

Day Of Defiance!

“A law based upon lies is no law at all.”

- Michael J. McFadden
- Author of **Dissecting Antismokers' Brains**

- ▶ **Their Health Lies** ◀
- ▶ **Their Economic Lies** ◀
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“The aim is (to) reduce the public acceptability of smoking and the culture which surrounds it.”

- Lady Elaine Murphy
- Member, British House Of Lords

The Smoking Ban CAN Be Overturned!!

A Call For Action

The smoking ban is based upon lies: lies about the health effects of small amounts smoke upon workers, lies about patron demands, and lies about the economic effects on pubs & businesses.

The antismoking lobby lied about these things because they knew that people would never agree to a ban based only on the demands of noisy extremists forcing a nanny state on others. They lied because they know that if a ban's true economic consequences were told truly that business owners would have risen up and united in protest. They lie simply because the truth does not support their goal: "To reduce the public acceptability of smoking."

This ban **CAN** be overturned if pubs and their patrons stand and resist an unjust and ill-based law. Pub staff, customers, and all British citizens need to see the lies behind the ban, refuse to act as Informers or Collaborators enforcing the ban, and demand the ban's amendment to decently based general standards for clean air and good health without the trampling of private rights.

The last attempt to ban smoking on the European Continent ended in 1945. The idea that the same lies and propaganda should form the basis of a new set of bans fifty years later is unconscionable and can not be allowed to stand!

**Join together and send this ban
Back To Hell!**

The Health Arguments

Antismokers claim that scientific studies prove that second-hand smoke is killing workers. If that were true then smoking bans might be justified despite business losses and social disruption. Because of the media power of billions of taxpayer dollars most people have come to believe that such claims **are** true.

They are not. Quite plainly and simply....

THEY ARE NOT TRUE.

There has never been a single study showing that the low level of smoke in bars and restaurants with modern ventilation systems kills **ANYONE**. Even most studies of intense unventilated lifelong daily exposure fail the most basic research standard of statistical significance.

You might ask then why the news keeps saying secondary smoke is a killer.

The answer is simple: money and trickery.

Antismoking extremists subvert the political process with campaign money, with surprise legislation at the end of sessions, and with the sheer power of their funding for press-releases and conferences. They have over 800 million dollars a year to spend on "Tobacco Control" and they're not afraid to use it.

A lot of that money goes into studies deliberately designed to give the "proper" results and to publicize those results over and over again as though they were new studies rather than just old ones recycled with a twist. The media rarely questions information from Antismokers since it's assumed they are the "good guys" and have no reason to lie.

Bad assumption.

The Antismoking Lobby believes its true end goal, the elimination of smoking, is important enough to justify all sorts of lying along the way. And the most effective lie they've found is that "Secondhand Smoke Kills."

At New York's 1975 World Conference on Smoking and Health, Antismoking activists were told that to eliminate smoking it would first be essential to "*create an atmosphere in which it was perceived that active smokers would injure those around them, especially their family and any infants or young children...*"

- Huber. *Consumers Research Magazine*. 04/92

When they first came up with this lie they had no evidence at all to support it, but began pumping money into creating such evidence. Today, billions of dollars later, they can point to a pile of very equivocal studies, ignore their weaknesses and lack of real findings, and simply claim they all "prove" the need for smoking bans.

They do not. The great majority of them fail even the bare minimum standard of statistical significance. Some even indicate a **protective** effect from secondary smoke!

There's obviously no way to disprove every single study here, but we **can** show the frauds behind the major ones used by Antismoking Lobbyists. These studies were all cited by the Surgeon General in 2006 to add urgency to his call for smoking bans. Read these five examples and realize that the same shenanigans surrounding these "major" studies also occur every day in reports about new ones.

The Great Helena Heart Fraud

(R.P. Sargent et al. **Reduced incidence of admissions for myocardial infarction associated with public smoking ban...** BMJ 2004; 328: 977-980 & Rapid Responses)

On April 1st, 2003, the "Great Helena Heart Miracle" was announced. Headlines around the world claimed that Helena, Montana "protected" its citizens from secondary smoke and saw an immediate 60% drop in heart attacks: absolute proof smoking bans protect innocent people!

The study's release was followed quickly by statements from Medical Associations, antismoking groups, and the authors themselves, saying: "(Bans are) the only logical response to... the dangers of secondhand smoke.", "This is not the first study to find a link between long term exposure to secondhand smoke and heart attacks.", "Secondhand smoke kills.", "(owners want) to be allowed to continuing poisoning people (despite) the immediate effect of it."

While there are many problems with this study, one of the biggest is that the researchers refused to reveal the data for nonsmokers while presenting the news as if it was all about nonsmokers.

In reality, the study never examined exposure to smoke, never corrected for confounders, and never even reported on nonsmokers as a separate group! The study itself found **nothing at all** about the effects of smoke on nonsmokers!

The Helena study was deliberately distorted by supposedly "responsible authorities" and was used to manipulate the medical & political community as well as the general public into supporting smoking bans.

A final revealing point: a chart in the initial study (later conveniently removed) showed a real dip in heart attacks only in the first 3 months when angry smokers likely partied out of town in the warm weather. However, for the last 3 cold Montana winter months when smokers returned home the rate returned to roughly normal: Not a return **after** the ban ended as Antismokers always loudly proclaim to the media and lawmakers. Just another lie, but only known to those who saw the initial data or have internet access to the *British Medical Journal*.

This study has done enormous harm to people's lives and livelihoods wherever it has been used to frighten nonsmokers and politicians into supporting extremist smoking bans.

*Update: 2006: A new study, based on government data and 1,000 times as large as Helena (315,000 heart attacks!) has shown that smoking bans actually have **no** effect on overall heart attack rates. This study, available at SmokersClubInc.com, has been publicly supported and confirmed by noted Antismoking researcher and physician, Dr. Michael Siegel and featured by the American Council on Science and Health.*

Advancing a falsehood to promote the social engineering of free people should never be taken lightly, but it's being done every day by the Antismoking Lobby. And The Great Helena Heart Fraud is far from being the only example.

Eisner's 53 Bartenders Study

(Eisner et al. *Bartenders' Respiratory Health.... JAMA*.1998; 280: 1909-1914)

Huge headlines were made in 1998 when a study claimed to show a dramatic improvement in the health of California bartenders after a smoking ban. Those headlines never mentioned three important facts though:

- ❖ At least 24 of the 53 bartenders were smokers who obviously smoked less after the ban. All 53 were friendly enough toward the ban that they agreed to participate in the study: many others refused. Thus the study pool was strongly skewed from the very beginning!
- ❖ Most "improvements" noted were purely subjective: "I don't notice my eyes itching as much." or "I don't think I cough as much now."
- ❖ The one scientific difference, a small improvement in some Pulmonary Function Tests, was both below clinically significant levels and quite sensitive to both experimenter effect and patient effort.

Finally, if you actually read the study rather than the headlines, you once again find the claim of causality is not quite what it appears: Eisner actually wrote that "the **possibility** that **unmeasured** (infections) or reduced active smoking **could still partially explain** the observed improvement... reduced ETS exposure... **was associated with** improved adult respiratory health... smoking prohibition **appears to have** immediate beneficial effects..." (emphases added)

Possibilities of unmeasured partial explanations. Associated with. Appears to have. Not quite the way the story made the headlines, certainly nothing to indicate any long term harm or health risk, and quite certainly nothing like the definitive statement of causality blasted over the media.

Siegel's Restaurant Workers Study

(M. Siegel. Involuntary Smoking In The Restaurant Workplace. *JAMA* Vol. 270 #4, 1993)

In 1993 Dr. Michael Siegel combined six different studies to claim that secondary smoke was giving bar/restaurant workers a 50% increase in lung cancer. New York's Mayor Bloomberg cited Siegel to justify the NY ban, claiming Siegel had "carefully controlled" for workers' smoking statuses.

If you actually read Siegel you'll find that none of the six studies really "carefully controlled" for individual smoking status. Only one of them even asked about it. The others just used statistics.

In almost every case, Siegel seemed to pick careful subsets of workers to support his argument. If the males in one study had low lung cancer and the females had high... he picked the females. If the bartenders in another study had high and the food counter workers had low... he picked the bartenders. If the original authors cautioned against anyone else using their data because it was unstable or unrepresentative, Siegel simply ignored the warnings and used their data regardless!

In the formal setting of the medical journal Siegel stated that, even **with** all the adjustments he had made, the evidence from the six studies merely "suggested that there may be a 50 percent increase in lung cancer risk among food-service workers that is in part attributable to tobacco smoke exposure in the workplace."

"Suggested" there **"may be"** increased risk that was **"in part"** **"attributable"** to tobacco smoke? Well, once the media got the story the qualifiers went out the window. The New York Times and USA Today reported that Siegel's study showed smoking bans were a **"life and death issue"** for workers with secondary smoke having a **"devastating effect"** on their health.

Just as with Helena and the 53 bartenders, the hype and flaws in the basic study design extended and grew to blatantly fraudulent proportions once the spotlight of the media was acquired.

Bans Reduce Air Pollution In Bars by 87, no, 91, no, 93%

(Many similar repeated studies in the past two years)

About three years ago two antismoking researchers hit upon a wonderful idea: measure the smoke in a bar before a ban, then do it again after a ban, and “discover” that there was less smoke!

Of course that wouldn't be worth a \$100,000 grant or a spot on the Six O'Clock News by itself. So they took a visible element of smoke, the “fine particulate matter”(FPM), pretended that it was the same as the FPM from cars and industrial smog, and declared that bartenders were now safer because the “EPA's dangerous level of air pollution” was reduced by various amazing amounts!

This particular scam has brought millions of dollars to antismoking extremists in cities all over the world where they keep “discovering” over and over and over again that there's less smoke in the air if no one is smoking!

To call it “air pollution” and pretend they are measuring the same thing as the EPA is almost like taking a tablespoon of sugar crystals and saying it is “the same thing” as a tablespoon of cyanide crystals.

Once again, a clever and catchy scare story for the media: Bartenders saved from deaths due to “air pollution”. And once again it's a study that can be repeated in city after city for ban after ban and in news story after news story. But once again, simply an outright fraud when dissected.

Otsuka's 30 Minute Heart Attack Study

(Otsuka, R. et al. **Acute Effects of Passive Smoking**.... JAMA. Vol 286. #4. 2001)

In July of 2001, Ryo Otsuka supposedly showed that simply sharing a room with a smoker for 30 minutes could kill you. The hype and fraud flashed around the world with the same roar that would later greet Helena, but again if you actually read the study rather than just the head-lines you'd find that:

- ❖ The smoke level (6ppm CO) was 300% higher than in the smoking sections of pressurized airplanes. This was **not** just “a room with a smoker” or a decently ventilated bar. Similar studies have used smoke chambers with up to forty ppm CO: **2,000% more smoke than in a smoky airplane cabin!**
- ❖ Otsuka required extreme nonsmokers who avoided all smoke in daily life to sign a protocol acknowledging dangerous conditions and then stuck them in a smoke-choked room. The result? A small blood chemistry change similar to what's seen after a meal. The most amazing thing is that there were no heart attacks just from the stress!
- ❖ There was no control. Even a high school science project would have included a sham model and “protocol signing” with control subjects exposed to harmless but eye-stinging levels of skunk scent and fog. The control results would probably have been identical.
- ❖ Why wasn't such a control set up? Could it be simply that the results would have negated the point of the study and the Antismoking grant money would have dried up? Perhaps... I honestly can't think of any other reason. Otsuka's study didn't show a physical reaction to smoke: it showed a physical reaction to fear and stress... conditions promoted more by Antismokers than by smoke.

Otsuka is at fault for deliberately using extreme experimental conditions without reasonable controls. The media is at fault in not reporting those conditions or the likely reaction of extreme nonsmokers. And Smoking Prohibitionists are at fault for using this study to frighten people with the idea that simply being near smokers for 30 minutes causes heart attacks.

This study and its use is an example of fear-mongering in its ugliest sense.

Health Bites

The Antismoking Lobby has perfected the art of media sound bites. Short, sweet, sticky to the mind, almost totally void of meaning ... but deadly in their effectiveness. They are just more lies though, and if you know them you can laugh when you hear them. Some to watch for:

Antismokers claim smoking causes 400,000 premature deaths a year.

(Actually, this is a computer generated imaginary number. And half of those imaginary deaths occur after age 72 ... almost 20% of them **after age 85!**)

Antismokers claim scientific studies are unanimous and unequivocal in proving secondary smoke is killing thousands from lung cancer.

(Actually, the vast majority fail to find even a basic statistically significant link. The UN's huge 1998 study actually found significant **protection** from lung cancer in children exposed to secondary smoke at home!)

Antismokers claim smoke contains 4,000 poisons and carcinogens.

(Actually, by 2005 the EPA could only identify 432 in their ARB Report, and the average modern diet contains thousands. In toxicology the amount is what's important: "The dose makes the poison." Nonsmokers never absorb enough smoke to even **approach** OSHA warning levels!)

Antismokers claim having a non-smoking section in a restaurant is the same as having a non-pissing section in a pool.

(Actually, since pool water is changed about 1x/year and the air in a decent restaurant is changed about 35,000x/year, they're **not** the same at all!)

Antismokers claim California's extreme bans reduced lung cancer by 14%.

(Actually, that drop occurred in 1996... two years **before** their total ban!)

Antismokers claim that uncounted masses of hospitality workers are dying every year from secondary smoke.

(Actually, uncounted is right... How many Blairs can dance on the head of a pin?)

Health Conclusion

All five studies dissected are “Flagship Studies” used repeatedly by radicals at public hearings. All five are the “best and the brightest” of the mountain of studies that “prove” smoking bans save lives. And all five are fraudulently used by Smoking Prohibitionists to scare the public into supporting government mandated smoking bans.

Consider this question:

If they had the truth... Why would they lie?

Simple: people would never accept such a degree of government meddling in their private lives just on the basis of annoyance. It’s the “threat to public health” based on these studies that has made bans politically acceptable.

Smoking decisions in individual businesses should be based on the needs and desires of their customers and workers. There is absolutely no justification from a public health standpoint for universal smoking bans. They are simply social engineering tools used to push a radical agenda. .

Antismoking extremists are fundamentally no different from the Alcohol Prohibitionists of the last century, but their tools, tricks, and media techniques are much more sophisticated. Rather than try immediately for a socially unacceptable total prohibition they simply plan to keep reducing the number of smokers by more and more bans and taxes.

If smokers, businesses, and the wider public can be shown how much they’ve been lied to, the era of widespread smoking bans will be over. Smoking will continue to be banned in certain private venues by their owners’ decisions, and those decisions will be driven by the proven value of business owners seeking to please their particular blend of customers.

That’s the way free governments are meant to work, and that’s the way they’ll work once again when the fraud built around secondary smoke is sufficiently exposed.

The REAL Economic Results of a Smoking Ban!

Presented by SmokersClubInc.com

And

Michael J. McFadden

Antismoking Lobbyists parade vague studies, filled with vague statistics, based upon vaguely designed business criteria, and make vague claims that after three years or so of vague losses, “business will recover to almost pre-ban levels” as ravening thirsty hordes of nonsmokers cowering in their homes transform into wild party animals. Of **course** this vague assertion only holds true if we pretend that general economic inflation does not exist, but that’s no more fanciful than the rest of their assertions.

We on the other hand simply present over 160 on the record **real** examples of **real** businesses and **real** people negatively affected in a **real** way by a single smoking ban **just in New York State!*** No hidden statistics. No numbers juggling. No “private data” that can’t be checked. Just reality. If you believe the UK ban can’t be fought, read these pages and weep. *(about as big as England)

Or else... stand up and do something about it: Antismokers say bans are “inevitable,” in the Borg’s Star Trek fashion of telling you that “Resistance is futile!”

Resistance is not futile!

Pub owners deserve the right to run their businesses free from interference by social engineers, and pub patrons and pub workers have the right to choose smoking or nonsmoking pubs of their own free will.

**Defend your freedoms! Stand up
and fight for your rights!**

Ban Effects On NY Bars and Restaurants

(Collected & Organized by Dave Hitt, Samantha Phillipe and Michael McFadden)

City	Name	Business	Closed?	Business & Jobs Lost	Details & Statements
Albany	BlessedSacrmntChurch	Bingo Hall		50%	
Albany	Temple Israel	Bingo Hall		50%	<i>According to Herb Holland, some of the regulars told volunteers that they would abstain from playing bingo, to protest the smoking ban. He hasn't seen them since.</i>
Astoria	Athens Cafe	Restaurant		55% / 10	
Auburn	Kim's Trackside Tavern	Tavern		25%	<i>"Our local Cayuga county health dept.refuses to issue smoking waivers to businesses suffering a financial hardship."</i>
Bath	Hotel McDonald	Hotel		70%	
Bath	Just One More	Tavern		30%	
Bellerose	Finish Line	Bar/Rstrnt		40% / 2	
Binghamton	Airport Inn	Tavern		40%	<i>Evans says business has dropped at least 40% in the last year. Her liquor license expires next April, and she doesn't plan on renewing it. The Inn was a successful biz for 18 years.</i>
Binghamton	Edigan's	Restaurant	Closed	100%	
Binghamton	Valentines Tavern		Closed	100%	
Binghamton	Mama Lena's	Restaurant	Closed	100%	<i>Mama Lena's had been in business for more than 40 years.</i>
Binghamton	Yesterday's	Bar/Rstrnt	Closed	100%	
Brewster	The Roadhouse	Tavern		40%	
Broadalbin	The Lodge	Bar/Rstrnt		50% / 1	
Bronx	Fieldstone	Billiards/Bar		40% / 1	
Buffalo	Legion Post1041	Bingo Hall		68%	
Buffalo	Amherst Bowling Center	Bowling	Closed	100%	
Buffalo	Jimmy Macs	Bar & Grill	Closed	100% / 35	<i>"Out of business, laid off 35 employees.... went from making a steady living for 24 years to losing about \$100,000/year compliments of the ban. The government figures are lies. Tell your friends who own bars that if the ban goes in they might as well pack up and leave."</i>
Buffalo	B&G Bar & Grill	Bar/Rstrnt		30%	
Buffalo	Cabaret	Tavern		40% / 1	
Buffalo	Cook Bar & Grill	Bar/Rstrnt		40% / 2	
Buffalo	Freddies	Bar/Rstrnt		50%	
Buffalo	Pocketeer Billiards	Pool Hall		60-70%	<i>"The President says small business is the backbone of our country, NYS says screw small business just give us your money and your blood! All of it!!!!!!"</i>
Buffalo	Susie's Corner	Bar/Rstrnt		23% / 1	
Buffalo	The Royal Pheasant	Restaurant	Closed	100% / 20	<i>The smoking ban caused an instant 80% revenue loss. Royal Pheasant had been a family business for 58 years.</i>
Buffalo	Voelker Bowling Center	Bowling		30-40%	<i>The smoking ban hit us like an anvil, curtailing bowling activity by 30 to 40% and the bar business by 20 to 30%.</i>
Camden	Harter's	Bar/Rstrnt		40%	
Camden	Liberty Lanes	Bowling		27%	
Canandaigua	Canandaig Billiards	Pool Hall		40%	
Champlain	Stumble Inn	Tavern	Closed	100%	
Cheektowaga	Metropolitan Rstrnt	Bar/Rstrnt		25% / 2	
Cheektowaga	Peter K's	Bar/Rstrnt		35% / 2	
ChstnutRidge	Silo's	Bar & Grill		35%	
Cicero	DamonsPartyHouse	Tavern		40%	
Clay	Richard's OleTimer	Bar/Rstrnt		17% / 1	

Cold Brook	Clifford's Tavern	Bar/Rstrnt		40%	
Corfu	Dadio's Central	Tavern		30%	
Cortland	Argyle's	Tavern		12%	
Cotati	Friar Tuck's	Restaurant		50%	<i>"Just as my establishment was beginning to flourish, I'm hit with this smoking ban which has killed my daytime business. People who used to stay for hours now only stay for one quick drink and leave."</i>
Delhi	Blinkey's	Tavern	Closed	100%	
EastRandolph	VFW Post 6533	Private Club		20%	
ElmiraHeights	American Legion	Private Club		60%	
ElmiraHeights	Blondie's Tavern	Tavern		25%	
Endicott	O's Place	Tavern	Closed	100%	
Falconer	Mel's Place	Tavern		78%	<i>After proving significant business loss, Mel's was granted one of NY's few waivers. Their business immediately returned to pre-ban level, but the owners are worried about what will happen when the waiver runs out.</i>
Fredonia	Barker Brew Pub	Brew Pub	Closed	100%	<i>Closed after 10 yrs. in business</i>
Falconer	Chances	Tavern	Closed	100%	
Frewsburg	The Loft	Tavern		30%	<i>"Our town has no attractions to draw in outsiders. We have only locals to rely on as patrons and 95% of them smoke. It will be worse when the snow sets in."</i>
Fulton	Fulton Ale House	Tavern		25%	
Goshen	The Wonderbar	Tavern		50%	
Holland	The Holland Hotel	Bar/Rest/Hotel		30% / 4	<i>"Food and bar business are both down.... Friday dinners down from 170to60. Monthly expenses are about \$3,000 more than sales. My life long dream of operating my own business will be over in 6 months. My wife & 3 children... have used all of our savings to supplement the business after the ban."</i>
Hyde Park	Kay Cey's	Tavern		45%	
Ithica	Bowl-O-Drome	Bowling		14% / 2	<i>The business lost almost \$30,000 and 110 bowlers during the 32-week league season... In the busiest months (January and May), Parkin saw a 14 percent decrease in activity comparing the same period in 2004 to 2003.</i>
JacksnHghts	La Bataclana	Tavern	Closed	100%	
Jamestown	Coin Operated Amusements	Vending Machines		20-50%	<i>Revenue from vending machines and games cut in half in many places.</i>
Jamestown	Elks Lodge (Priv. Club)	Private Club	Closed	100%	<i>Bingo, which funded their charitable work, is now shut down.</i>
Jamestown	Fountain Bowl	Bowling		40% / 8	
Jamestown	Mr. D's	Bar/Rstrnt	Closed	100%	
Jamestown	Patsy's Lounge	Tavern		50% / 2	<i>"I have let 2 employees go and the other 3 have had their hours cut in half."</i>
Jamestown	Tommy's Place	Bar/Rstrnt	Closed	100%	
Jamestown	Windsor Ale House	Tavern	Closed	100%	
Johnstown	Partner's Pub	Bar/Rstrnt		20% / 1	
Kennedy	Crossroads Steaks	Restaurant	Closed	100%	
Lake George	Lemon Peel Lounge	Lounge		20% / 2	<i>"We are now opening later and closing earlier. We are a local tavern with no food. The ban hurt."</i>
Lakewood	Ye Olde Anchor Inn	Bar/Rstrnt		18%	
Liverpool	End Zone	Bar/Rstrnt		30% / 1	
Lockawanna,	Woody's Pub	Bar/Rstrnt		25% / 3	
Long Island	Olympian Sumont Inc	Pool Hall/ Bar/Rstrnt		40% / 3	
Malone	Knights of Columbus	Bingo Hall		80%	
Malone	Seven's Bar	Tavern		30%	
Marcellus	Village Tavern	Bar/Rstrnt		10%	
Marcy	Riverside Lanes	Bowling		20% / 2	

Massena	Delmar Sportsman's Tavern	Tavern		30% / 1	<i>"We had hoped...nonsmokers avoiding taverns due to the smoke-filled air would make up for at least some of the financial loss. Unfortunately, at least in our place, this has most definitely not happened. Our sales are at an all time low."</i>
Massena	Open Net Lounge	Tavern		11%	
Mattydale	The Cam-Nel	Tavern	Closed	100%	<i>The Cam-Nel opened in 1952, 53 years of pre-ban service.</i>
Mayville	Lakeview Hotel/Blues Rock Cafe	Tavern		50%	<i>On the first day of the ban, my tips and number of customers dropped 50%, and never came back up.</i>
Middletown	Whispers Cocktail Lounge	Bar/NightClub		50%	
Middleport	Middleport Inn	Bar/Rstrnt	Closed	100%/13	<i>"This damn state really knows how to kill people's dreams."</i>
Monroe	Brazen Head Pub	Tavern		40%	
Mt. Morrison	MillsRace Rstrnt	Bar/Rstrnt		40%/2.5	
NYC	Aessa	Bar/Rstrnt		35% / 6	
NYC	Blarney Stone	Bar/Rstrnt		15% / 1	
NYC	Caffe on the Green	Bar/Rstrnt		35%	<i>Bar business fell about 35% immediately after the ban. It has picked up since he added a "butt hut," an outdoor smoking tent, but it's still less than before the ban.</i>
NYC	Castle Heights	Tavern	Closed	100%	
NYC	Elbo Room	Tavern	Closed	100%	
NYC	Fiddler's Green	Tavern	Closed	100%	<i>"We've just lost too many customers to this law, which I didn't vote for, bar owners didn't vote for, bartenders didn't vote for, & the public didn't vote for."</i>
NYC	Euzkadi	Restaurant		50%	
NYC	Harry's Hanover Square	Bar/Rstrnt	Closed	100%	<i>"Overnight, we lost 60 percent of our evening bar trade. For the bar, it was the difference in profit and loss. Sales of expensive cigars had been almost as important as the sales of Scotch." Harry's was in business for more than 30 years.</i>
NYC	Le Bar Bat	Tavern	Closed	100%	
NYC	Madame X	Tavern		50% / 8	<i>In 2004 Madame X was voted #1 by CitySearch and Best Lascivious Lounge by Shecky's. Despite this our gross was over 30% down from 2002. Our summer sales tax dropped 50%. How can the city say profits are up when my profits are so drastically down? It's clearly NOT because I manage my bar poorly! The sole reason for this horrible state of affairs is the smoking ban. We've lost 8 workers, cut staff and business hours and tips are still down by a third. This is pitiful.</i>
NYC	Millennium	Restaurant		40% / 3	
NYC	Manhattan Beer Distributors	Vendor		19%	<i>Stagnant sales have led to a 7% drop in beer demand citywide, and a 19% drop citywide to clubs.</i>
NYC	Nocturne	Nightclub	Closed	100%/70	
NYC	O'Neill's	Tavern		20% / 3	<i>"People who don't go to pubs just don't go to pubs. They said the ban would be good for business and for employees, yet my business is down and three good staff are out of work and unable to find another job...Most of my staff are smokers, and now they're being protected from second-hand smoke."</i>
NYC	Pangaea	Tavern	Closed	100%	
NYC	Roesch's	Tavern	Closed	100%	<i>Lauterborn, 60, said his bar saw 40 customers nightly before the ban but only about five after it. He has closed and says his children are supporting him while he looks for work. His tavern had been a 100 year old family owned business.</i>
NYC	Slade	Restaurant		40%	
NYC	Sugoba Bistro	Bistro	Closed	100% / 28	<i>After 8 years of success in NYC, the NY smoking ban killed my Bistro in less than a year! In less than 3 months my business declined 37%. Within six months I was unable to meet payroll and I had to lay off 28 employees.</i>
NYC	Swan's	Tavern	Closed	100% / 7	<i>"I felt bad laying off seven workers. Most of them had been with me for the five years Swan's was open. None of them had ever complained about secondhand smoke. "</i>
NYC	Whiskey Ward	Tavern		20% / 2	

NYC	Swift's	Tavern		40%	<i>"It's absolutely killed us. This time last year the bar would be packed with the after-work cocktail crowd. Now they just take a bottle of wine or a six-pack home where they can smoke."</i>
Newburgh	GoldenRailAleHouse	Tavern		25%	
Niagara Falls	The Press Box	Tavern	Closed	100%	<i>The Press Box was open for 45 years.</i>
Niagara Falls	Kelly's Korner Bar	Tavern	Closed	100%	<i>"It has been the worst ride of my life since the ban. Kelly's has been around 67 years and I tried to save it with no luck."</i>
Ogdensburg	The Web	Tavern	Closed	100%	<i>Owners Janet and Anthony Doerr say the smoking ban destroyed their business.</i>
Oneida	Bec's Ivy Grill	Bar & Grill		23% / 3	
Oneida	Five Corners	Bar/Rstrnt		32	<i>"After 20 years of hard work this is what NY state does to us. Where are all these nonsmokers? "</i>
Oswego	Buoy's Dockside Tvn	Tavern		37%	
Oswego	Eagle Beverage Company	Distributor		25%	<i>"Deliveries to pubs & taverns have decreased more than 25%"</i>
Oswego	Shamrock Tavern	Tavern		50%	<i>"It's not right. Our livelihood is being taken away."</i>
Parkville	Champions Billiards Cafe	Pub / Pool Hall		33%	
Port Leyden	Central Hotel	Bar/Rstrnt		50%	
Portville	Maple Tree Inn	Tavern	Closed	100% / 3	
Potsdam	VFW Post 1194	Tavern		22%	
Potville	Cork and Bottle	Tavern	Closed	100%	<i>Located near the PA border, this was literally a Mom and Pop business, run by a couple with no employees to "protect."</i>
Remsen	Taylor's Trackside	Bar/Rstrnt		50%	
Rochester	Christanis	Tavern		40%	
Rochester	Hancock's Hudson Tavern	Bar/Rstrnt		15%	
Rochester	Panorama	Sports Bar/ Night Club		50% / 4	<i>"We are a small night club that was doing very well until the smoking ban hit us and it hit us very hard. We are very scared of our future, if any . "</i>
Rochester	Salingers	Tavern		35% / 2	
Rochester	The Loop Lounge	Bar/Rstrnt		30%	<i>"I own a small local tavern and I have a 90% smoking cliental. Let me say it just sucks. "</i>
Rome	Sammy G's	Bar/Rstrnt		50%	
Sanborn	Walmore Inn	Rstrnt/Tav.			<i>"Thank you for fighting this ban."</i>
Savannah	D&S Diner	Restaurant	Closed	100%	<i>Sales were down \$3,000 in July 2002 compared to July 2001. Hardest hit were on Friday nights and Sunday mornings.</i>
Scottsville	Amer. Legion Post1830	Private Club		70%	
Sloan	Unique Lounge	Bar/Rstrnt		40% / 4	
SouthDayton	Rough Kutts	Tavern		21% / 1	
Southport	George&Shirl's TinyTavn	Tavern		41%	<i>In Oct. 2002, the bar made \$6,000. This October, after the ban, they made just \$3,500.</i>
Springville	Pocketeer BilliardsSouth	Pool Hall	Closed	100%	<i>"Pocketeer Billiards South is now officially closed due to the Hitler like laws the NYS. Politicians have enacted! I like many others have now chosen to leave after living here 58 years."</i>
Staten Island	Sharkey's	Sports Bar		60%	
Steamburg	Coldspring Volunteer Fire Department	Tavern		50% / 1	<i>"The fire department owns the bar. Bar money buys equipment for the fire dept and has been cut in half. This money buys new ambulances, trucks, gear etc. Remember, this is all volunteer. Without the bar money we have to rely on the town for revenue. You may lose your house or even someone's life without the money for the equipment. "</i>
Suffern	Ireland's 32	Tavern		50%	
Sunnyside	Caseys Pub	Tavern		35% / 1	
Syracuse	Barrie's Tavern	Tavern		40%	
Syracuse	Doc's little Gem	Diner		25% / 10	<i>"We fought tooth and nail and won a local County victory, only for the state to turn it over to a complete ban."</i>
Syracuse	ColemanIrishPub	Bar/Rstrnt		19% / 4	

Syracuse	Dodesters	Tavern		20%	<i>"My business is down 20% from the same period last year, even though I'm now open three more hours a day and I didn't have a kitchen then."</i>
Syracuse	Nibsy's Pub	Bar/Rstrnt		18%	
Syracuse	Rafferty's	Bar/Rstrnt		35% / 2	
Syracuse	Syracuse Brigadiers	Bingo Hall		61%	<i>"The hall was losing about \$60,000 per month in net income for the past three months because of the smoking ban."</i>
Syracuse	ThompsnRdTvn	Bar/Rstrnt		25%	
Syracuse	Tommys	Tavern		40%	
Syracuse	Viva Debris	ComedyClub		30	
Tonawanda	Slick Willie's	Pool Hall		25%	
Troy	Celtic Cultural Organization	Bingo Hall		30-35%	<i>"From July 25 - Nov. 1, we are down about \$12,000 from the same period last year."</i>
Troy	Holmes & Watson's	Tavern		30%	
Utica	The Dog House	Bar/Rstrnt		28%	
Utica	Varick	Bar/Rstrnt		35%	
Utica,	Shortys Bar&Grill	Bar/Rstrnt		30%	
Walkkill	Desperado's	Tavern		90%	<i>"I can count on my fingers the people who don't smoke who come in...The regulars say they won't come."</i>
Watertown	Brown Shanty	Tavern		20% / 1	
Wellsburg	Village Tavern	Tavern		50%	
West Seneca	Southgate Lanes	Bowling Bar		55% / 7	
Wheatfield	The Alps	Restaurant	Closed	100%	
Wheatfield	The Meeting Place	Bar/Rstrnt	Closed	100%	
Wilson	Jean's Bar&Grill	Tavern		26%	

After California's smoking ban, we'd see TV interviews of people sitting in a bar enjoying a drink, telling the camera that this is the first time they'd been able to go to a bar since the smoke always bothered them and now they'd be able to go out for drinks and enjoy themselves.

One such interview was at a bar in San Diego where I knew the owner personally. The next time I spoke with her she angrily told me it was a set-up and she hadn't seen the couple since that day. She was finally learning, a little too late, what she was up against.

-Marty Ronhovdee

Do You REALLY Want Statistics?

Antismoking Lobbyists like to say that “Legitimate” studies show no harm to business from extremist smoking bans. They wave a set of studies up in the air, summarized, organized, paid for, and chosen by themselves of course, and claim that any contrary studies are somehow connected to “Big Tobacco.”

Actually, the studies showing no harm are usually paid for from Antismoking grants and are specifically designed to show no harm. Those showing a loss in business are usually sponsored by the owners actually facing these losses!

Prohibitionists like to lump together take-out and fast food chains with bars and restaurants to hide bar losses. But even with this blurring of statistics, it’s possible to see the real effects of smoking bans when one compares “Smoker-Friendly” states to “Smoker-Unfriendly” states.

Antismokers point to a 6% growth in California’s hospitality trade between smoke-friendly 1990 and smoke-banned 1998. They’ll ignore the fact that trade growth in smoker-friendly states like North Carolina and Virginia was 77% and 57%... a growth over ten times greater! See the table on the next page for the facts.

When one compares California’s figures to those of the states on its borders a truly incredible figure emerges. While other factors may be partly responsible, the raw data indicates that California’s bans have actually cost it over **one hundred billion dollars of such growth in the last 15 years!**

No wonder its economy is in trouble!

See table on following page. Full study at
<http://www.smokersclubinc.com/economic.html>

(All Figures Below in Billions of Dollars)

SMOKER UNFRIENDLY STATES

	Bar & Restaurant Trade		Total Retail Trade	
YEAR	1990	1998	1990	1998
=====				
CA	26.3	28.0	225	291
NY	13.1	13.8	124	148
MA	6.1	5.9	50.7	62.6
VT	0.46	0.44	4.5	6.0

SMOKER FRIENDLY STATES & Whole USA

	Bar & Restaurant Trade		Total Retail Trade	
YEAR	1990	1998	1990	1998
=====				
NC	4.5	8.0	45.8	81.1
VA	4.4	6.9	47.5	73.6
MO	3.5	5.7	36.0	57.3
TX	11.4	18.4	120	190
USA	182	260	1807	2695

(Data tabulated from the publicly available *Statistical Abstracts of the United States*, years 1992 and 2000, tables 1292 and 1295, by David Kuneman and Michael J. McFadden..)

Just a Few More Statistics...

- ❖ A Dec 2003 post-ban survey of 300 NY bars found a 19% sales drop and a job loss of 2,650. A claimed 8.7% sales increase was exposed as a lie and NY's bars are now suffering intense attacks for the noise, littering, and rowdiness of crowds of outdoor smokers.
- ❖ Estimates on ban effects in England run as high as 3,500 closed pubs and many thousands of workers out of jobs. Of course some job options will be picked up by massive numbers of "smoke police" enforcing the ban and policing unruly sidewalk smokers.
- ❖ The SLTA's 03/07 Scottish Pub Survey reported "34% of members reported that they had let staff go...just 3% who had hired more staff.
- ❖ Edinburgh's famous Leith Walk resembles the aftermath of a war zone with pub after pub shuttered and dark while refugees huddle outside of those remaining open but smokeless.
- ❖ The Vintners Federation of Ireland now claims that 1,000 or more Irish pubs have had to close since their ban started.

Taking a not unreasonable loss estimate of 10% for pubs, let's see the future of a total English ban. Taking 40,000 pubs with average gross incomes of £100,000 each gives totals 4 billion pounds/year.

10% of that is a staggering loss of £400,000,000. If it lasts for just two years, total loss would be **eight hundred million pounds! This is what antismoking extremists like to call a "temporary adjustment period." Think what that temporary adjustment period will mean for you personally as well as for England! (especially if it's NOT temporary).**

This is a fight worth fighting and worth winning!

Bans are NOT inevitable!

Antismokers are desperately afraid of resistance. By using an “Attila/Borg” strategy they try to simply avoid a battle by convincing their enemies that *“RESISTANCE IS FUTILE!”*

Resistance is **NOT** futile! In just the 30 days before Philadelphia’s March 2005 ban hearing we saw the following in the news:

Feb 7th, LaPorte Indiana City Council defeated a smoking ban by a vote of 4-3 to a standing ovation from a packed chamber.

Feb 8th, Virginia Senate defeated a restaurant ban by a vote of 26 to 14.

Feb 11th, Washington State Supreme Court ruled local health boards can't ban bar smoking.

Feb 17th, North Dakota House of Reprs defeated a ban by a vote of 47 to 45.

Feb 22nd, Montana House of Reprs exempted bars and casinos from their state smoking ban rules by a vote of 58 to 42.

Feb 22nd, Braxton County W. Virginia amended their ban to allow smoking in bars/casinos.

Feb 23rd, Indiana scaled back a ban and now simply requires family restaurants to have limited nonsmoking sections.

Mar 2nd, Minnesota House Committee killed a statewide restaurant ban.

Mar 4th, Wayne County Michigan shelved a ban after worker opposition.

Mar 4th, New Mexico Senate rejected a statewide ban by a vote of 22-16.

Mar 4th, Maryland Senate Committee rejected a statewide ban for the third time.

Mar 6th, South Dakota smoking ban bill "died with almost no debate on the House floor."

How typical was that 30-day period? I have no idea. Even with the Internet such research isn't all that easy. I do know that in the Spring of 2006, New Hampshire, Virginia, Tennessee & Maryland **ALL** defeated Statewide bans.

Twelve victories in just one month over the modern day Huns who are trying to scare us into easy surrenders should make the point though. Four state-level wins last Spring should make it again despite November's losses.

The claim that universal smoking bans are inevitable is just as big a lie as the claim that the smallest trace of secondary smoke is deadly.

THEIR NEXT MOVE

Don't make the mistake of thinking the fight will be over if you give them the family restaurants, or give them the bar-restaurants, or even if you just hold out just for private clubs. The antismoking extremists hate smoking with a passion and they will **never** stop until they have **everything...**

Unless you stop them.

You've heard of Calabasas and Belmont in California where they've banned smoking outdoors, even on your own front porch if a neighbor or passer-by objects.

Even that is not enough for them:

Smoke Free Pennsylvania's Bill Godshall complained that, "*Unfortunately for many involuntary smokers in Calabasas, the ordinance exempts many different locations, so people will still be exposed to tobacco smoke pollution..*", and noted that, "*The new rules exempt residences, backyards...*"

John Banzhaf, founder of Action On Smoking and Health now boasts "*Here we are literally reaching into the last frontier -- right into the home... No longer can you argue, 'My home is my castle. I've got the right to smoke.'*"

Stop Them Now!

What You Need To Do!

- 1) Duplicate, post, & pass out flyers and booklets to activate and educate people about smoking bans. Smokers almost NEVER object to being handed one of these flyers!
- 2) Place copies of this booklet where customers and staff can read. Information is where the Antismokers can't beat us: they have the sound bites, but we've got the facts.
- 3) Support pubs participating in **Day of Defiance!** activities. Call and write papers and TV stations to ensure fair coverage of ban effects and Defiance. No complicated message needed: Just tell them where you stand! Speak at Council meetings and **CONTACT YOUR MPS!** Antismokers win bans by doing this all the time. **Don't let them get away with it!**
- 4) **Get connected!!** Join and support Freedom2Choose and other rights-oriented groups. Groups like F2C, Forces.org and SmokersClubInc.com get no tax or tobacco industry money. They NEED popular support in this battle! Sign up for the Club's free weekly newsletter and join a smokers' rights email list to stay updated and connect with others directly. The Antismoking and Antialcohol groups are large, well-funded, and well organized.

You can't fight them alone!

It is said that when the British went to India with guns to force the natives to spin cloth, Gandhi rallied his people and reminded them that the British really had no power over them. The soldiers could not spin cloth with guns... all they could do was shoot people. If they wanted cloth they needed those people alive.

The government can not run the pubs of the United Kingdom. Only their owners can. Government smoking bans can only stand with the support of the people. They are only stopped when that support is withdrawn.

Get connected and active NOW before it's too late!

**In the final analysis
what happens is only up to you.**

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