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OFFICIAL STATEMENT REGARDING MDARD REINTERPRETATION OF MICHIGAN SMOKE-FREE LAW

LANSING, MI – In light of the decision by the Michigan Department of Agriculture and Rural Development to clarify the Dr. Ron Davis Smoke-Free Air Law, the Michigan Restaurant Association offers the following statement:

The Michigan Restaurant Association (MRA) appreciates the Michigan Department of Agriculture and Rural Development (MDARD) taking steps to clarify aspects of the Dr. Ron Davis Smoke-Free Air Law as it pertains to food establishments.

The MRA supports MDARD's appropriate recognition of a restaurant owner's ability to decide how best to utilize available patio or rooftop space. However, this interpretation exacerbates a "winners" and "losers" approach that does not allow Michigan's restaurants and bars to compete on an even playing field since not all have outdoor space to take advantage of this new interpretation.

When this issue was debated in the Michigan Legislature in 2009, the MRA steadfastly advocated for a comprehensive ban if the Legislature saw fit to enact one. This interpretation is a step away from that position.

Practically speaking it may be a moot point for most restaurants, as it is unlikely that many will choose to forego the revenue and customer experience tied to outdoor dining for the opportunity to provide additional smoking opportunities to their patrons.

The Michigan Restaurant Association (MRA) is the recognized leader of Michigan's hospitality industry, providing essential services to the foodservice community. Founded in 1921, the MRA represents nearly 4,500 Michigan foodservice establishments. The industry plays an integral role in Michigan's economy, employing more than 390,000 people and creating more than \$13.1 billion in annual sales.

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