordance with regulations promulgated by the Board of Health on any menu or menu board on which e-hookah, or other similar product if the Board of Health identifies a product-specific health knowledge deficit among users, appears as a menu item; and

**WHEREAS**, hookah smoking—also known as shisha, narghile, and waterpipe smoking—is a method of tobacco use that involves passing smoke through water before inhalation; and

**WHEREAS**, studies have shown that many hookah users believe that the process of passing smoke through the pipe’s water chamber filters out the harmful toxins; and

**WHEREAS**, studies have shown that a typical hookah smoking session exposes a person to twice the nicotine and over 20 times the tar of smoking a cigarette; and

**WHEREAS**, studies have shown that hookah smoking is associated with coronary heart disease, lung disease, cancer, and poor birth outcomes, among other adverse health effects; and

**WHEREAS**, studies have shown that vapor produced by e-hookah or other similar products can be harmful, toxic, and contain cancer-causing chemicals and heavy metals; and

**WHEREAS**, there is no safe level of tobacco product use and no safe level of secondhand smoke or secondhand vapor exposure; and

**WHEREAS**, the Board of Health has determined, based on the above referenced research, that there is a product-knowledge deficit among the public of the harms of hookah tobacco and e-hookah use, as well as the harms of exposure to secondhand hookah smoke and secondhand e-hookah vapors; and

**WHEREAS**, research has demonstrated that exposure to health warnings regarding tobacco and Electronic Smoking Devices are associated with greater knowledge about the health effects of tobacco and Electronic Smoking Device use, greater intentions to quit, reduced intentions to initiate use; and

**WHEREAS**, the Board of Health finds that such research regarding Electronic Smoking Devices extends to health warnings specifically targeting e-hookah use and that the use of evidence based health warnings concerning e-hookah use will lead to greater knowledge about the health effects of such use; and

**WHEREAS**, the Board of Health has determined that the evidence-based signs and menu warnings contained in this Regulation informing of the health risks associated with hookah and e-hookah use will address identified product-specific knowledge deficits among users; and

**WHEREAS**, the Board of Health has determined it is appropriate to consolidate regulations

implementing Section 10-614 with those governing the Clean Indoor Air Worker Protection Law; and

**NOW, THEREFORE**, the Board of Health hereby adopts this Regulation Relating to the Clean Indoor Air Worker Protection Law and to Evidence-Based Health Informational Messages and Signs Required in Establishments Where Indoor Hookah or E-Hookah Use is Permitted, as follows:

**Section 1. Scope.**

This regulation restates, consolidates, and supersedes the existing Board of Health Regulations concerning the CIAWPL, Approved October 8, 2015, and further implements Section 10-614 of The Philadelphia Code.

**Section 2. Definitions.**

The capitalized terms in this regulation shall have the following meanings:

*CIAWPL.* The Clean Indoor Air Worker Protection Law, Philadelphia Code Section 10-602.

*Code.* The Philadelphia Code.

*Department.* The Department of Public Health.

*Hookah.* A device used to smoke tobacco or other products that contains a water filtration element and a flexible hose with a mouthpiece to deliver smoke to the user.

*E-hookah.* A particular type of Electronic Smoking Device, as defined in Section 10-614(1) of The Philadelphia Code, that uses a water filtration system like a Hookah prior to delivering vapor to the user.

**Section 3. Clean Indoor Air Worker Protection Law and Electronic Smoking Devices Waivers/Exceptions**

Establishments issued a valid waiver or exception by the Department to the requirements of Section 10-602(3)(a) or Section 10-614(2)(a) shall cover an establishment's enclosed areas only, and shall not supersede Section 10-602(3)(a)(.8) or Section 10-614(2)(a)(.3), prohibiting smoking at sidewalk cafes and outdoor service areas.

**Section 4. Sections 10-602 and 10-614 – Evidence-Based Health Information Signs for Establishments that Permit Hookah and E-Hookah Use**

**A. Required Health Information Signs for Entrances and Rooms where Hookah or E-Hookah are Used.**

1. Pursuant to Section 10-602(5)(a)(.1) of the Code, in order to address a product-specific knowledge deficit identified by the Board of Health, in establishments excepted from Section 10-602(3)(a), one of the evidence-based signs attached hereto as Exhibits A, B, and C shall be posted at each entrance and in each room or area where hookah smoking is at any time permitted.
2. Pursuant to Section 10-614(4)(a)(.1) of the Code, in order to address a product-specific knowledge deficit identified by the Board of Health, in establishments excepted from Section 10-614(2)(a), the evidence-based sign attached hereto as Exhibit D shall be posted at each entrance and in each room or area where e-hookah use is at any time permitted.
3. The Department may print the signs referenced in this Section 4(A) and distribute them by mail or other means to establishments where hookah smoking and e-hookah use is at any time permitted. The signs required by this Section 4(A) shall, at a minimum, be sized 8.5 inches wide by 11 inches long.

**B. Required Health Information Messages for Hookah or E-Hookah Menu Items.**

1. Pursuant to Section 10-602(5)(a)(.2) of the Code, in order to address a product-specific health knowledge deficit identified by the Board of Health, the following evidence-based health informational message shall be displayed as follows:

- a. On any menu or menu board on which a hookah menu item (including product flavoring listings) is listed:

**“\*Philadelphia Department of Public Health  
Required Public Health Warning\*** There is no safe level or type of hookah smoke. Hookah smoking is associated with heart disease, lung disease, cancer, low birthweight and other serious health problems.”

- b. On any menu or menu board on which an e-hookah menu item (including product flavoring listings) is listed:

**“\*Philadelphia Department of Public Health  
Required Public Health Warning\*** E-hookah vapor can contain harmful, toxic, and cancer-causing chemicals and heavy metals. Secondhand vapor is hazardous.”

2. The Public Health Warning Statements required by this Section 4(B) must be

displayed next to or directly under the section of the menu or menu board, including electronic menu pages and boards, where each hookah or e-hookah menu item, as applicable, is listed. The size of such Public Health Warning Statement must be proportionally scaled to a height no less than the height of the name of the section of the menu where each Public Health Warning Statement is required to appear. The Public Health Warning Statement may be displayed using a different font if the font is legible and each letter remains uniform in height.

The Public Health Warning Statements shall be clearly visible and shall be displayed so that a customer would be reasonably expected to see it before selecting the menu item.

#### **Section 5. Enforcement and Penalties**

This regulation shall be enforced by the Department, its duly authorized employees, or any other person authorized by the Managing Director to enforce Section 10-602 and Section 10-614 of The Philadelphia Code.

Any person who violates this Regulation shall be subject to a fine of three hundred dollars (\$300) for each violation.

**A**

• HEALTH WARNING •

**1 HOUR OF SMOKING HOOKAH**

**CAN EXPOSE YOU  
TO MORE CARBON  
MONOXIDE AND TAR  
THAN SMOKING  
10 CIGARETTES.**

**SECONDHAND HOOKAH  
SMOKE IS HAZARDOUS.**



• ADVERTENCIA SANITARIA •

**UNA HORA FUMANDO HOOKAH  
O PIPA DE AGUA,  
LE EXPONE A TANTO MONÓXIDO DE  
CARBONO Y ALQUITRÁN COMO SI FUMARA  
10 CIGARRILLOS.**

LA EXPOSICIÓN AL HUMO DE LA HOOKAH ES PELIGROSA.

• تحذير صحي •

**تحذير صحي  
ساعة واحدة من تدخين الشيشة  
يمكن أن يعرضك لكمية من أول أكسيد الكربون  
والقطران تزيد عن تدخين 10 سجائر**

التدخين السلبي للشيشة خطير أيضاً.



Department of  
**Public Health**  
CITY OF PHILADELPHIA

**B**



PHILADELPHIA DEPARTMENT OF PUBLIC HEALTH REQUIRED

• HEALTH WARNING •

**HOOKAH SMOKE HAS CHEMICALS**  
**THAT CAN INCREASE**  
**THE RISK OF**  
**HEART ATTACK**  
**AND CANCER.**

**SECONDHAND HOOKAH**  
**SMOKE IS HAZARDOUS.**



• ADVERTENCIA SANITARIA •

**EL HUMO DE LA HOOKAH O PIPA DE**  
**AGUA CONTIENE QUÍMICOS**  
**QUE AUMENTAN EL RIESGO DE SUFRIR**  
**ATAQUES DEL CORAZÓN Y CÁNCER.**

LA EXPOSICIÓN AL HUMO DE LA HOOKAH ES PELIGROSA.

• تحذير صحي •

دخان الشيشة به مواد كيميائية  
يمكن أن تزيد خطر الإصابة بأزمة قلبية  
والسرطان.

التدخين السلبي للشيشة خطير أيضًا.



Department of  
**Public Health**  
CITY OF PHILADELPHIA

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C

PHILADELPHIA DEPARTMENT OF PUBLIC HEALTH REQUIRED

• HEALTH WARNING •

**HOOKAH SMOKE CONTAINS  
CANCER-CAUSING  
CHEMICALS.**

**SECONDHAND HOOKAH  
SMOKE IS HAZARDOUS.**



• ADVERTENCIA SANITARIA •

**EL HUMO DE LA HOOKAH O PIPA  
DE AGUA CONTIENE  
QUÍMICOS CANCERÍGENOS.**

LA EXPOSICIÓN AL HUMO DE LA HOOKAH ES PELIGROSA.

• تحذير صحي •

يحتوي دخان الشيشة  
على مواد كيميائية مسببة للسرطان.

التدخين السلبي للشيشة خطير أيضًا.



Department of  
**Public Health**  
CITY OF PHILADELPHIA

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**D**

# HEALTH WARNING

**E-HOOKAH VAPOR CAN CONTAIN  
HARMFUL, TOXIC, AND CANCER-CAUSING  
CHEMICALS AND HEAVY METALS.**

**SECONDHAND VAPOR IS HAZARDOUS.**

• ADVERTENCIA DE SALUD •

EL HUMO DE NARGUILE  
ELECTRÓNICO PUEDE CONTENER  
METALES PESADOS Y SUSTANCIAS  
QUÍMICAS NOCIVAS, TÓXICAS Y  
CANCERÍGENAS.

EL HUMO AJENO ES PELIGROSO.

• تحذير للصحة •

قد يحتوي بخار جهاز النرجيلة  
الإلكترونية على مواد كيميائية  
ضارة وسامة ومسببة للسرطان  
ومعادن ثقيلة.

يعتبر البخار المستعمل خطيراً.

