Bars’ and restaurants’ compliance with the Guatemalan smoke-free law during the 2010 Soccer World Cup: a missed opportunity

On February 2009, the Guatemalan Congress passed a nationwide law that banned smoking in all workplaces, including bars and restaurants. The Ministry of Health (MoH) is responsible for monitoring law compliance and fining violators. Individuals and venues are subject to economic fines when they break the law.

After a comprehensive smoking ban is implemented, a major challenge is to ensure proper enforcement to guarantee high compliance, particularly in bars.¹ In Guatemala, air nicotine levels were significantly reduced 6 months after law implementation in bars and restaurants and workers’ support for the law increased compared with prelaw levels.² However, 2 years after law enforcement by the MoH has been deficient. Only five fines were imposed in the first 18 months and no venue has been closed so far.³ ⁴

The Soccer World Cup is the biggest sporting event worldwide (more than 700 hundred million people watched the televised final match).³ ⁴ In Guatemala, thousands of soccer fans rush to bars and restaurants to watch the games. Employee absenteeism rate is reported to be 20% and sales in bars and restaurants increased dramatically during the games. Employee absenteeism has been significantly reduced 6 months after the law implementation.¹

Our results should be interpreted in the light of some limitations. Only the most popular neighbourhoods in Guatemala City were included; therefore, the findings may not be generalisable to other neighbourhoods. However, we hypothesise that they underestimate the number of violations as less popular neighbourhoods might be less likely to get MoH monitoring. Furthermore, only 16 MoH staff were working during the World Cup, and therefore, there are no data on the number of violations without the World Cup, which are unable to have a comparison period.

In conclusion, the MoH continues to be deficient in enforcing smoke-free policies in Guatemala City. Sustained promotion, education, and enforcement visits are an effective approach to obtain compliance. Noncompliance results in employees’ and customers’ continuous exposure to the harmful effects of secondhand smoke and further weakens the policy.

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Table 1 Smo ke-free law violations and fines in bars and restaurants in Guatemala City during the 2010 Soccer World Cup

<table>
<thead>
<tr>
<th>Type of violation</th>
<th>Fine by law times the minimum wage</th>
<th>Total value per fine*</th>
<th>Number of violations</th>
<th>Total in fines GTQ ($)†</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer violation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Smoking inside venue | 10 | 560 (73) | 80 | 44 800 (5840)
| Venues violation |                                   |                       |                     |                          |
| Allowed smoking inside | 100 | 5600 (726) | 22 | 123 200 (15 972)
| Inadequate ‘No Smoking’ signs | 150 | 8400 (1089) | 30 | 35 100 (40 293)
| Designated smoking section | 200 | 11 200 (1453) | 18 | 201 600 (26 154)
| All violations | 157 | 680 400 (88 259) | 12 | 840 000 (103 400)

*By law, fines are calculated based on the minimum daily wage in Guatemala (56.00 GTQ equivalent to US$7.26) times the type of fine.
†For example, the fine for the customer smoking inside the venue is 10× the minimum wage (56.00 GTQ) =560 GTQ.
‡Total fine per venue times the number of violations.

GTQ, Guatemalan Quetzal.
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