

To Whom It May Concern,

Your establishment has been identified as operating with an exception to the Clean Indoor Air Worker Protection Law (CIAWPL), Section 10-602(3)(a) and/or with an exception to Section 10-614(2)(a) of The Philadelphia Code. These exceptions allow for smoking or the use of Electronic Smoking Devices to occur on your premises.

Regulations of the Philadelphia Board of Health require establishments that permit the use of hookah or e-hookah on their premises to (1) post evidence-based signs created by the Philadelphia Department of Public Health (copies of which are included in this letter); and (2) modify their menus to include health warnings developed by the Philadelphia Department of Public Health. The Philadelphia Code additionally requires establishments with exceptions to the CIAWPL to display signs stating that minors are not to be admitted to the premises. Signs must be posted at specific locations and contain certain information. Please read the below requirements carefully. The regulation in its entirety is enclosed with this mailing. This regulation does not change the continued prohibition of smoking at sidewalk cafes and outdoor service areas of your establishment.

The requirements described below will begin to be enforced on June 6, 2022 by Environmental Health Services during all inspections.

1. Evidence-Based Health Informational Messages

Included in this mailing are three versions of signs with evidence-based health informational messages about the harmful effects of hookah and one sign with an evidence-based informational message about the harmful effects of e-hookah products that you will be required to post at your establishment. At least one sign **must** be posted at the specific locations in your establishment as follows:

- The main entrance to your establishment; **and**
- In each separate room where hookah or e-hookah use is permitted.

For establishments that allow hookah use, one of the three evidence-based signs containing warnings about the harmful effects of hookah must be posted at each of the above locations. For establishments that allow e-hookah use, the evidence-based sign that contains a warning about the harmful effects of e-hookah use must be posted at each of the above locations. For establishments that allow both hookah and e-hookah use, one of the three evidence-based signs containing warnings about the harmful effects of hookah, as well as the evidence-based sign containing a warning about the harmful effects of e-hookah must be posted at each of the above locations.

2. Public Health Warnings on Menus

Regulations of the Philadelphia Board of Health also require your menus to be modified to include Public Health Warning Statements when hookah or e-hookah items are listed for sale.

Public Health Warning Statements 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 is listed as follows:

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

“*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.”

- On any menu or menu board on which an e-hookah menu item (including product flavoring listings) is listed, the following warning:

“*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.”

The size of the 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. For an example of the two acceptable formats for the location of the menu warnings, please refer to the example menus included with this letter.

Smoke Free Exception Sign: Notice That Minors Are Prohibited from Entering Premises

Also included in this mailing is a copy of a sign that may be posted at your establishment to comply with Philadelphia Code Section 10-602(5)(a)(.3) and/or Philadelphia Code Section 10-614(4)(a)(.3). These sections require posting signs at your establishment’s entrance and in each room or area where hookah and/or e-hookah use is at any time permitted to occur. The sign states that you must be eighteen (18) years or older to enter an establishment that has an exception to the City’s smoke-free law.

Your establishment may choose not to use the sign provided in this letter, but to also comply with Philadelphia Code Section 10-602(5)(a)(.3) you must:

- Prominently display a sign at least 8.5 inches x 11 inches at each entrance and in each room or area where smoking is at any time permitted reading as follows in a clear, legible font with all letters at least 1/2 inch high:
"THIS ESTABLISHMENT HAS AN EXCEPTION TO THE CITY'S SMOKE-FREE LAW. YOU MUST BE 18 OR OLDER TO ENTER DUE TO THE HEALTH RISKS OF SECONDHAND SMOKE EXPOSURE."

Your establishment may choose not to use the sign provided in this letter, but to also comply with Philadelphia Code Section 10-614(4)(a)(.3) you must:

- Prominently display a sign at least 8.5 inches x 11 inches at each entrance and in each room or area where e-cigarette use is at any time permitted reading as follows in a clear, legible font with all letters at least 1/2 inch high: "THIS ESTABLISHMENT HAS AN EXCEPTION TO THE CITY'S SMOKE-FREE LAW. YOU MUST BE 18 OR OLDER TO ENTER DUE TO THE HEALTH RISKS OF SECONDHAND E-CIGARETTE VAPOR EXPOSURE."

Questions

If you are unsure about the status of your establishment's exceptions to Section 10-602(3)(a) and/or Section 10-614(2)(a), if you would like more information about this regulation, or if you would no longer like to allow smoking or Electronic Smoking Device use at your establishment, please contact Health.PTRD@phila.gov.