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ЦЕНТРИ КОНТРОЛЮ
ТА ПРОФІЛАКТИКИ
ХВОРОБ

ANALYTICAL REPORT ON
THE RESULTS OF ASSESSING
THE SITUATION REGARDING
**THE COMPLIANCE
WITH TOBACCO
CONTROL**
(ANTI-TOBACCO) LEGISLATION
IN ZAPORIZHZHIA CITY,
LVIVSKA, KIROVOHRADSKA AND
KHMELNYTSKA OBLASTS

Kyiv 2025

This report was prepared based on study results aimed to assess the state regarding the compliance with anti-tobacco legislation in Zaporizhzhia city, Lvivska, Kirovohradska and Khmelnytska oblasts of Ukraine. The document contains an analysis of the situation, conclusions and recommendations for improving the effectiveness of tobacco control implementation at the regional level.

This report will be useful for local authorities, regional institutions and organizations involved in developing strategies and measures to overcome the tobacco epidemic and promote healthy lifestyles among the population of the region.

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ABBREVIATIONS

CDCP – Center for Disease Control and Prevention

FCTC – Framework Convention on Tobacco Control

EHTP – heated tobacco product using electronic heating elements

HCFs – healthcare facilities

HTP – heated tobacco products

LU – Law of Ukraine

MOH – Ministry of Health of Ukraine

PHC – Public Health Center

POS – point-of-sale

SI – State institution

TPs – tobacco products

WHO – World Health Organization



STUDY SUMMARY

Public Health Center of the Ministry of Health of Ukraine (UPHC), with the financial support of the international organization Vital Strategies, Inc. conducted a study to assess the situation regarding compliance with anti-tobacco legislation in Zaporizhzhia city, Kirovohradska, Lvivska and Khmelnytska oblasts as part of the project "Priority of health system for the formation and implementation of Tobacco Control Policy". The field stage of the study took place in July-September 2024 and was implemented by specialists from oblast Centers for disease control and prevention of the Ministry of Health of Ukraine (oCDCP).

During the study, 1198 sites were surveyed, including public catering facilities, educational institutions, healthcare facilities, public transport stops, railway and bus stations, children's playgrounds and TPs points of sale. 375 sites were inspected in Lvivska oblast, 337 - in Khmelnytska oblast, 282 - in Kirovohradska oblast, and 204 - in the city of Zaporizhzhia.

The results showed that the evidences of current anti-tobacco legislation violations were recorded in most types of facilities. The largest number of violations was revealed at public transport stops and children's playgrounds - almost all these sites did not have warning signs with the relevant text on smoking prohibition. The presence of smokers was also recorded, including those who used both traditional and electronic cigarettes. Cigarette butts were found near trash bins, benches and swing-sets.

Train and bus stations were another place of widespread violations. Monitors fixed the use of tobacco and nicotine products at the entrances, on platforms and at passenger disembarkation points. In 83.7% of cases, smoking ban warnings did not meet legal requirements.

Public catering facilities mostly comply with anti-tobacco legislation requirements, but there are still cases of offences. Cases of smoking indoors* were recorded in 3.41% of the sites, and smoking on terraces that met the criteria for "smoking indoor" (as defined in the Law of Ukraine "On Measures to Prevent and Reduce the Use of Tobacco Products and Their Harmful Effects on Public Health") - in 56.9% of cases. At some sites, hookahs and ashtrays or objects that serve as ashtrays were placed in a visible place, and the smell of smoke was also felt in some premises. In many facilities (83,9%), smoke-free signs do not meet the requirements of current legislation. The staff of public catering facilities is aware of the smoking ban in the premises, but in 32.7% of cases reported that smoking is allowed (2 cases - smoking indoors, the rest - smoking on terraces).

The study was also revealed the evidences of current legislation violation in educational institutions and healthcare facilities (HCFs). In particular, this concerns the lack of warning information on the smoking ban: 'no smoking' graphic signs are not available at all sites, and the text part can be found only in some educational institutions and healthcare facilities. During the monitoring, smokers were recorded as well as cigarette butts were spotted on the sites' territory (mainly in HCFs). At the same time, 74.1% of healthcare facilities personnel are aware of the smoking ban both indoors and on the facilities territories.

During the POS/ trade outlets monitoring regarding the ban on advertising it was spotted out the following facts: there were posters with cigarette packs images, as well as backlighting, which can be considered a kind of incentive to sell tobacco products (TPs), EHTPs, e-cigarettes, refill containers and liquids for

them. Advertising of cigarettes was recorded in 44.9% of cases, e-cigarettes - in 13.7% of cases, and in 24.3% of cases - promotion and advertising of electrically heated tobacco systems was observed. In addition, it has been recorded 2 cases of selling single cigarettes, which is also a violation of the current legislation. In 63% of cases, TPs points-of-sale were located near public transport stops, and in 15.6% of cases - near educational institutions.

Illicit TPs trade was recorded in 11 cases in Khmelnytska oblast.

The results of the study indicate systemic violations, including non-compliance with the requirements of the current legislation on creating smoke-free spaces, lack of awareness among the public and staff of establishments, and the use of marketing to promote the sale of tobacco and nicotine products.

Detailed reports on the results of the situation assessment in the city of Zaporizhzhia, Lvivska, Kirovohradska and Khmelnytska oblasts are available on the official websites of the respective regional Centers for diseases control and prevention (oCDCP).



INTRODUCTION

Tobacco and nicotine products have a negative impact on human health. Tobacco smoke particles contain more than 70 chemicals that can cause cancer. In addition, smoking, including electrically heated tobacco products (EHTPs), is associated with the development of cardiovascular and respiratory diseases, adversely affects the productivity and quality of brain functions, in particular it can contribute to cognitive decline, impairment and concentration.

The national study on the prevalence of major risk factors for noncommunicable diseases (NCDs) - STEPS, conducted in Ukraine in 2019, revealed a significant prevalence of NCDs, their biological and behavioral risk factors, in particular smoking. The study results indicate that 33.9% of the population aged 18–69 years old are active smokers.

According to the results of the national survey on tobacco use among adults over 18 years of age, conducted in April 2023 by the World Health Organization (WHO) in cooperation with the Ministry of Health of Ukraine (MoH) and the Kyiv International Institute of Sociology, it was found that the prevalence of smoking and tobacco use among adults has not changed significantly since the beginning of the full-scale war in Ukraine. However, 40.2% of respondents noted that they started using a little more or much more tobacco or nicotine.

In 2006, Ukraine ratified the WHO Framework Convention on Tobacco Control. A number of regulations have been adopted within the Convention implementation, prohibiting tobacco advertising, promotion and sponsorship. Public spaces are regulated to be free of tobacco smoke, health warnings are introduced on cigarette packages and within information campaigns, and taxes on tobacco products are increased.

At the regional level, measures are being taken to reduce the harmful effects of tobacco and nicotine on public health, including strengthening control over compliance with anti-tobacco legislation. However, the influence of the tobacco industry representatives creates significant obstacles to the implementation of existing laws. The 2023 National Report of Ukraine on Index of Tobacco Industry Intervention shows how the tobacco industry representatives tried to delay the introduction of the European integration provisions of Law No. 1978 during the wartime, and also carried out the attacks on smoking ban provisions for cafes, bars and restaurants. Current legislation prohibits tobacco products advertising at the point of sale, but shop windows and kiosks often contain a significant amount of advertising content. At the same time, there are problems with the implementation of provisions prohibiting illicit TPs trade, sale of TPs to minors, etc.

Inadequate implementation of existing regulations means that Ukrainian citizens are not protected from the harmful effects of tobacco, and conditions for those who want to quit using tobacco or nicotine products are difficult. In addition, according to the regional profiles of Zaporizhzhia city, Kirovohradska, Lvivska, and Khmelnytska oblasts, cardiovascular diseases, respiratory diseases, and cancer are the leading causes of hospital morbidity and mortality according to 2022 data, and one of the leading causes of which may be associated with tobacco smoking.



STUDY PURPOSE AND OBJECTIVES

The main purpose of the study was to investigate and analyze the actual state of the current anti-tobacco legislation implementation in Zaporizhzhia city, Lvivska, Kirovohradska and Khmelnytska oblasts. Formulate the recommendations on the further regional activities to reduce the harmful effects of tobacco and nicotine on public health based on the obtained results.

The field stage of the study lasted from July 15 to September 17, 2024.

Study objectives are the following:

- 1.** Assess the actual state of implementation of existing anti-smoking legislation requirements by monitoring public settings (public catering facilities, public transport stops, train stations, children's playgrounds, healthcare facilities), in particular, for the presence of graphic signs prohibiting smoking and the facts of smoking in facility's premises and on their territory.
- 2.** Evaluate the actual state on the implementation of Ukrainian legislation requirements regarding the prohibition of illicit TPs trade (hand-to-hand trade) in the oblast.
- 3.** Assess compliance with the requirements of the current legislation at the points of sale/trade outlets regarding:
 - the prohibition of advertising and sale promotion of TPs, tobacco heating devices, e-cigarettes, refill containers and e-liquids;
 - banning the sale of TPs, cigarettes, self-cigarette tobacco, e-cigarette liquids (with or without nicotine) containing flavoring, vitamins, caffeine, taurine, making emissions colored.
- 4.** Develop recommendations based on the results of monitoring conducted.



STUDY METHODOLOGY

Study design

The study design envisaged the use of non-inclusive and inclusive method (“mystery shopper”) of observation, namely: public settings monitoring (premises of restaurant venues, premises and territories of healthcare facilities, educational institutions, public transport stops and children’s playgrounds), illicit TPs trade and the points of TPs sale in terms of compliance with anti-tobacco legislation requirements, in particular the Law of Ukraine “On Measures to Prevent and Reduce the Use of Tobacco Products and Their Harmful Effects”. In the facilities of restaurant industry, monitors conducted the assessment using a “mystery shopper” principle, and in other venues - using an “observer” principle.

Specially designed questionnaires were used to collect monitoring data, which were filled out by monitors during the monitoring..

Creating study sample

The study was conducted in four regions of Ukraine: Zaporizhzhia, Kirovohrad, Lviv, and Khmelnytskyi. These regions were selected because, in 2024, the project supported them in developing and implementing tobacco control measures and strengthening tobacco control legislation at the regional level. Specifically, this included the development and adoption of regional tobacco control strategies in Zaporizhzhia, Kirovohrad, and Khmelnytskyi regions, as well as expanding additional areas where smoking, consumption, and use of tobacco products are prohibited in communities within the Lviv region.

It was created a list of all monitored sites, from which a certain number of public catering facilities, public transport stops, children’s playgrounds, healthcare facilities, educational institutions, and hypermarkets/supermarkets/shops/kiosks in Zaporizhzhia city, Kirovohradska, Lvivska and Khmelnytska oblasts were randomly selected. At the time of the monitoring, about 70% of Zaporizhzhia oblast territory was under occupation as a result of Russia’s full-scale invasion. In this regard, it was decided to conduct monitoring exclusively in the city of Zaporizhzhia.

List of sites was created, from which a certain number of public catering facilities, HCFs, educational institutions, bus stations and hypermarkets were randomly selected, the number of which corresponds to the data provided in Table 1. Given the heterogeneity of the total sampling frame, it was decided to use a combined sampling technique. Therefore, for oblast centers (Kropyvnytskyi, Lviv, Khmelnytskyi, hereinafter referred to as oblast centers) the proportion of surveyed sites from the previous wave of the study was used, for district centers (given the relatively small number of sites) - the sample was proportionally reduced.

In general, more than 10% of the total set of sites were surveyed, aside from some upward exceptions (bus stations, healthcare facilities) listed below. The sample was created using the method of mechanical selection, with the sampling interval determined by the ratio of the total number to the sample size for each type of sites. The total number of surveyed sites is 1198 (Table 1).

Table 1. Number of sites surveyed by regions

		Zaporizka oblast	Kirovohradska oblast				Lvivska oblast			Khmelnyska oblast			
		city of Zaporizhzhia	city of Holovanivsk	city of Kropyvnytskyi	city of Novoukrainka	city of Olexandriia	city of Lviv	city of Sambir	city of Sheptytskyi (former Chervonohrad)*	city of Yavoriv	city of Khmelnytskyi	city of Kamianets-Podilskyi	city of Shepetivka
Public catering establishments		50	10	25	15	15	50	15	15	13	50	20	15
Public transport stops		50	0	35	10	0	50	10	8	5	30	20	15
Train and bus stations		4	2	3	2	2	8	3	2	1	6	2	2
Children's playgrounds		20	5	6	9	5	15	10	10	10	20	8	5
Healthcare facilities		20	2	10	2	8	10	2	3	1	15	15	5
Educational institutions	Secondary general education schools	10	1	10	5	10	10	10	10	5	10	10	10
	Vocational education establishments	5	1	5	1	3	5	2	4	-	5	1	1
	Vocational education establishments	5	0	5	0	0	5	4	-	-	5	5	2
Hypermarkets/ supermarkets/ shops		20	10	20	10	15	30	14	10	10	15	20	10
Kiosks (small architectural forms - MAF)		20	-	20	-	-	15	-	-	-	15	-	-
Total number of sites		204	31	139	54	58	198	70	62	45	171	101	65

* In accordance with the resolution of the Verkhovna Rada of Ukraine dated September 18, 2024 No. 12043, the city of Chervonohrad was renamed to the city of Sheptytskyi.

Inclusion and exclusion criteria

Given the heterogeneity of the surveyed sites, different inclusion and exclusion criteria were applied to each type of sites (Table 2).

Table 2. Inclusion and exclusion criteria for surveyed sites

Type of site	Criteria	Exclusion
Public catering facilities	Several facilities were selected randomly in each neighborhood of the city	The sample did not include facilities belonging to fast food chains (e.g., such as "McDonald's", "Puzata Khata", "Zdorovenky Buly!", "Olivie", "Drova", etc.), where smoking was prohibited even before the implementation of indoor smoking ban legislation.
Public transport stops	The sample includes only permanently equipped public transport stops. The stop must have at least one of the following characteristics: benches, trash cans, timetables, transport stop shelter, ticket selling point, store, or a toilet.	
Train and bus stations	All functioning train stations and bus stations were monitored during the study period	
Children's playgrounds	The sampling includes outdoor children's playgrounds equipped with various leisure facilities. Preference was given to playgrounds with a large number of visitors.	
Healthcare facilities	The sample includes multidisciplinary or single-disciplinary hospitals, specialized facilities, emergency care facilities, and health resorts institutions in different districts of the city. The facility must have its own territory around it.	Lack of adjacent territory
Educational institutions	The sample induced several educational institutions in different districts of the city, including up to 5 higher educational institutions, up to 5 vocational schools, and up to 10 secondary schools	Lack of adjacent territory
Potential locations for illicit tobacco products trade	Places where street vendors can be found (underpasses, markets, shopping centers, public transport stops). Sites should be located in different city's districts at a distance of at least 100 meters from each other	The distance between such sites is less than 100 m.
Points of tobacco products sale in terms of complying with the requirements on the prohibition of tobacco products advertising and promotion	Points of sale in different city's districts were spotted at public transport stops (or near them), near schools or educational institutions	The distance between such sites is less than 100 m.

Stages of study conduction

Organizational and preparatory stage	Monitoring stage	Data processing and analysis stage
<p>Online discussion regarding study specifics was held with the CDCP coordinator.</p> <p>A team of coordinator and monitors was formed.</p> <p>The points at which monitoring should be conducted have been determined and distributed among the monitors.</p> <p>Online questionnaire to be filled out on SurveyMonkey platform basis and duplicate paper copies were developed</p>	<p>Training for monitors was conducted.</p> <p>Monitors visiting public places (monitoring points) and filling in questionnaires based on what they have seen.</p> <p>The coordinator supervising the work of the monitors.</p>	<p>Transferring monitoring data to an Excel spreadsheet on google disk.</p> <p>Data analysis, including graphs and charts plotting.</p> <p>Preparation of a narrative report on the results of conducted monitoring</p>

Control of data collection and processing

In order to ensure the quality of the study, quality control was conducted through on-site monitoring visits. If necessary, the principal investigator contacted the CDCP administration with the purpose to verify the quality of the field stage of the study. In addition, the regional coordinator reported once a week to the principal investigator on the progress of the field stage, successes, or problematic issues.

Ethical principles

Aiming to comply with ethical principles, the principal investigator ensured the submission of the study instrument and protocol to the PHC Ethics Commission. The study was initiated after receiving a positive conclusion of the ethical review. The study protocol was approved by the Ethics Commission of the State Institution «Public Health Center of the Ministry of Health of Ukraine» on June 10, 2024 (N^o 371) with the expertise identification number IRB2024-117.



MAIN RESULTS OF THE STUDY

► Public catering facilities

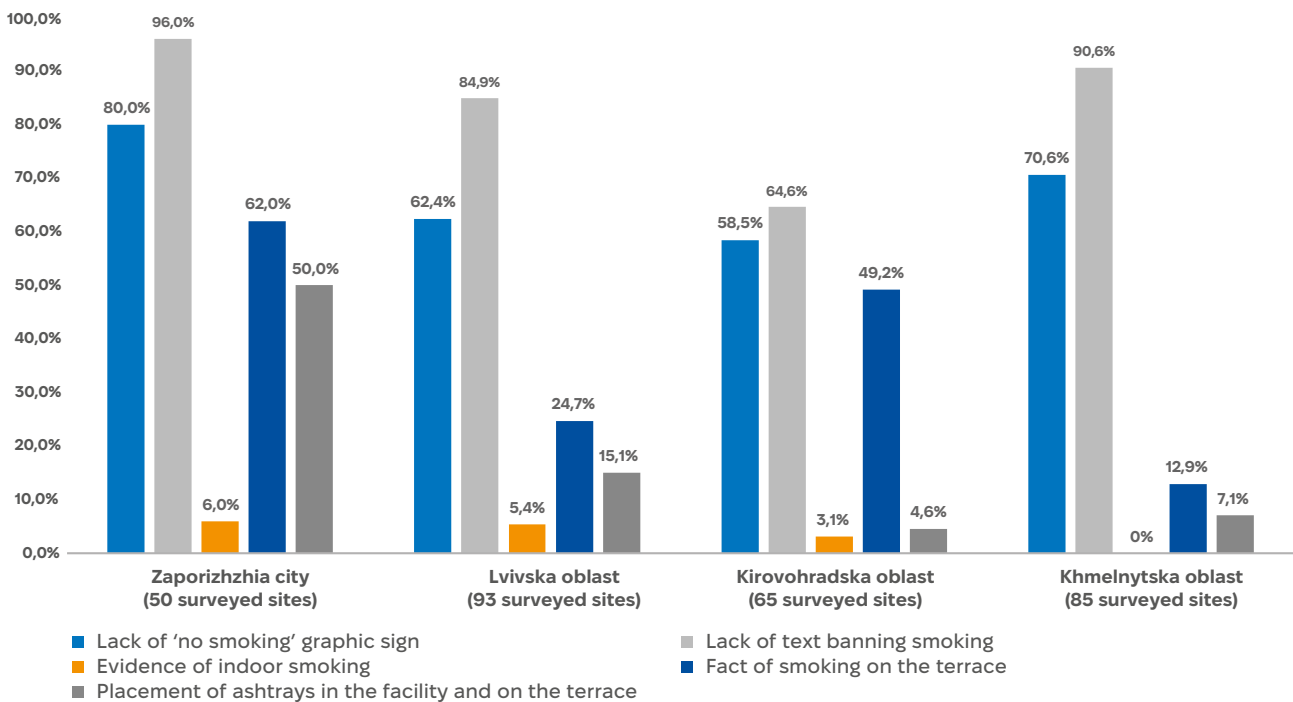
293 public catering facilities in four regions were monitored within the study. A total of 189 cafes/coffee houses, 21 bars and 83 restaurants were surveyed.

In total, 293 public catering facilities were monitored using the elements of the «mystery shopping» methodology; it was ascertained the evidence of indoor smoking in 3.4% of sites (10 facilities), namely in Zaporizhzhia city, Lvivska and Kirovohradska oblasts. In the facilities, where smoking event was detected: cigarettes smoking was recorded in 4 cases, use of hookah - in 6, consumption of electronic cigarettes - in 5, and EHTPs - in 2 cases.

The smell of tobacco smoke was felt in 13 out of 293 sites, in particular in facilities of Zaporizhzhia city, Lvivska and Khmelnytska oblasts; this phenomenon was more common in cafes and bars than in restaurants - 46, 38.5 and 15.3%, respectively. In another 4 facilities, signs of smoking in toilets (presence of an ashtray or smoke odor) were recorded. At 7 sites, ashtrays or objects serving as ashtrays were spotted, and the presence of hookahs recorded in 12 facilities of Zaporizhzhia city, Lvivska and Kirovohradska oblasts.

In 66.8% of the cases (196 facilities), there was no graphic sign about smoking prohibition, while in 83.9% (246 facilities) of the cases the lack of banning text «Smoking, consumption, use of TPs, electronic cigarettes, devices for consuming TPs without burning them, hookahs are prohibited!» was recorded (Diagram 1). In addition, the sign «EHTP friendly» was spotted at 8 sites.

Diagram 1: Types of violations in public catering facilities in Zaporizhzhia city, Lvivska, Kirovohradska and Khmelnytska oblasts



In response to the monitor’s question over where it is possible to smoke cigarettes or hookah, in 67.4% of the cases (197 sites) the employees of public catering facilities (waiter or administrator) reported that smoking is prohibited in this facility. In 32.8% of cases, when answering the above-mentioned question,

the employees of the facility have informed that smoking is allowed, particularly: indoors - in 2 facilities, on the terrace - in 65 facilities, and outside - in 50 facilities.

Among the facilities monitored, 182 sites had equipped terraces, 79 of which met the criteria for indoor areas. Despite the ban, smoking on such terraces was recorded in 45 cases (56.9%). In addition, smoking on terraces that did not meet the criteria for indoor use was also quite common and observed at 52 sites (50.5%). Evidence of smoking cigarettes (79 cases) and electronic cigarettes (59 cases) predominated on the terraces, and the use of TWENs (32 cases) and hookah (11 cases) was also recorded. In addition, at 71 facilities with equipped terrace, ashtrays or objects that serve as ashtrays were placed on the terrace tables..

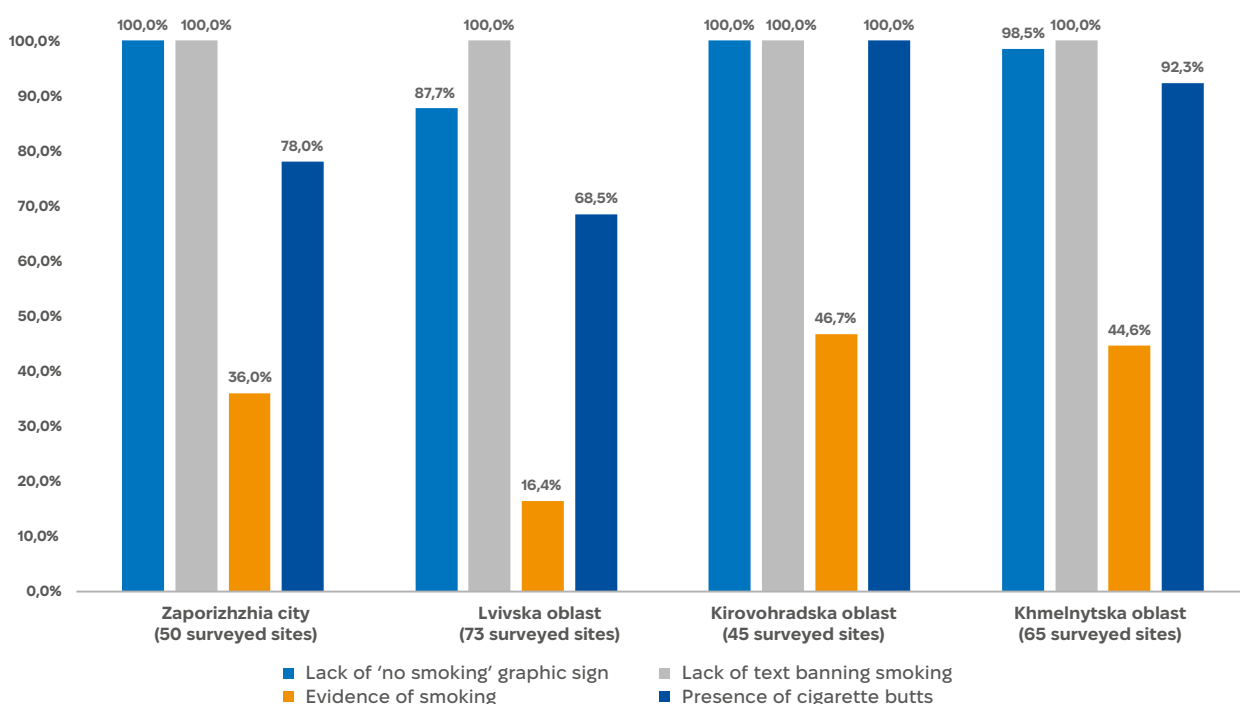
► Public transport stops

According to the results of 233 transport stops inspection, 'no smoking' graphic signs were absent in 95.7% of cases (223 sites), except for 9 transport stops in Lvivska and one stop in Khmelnytska oblasts. Moreover, none of the public transport stops where the monitoring was conducted had the sign plate with banning text «Smoking, consumption, use of TPs, electronic cigarettes, devices for consuming TPs without burning them, hookahs are prohibited!».

During the monitoring of public transport stops, the evidence of smoking was recorded in 34.5% of cases, predominantly in Kirovohradska oblast (46.7% of stops in the oblast) and with the lowest rate in Lvivska oblast (16.4% of stops in the oblast). Fact of cigarette smoking was overwhelmingly identified (83.9%) (see Diagram 2).

In addition, cigarette butts were found at 194 out of 233 (83.2%) public transport stops, in particular, 100% of cases - in Kirovohradska oblast, 92.3% - in Khmelnytska oblast, 78% - in the city of Zaporizhzhia, and 68.5% -in Lvivska oblast (Diagram 2).

Diagram 2. Types of violations at public transport stops in Zaporizhzhia city, Lvivska, Kirovohradska and Khmelnytska oblasts

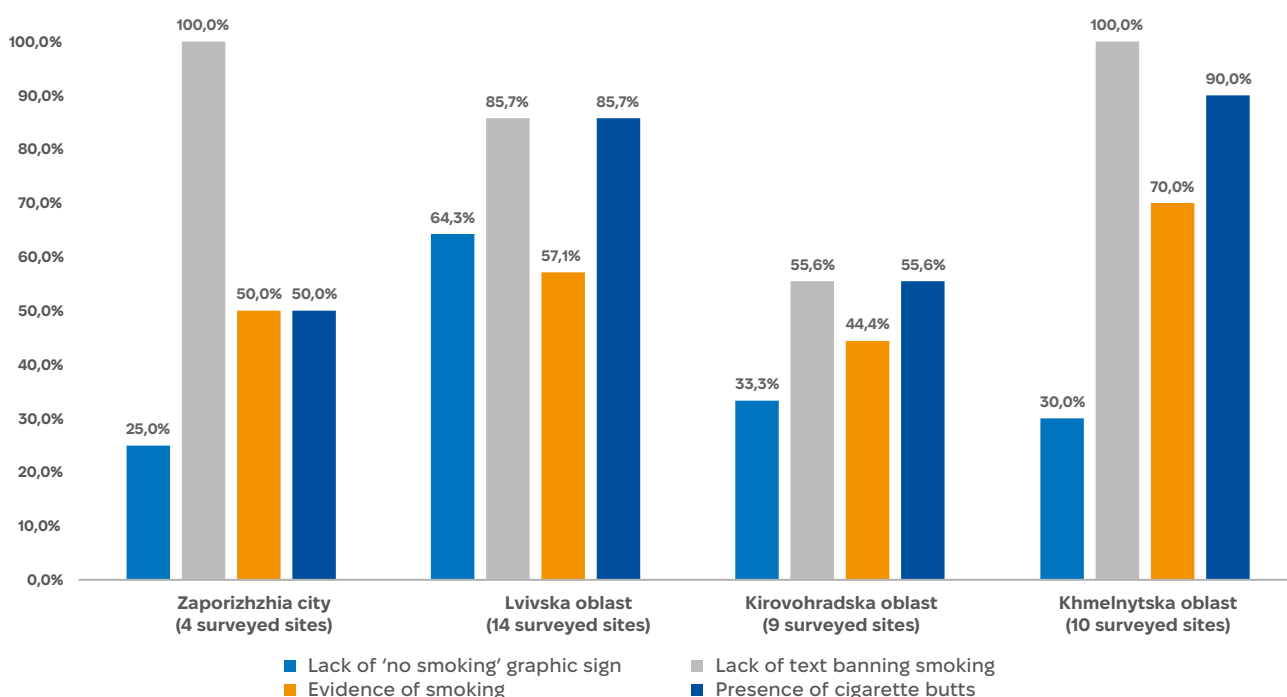


▶ Train and bus stations

As part of the study, 31 train stations and bus stations were monitored. Among the surveyed sites, the 'no smoking' graphic sign was absent at 16 stations, which is 43%, while the text «Smoking, consumption, use of TPs, electronic cigarettes, devices for consuming TPs without burning them, hookahs are prohibited!» was absent at 31 sites, which is 83.7%.

During the monitoring the evidence of smoking on the territory or at the entrance was recorded in 56.7% of cases, mostly cigarettes smoking. The most cases were recorded in Lvivska oblast - 8, the least - in Zaporizhzhia city - 2 (see Diagram 3). Among the most common smoking areas were the apron, the territory at the entrance, the passenger disembarkation points, and in one case, in particular, there was an equipped smoking area with a sign. Cigarette butts were found on the territory of train stations and bus stations - in 75.7% of cases.

Diagram 3: Types of violations at train and bus stations in Zaporizhzhia city, Lvivska, Kirovohradska and Khmelnytska oblasts

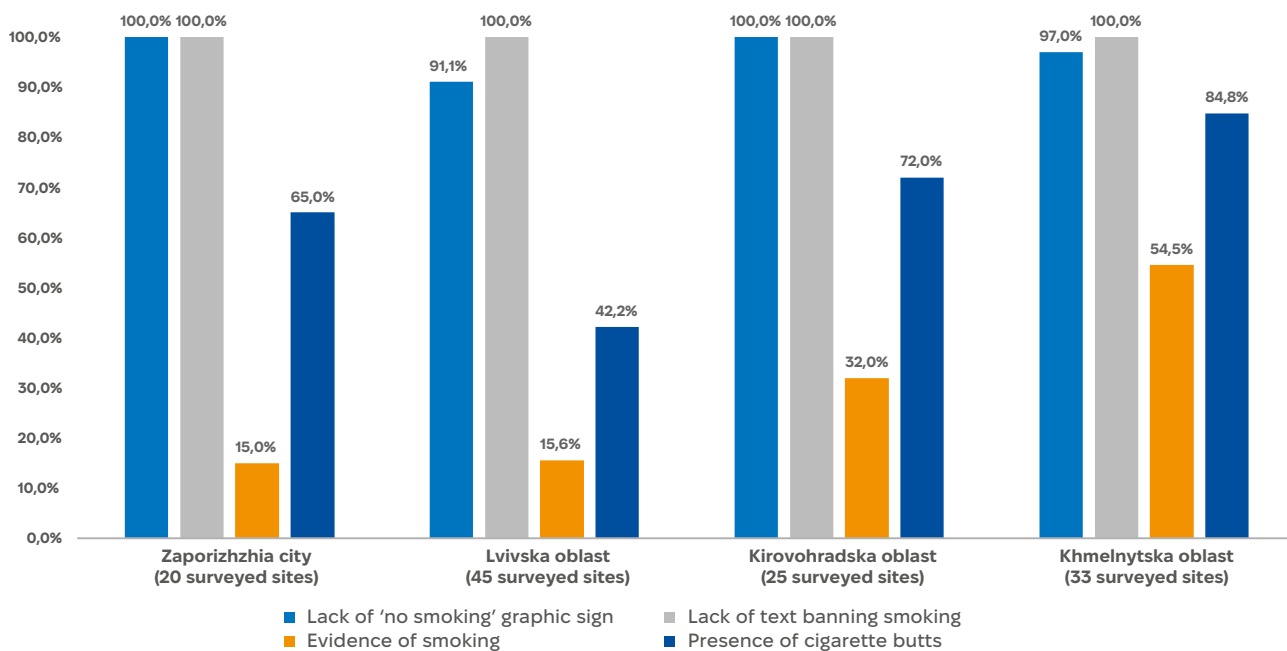


▶ Children's playgrounds

According to the results of the monitoring of 123 children's playgrounds, none of these surveyed sites had the sign with banning text «Smoking, consumption, use of electronic cigarettes, devices for consuming tobacco products without burning them, hookahs is prohibited!», and 'no smoking' graphic sign was spotted only on one children's playground in Khmelnytska oblast and on four playgrounds - in Lvivska oblast.

The evidence of smoking was recorded at 36 out of 123 (29.3%) of the sites, according to the monitors' comments, and it was predominantly child caregivers who smoked. Cigarette butts were found on 78 out of 123 children's playgrounds, which is 63.4% of all surveyed sites.

Diagram 4. Types of violations detected on children’s playgrounds in Zaporizhzhia city, Lvivska, Kirovohradska and Khmelnytska oblasts



► Healthcare facilities

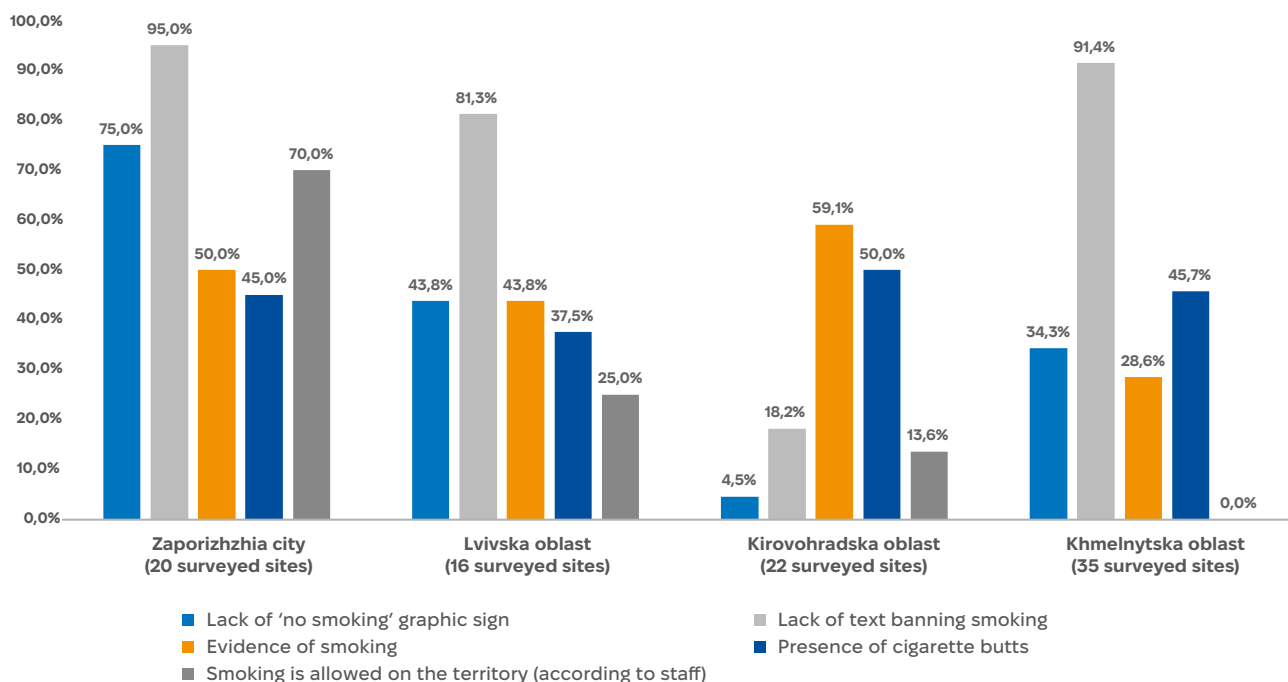
In total, among of 93 HCFs on which territories the study was conducted, the lack of 'no smoking' graphic sign was recorded in 51% of cases (48 out of 93 facilities), and the absence of relevant text banning smoking - in 73.1% of cases (68 out of 93 facilities). The most covered by signs and relevant text were HCFs in Kirovohradska oblast, and only one facility had no sign and two sites had no sign plates with text banning smoking.

Whereas evidence of smoking was registered on the territories of 40 healthcare facilities, which is 43% of all surveyed sites, predominantly cigarettes were smoked. Cigarette butts were found on the territory of 42 facilities, which is 45.1% (Diagram 5).

During the monitoring, the facility staff were asked about the places where smoking is allowed. In 74.1% of cases, they answered that smoking was prohibited both in the premises and on the territory of the facilities. In particular, in Khmelnytska oblast, such response was received from the employees of all surveyed facilities (35 sites). The lowest rate was registered in the city of Zaporizhzhia - 6 out of 20 facilities. In Lvivska and Kirovohradska oblasts, a similar response was given by the employees of 12 out of 16 and 19 out of 22 facilities, respectively. At the same time, responding to the question regarding the places where smoking is allowed the personnel of six sites in Zaporizhzhia city, Lvivska and Kirovohradska oblasts (2, 1 and 3 facilities, respectively) answered that smoking was permitted at specially equipped places, and the staff of 12 facilities in Zaporizhzhia city and 2 facilities in Lvivska oblasts - smoking was allowed anywhere on the site's territory.

In addition, specially equipped smoking areas were found on the territory of medical institutions during the monitoring.

Diagram 5. Types of violations recorded in healthcare facilities in Zaporizhzhia city, Lvivska, Kirovohradska and Khmelnytska oblasts



► Educational institutions

In total, monitoring was carried out on the territory of 165 educational institutions. Depending on academic background, secondary schools, vocational schools and higher educational institutions were sites to survey (Table 3).

Table 3. Breakdown of monitored institutions by level of training, on which territory monitoring was carried out, city of Zaporizhzhia, Lvivska, Kirovohradska and Khmelnytska oblasts

Region	General secondary education institution	Vocational education institution	Higher educational institution	Total
City of Zaporizhzhia	10	5	5	20
Lvivska oblast	35	13	7	55
Kirovohradska oblast	26	10	5	41
Khmelnytska oblast	30	7	12	49

Among surveyed sites, the lack of graphic sign was recorded in 69% of cases (114 out of 165 sites), and 79.4% of them (131 out of 165 sites) do not have relevant warning text «Smoking, consumption, use of TPs, electronic cigarettes, devices for TPs consumption without burning them, hookahs are prohibited!».

The evidence of smoking on the territory of institutions was recorded in 18 cases in all regions except Zaporizhzhia city, with a predominance on the territory of higher educational institutions (9 vs. 6 and 3 at vocational schools and general secondary education institutions, respectively). In educational institutions of Kirovohradska oblast, evidence of smoking and presence of cigarette butts were recorded near institutions as well as the lack of 'no-smoking' warning signs (Diagrams 6-9).

There are also stores specialized in selling of vape devices and a hookah bar with an 18+ sign in the immediate vicinity of one of the educational institutions in Lvivska oblast..

Diagram 6: Types of violations on the territory of educational institutions in Zaporizhzhia city

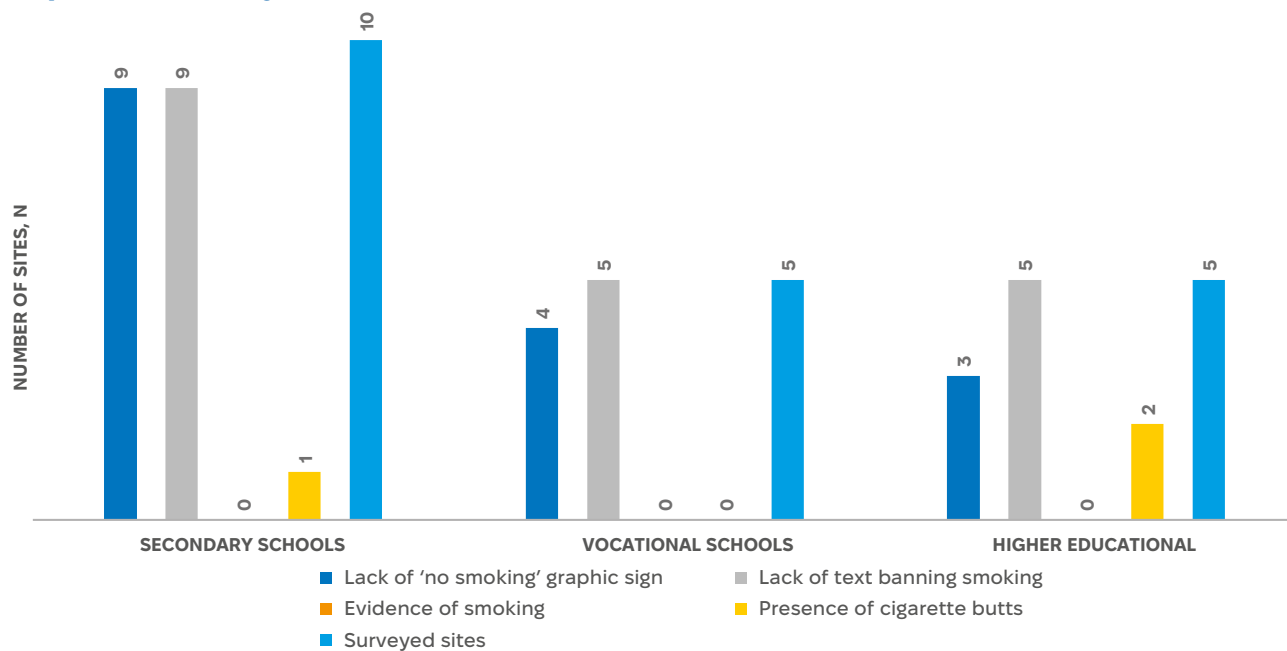


Diagram 7. Types of violations on the territory of educational institutions in Lvivska oblast

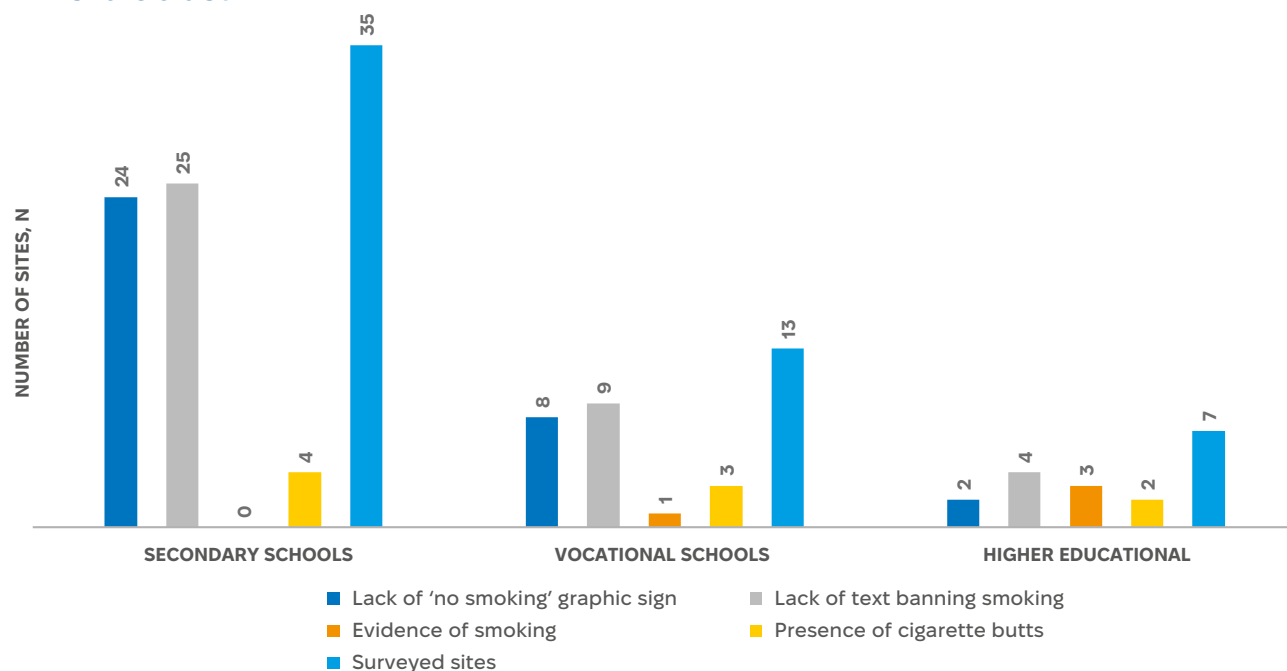


Diagram 8. Types of violations on the territory of educational institutions in Kirovohradska oblast

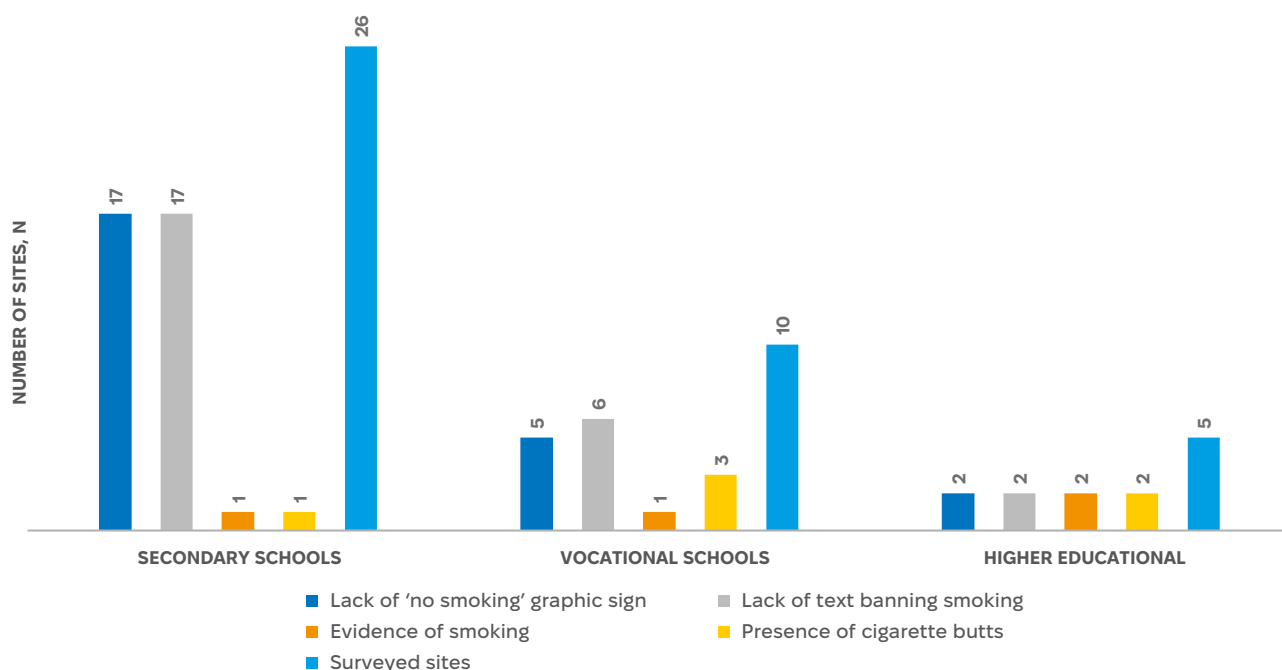
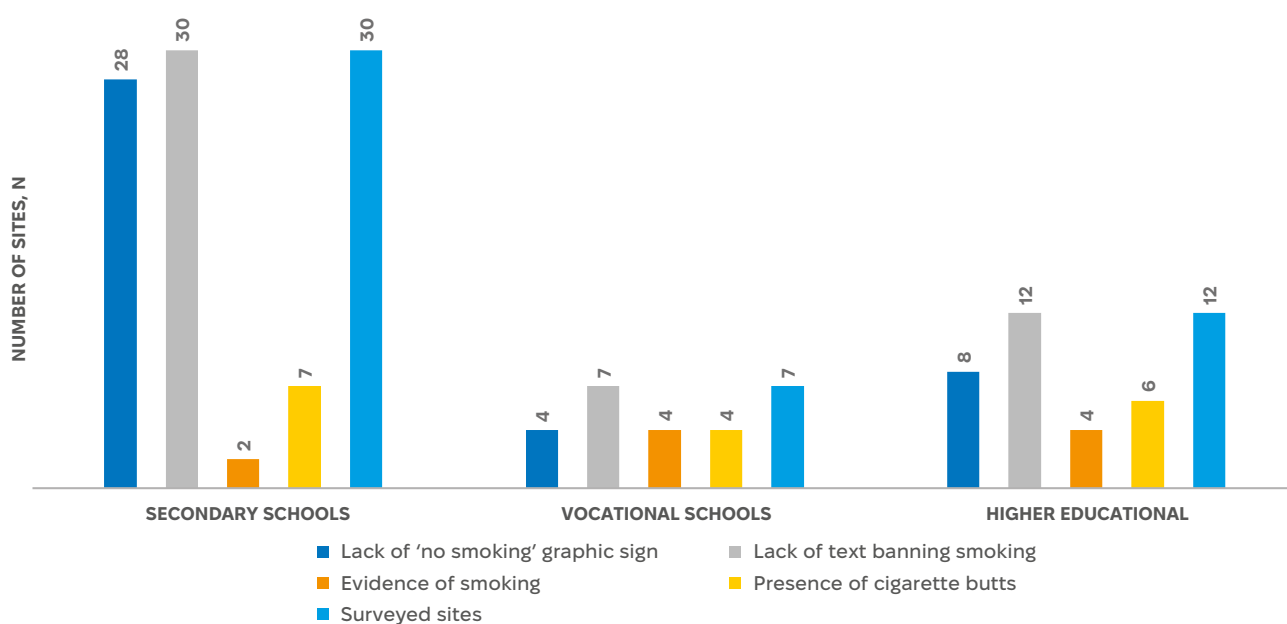


Diagram 9. Types of violations on the territory of educational institutions in Khmelnyska oblast



► **Tobacco products points-of-sale**

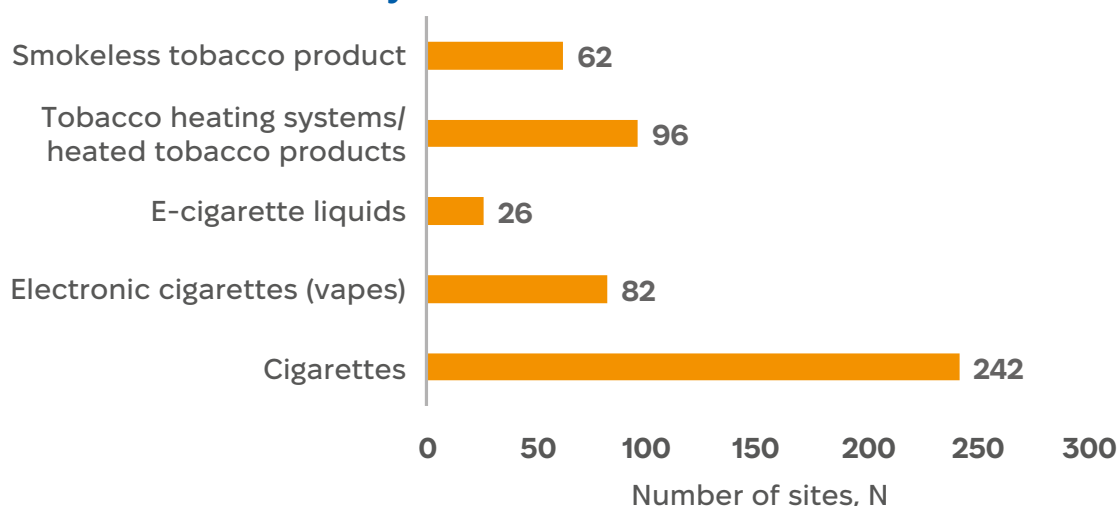
Totally, 254 TPs points-of-sale were monitored. The vast majority of sites, namely 63 % (160 sites), were located near public transport stops, and 15.6% (40 sites) - near educational institutions. Among the sites located near educational institutions, 62% were shops/mini-markets, supermarkets - 25% (10 sites) and small architectural forms - 12.5% (5 sites) (Table 4).

Table 4. Breakdown of tobacco and nicotine-containing products points-of-sale by level in Zaporizhzhia city, Lvivska, Kirovohradaska and Khmelnytska oblasts

Region	Hypermarkets/ supermarkets	Stores	Kiosks (small architecture forms)	Total
City of Zaporizhzhia	5	15	20	40
Lvivska oblast	21	43	15	79
Kirovohradaska oblast	17	37	21	75
Khmelnytska oblast	19	27	14	60

95.3% of POS sold cigarettes, 37.8% - tobacco heating systems/EHTPs, 32.8% - e-cigarettes, 24.4% - smokeless TPs, and 10.2% sold e-liquid (Figure 10).

Diagram 10. Characteristics of points-of-sale by tobacco products type that were on sale during the monitoring period in Zaporizhzhia city, Lvivska, Kirovohradaska and Khmelnytska oblasts



TPs, cigarettes, tobacco for cigarettes hand rolling, liquids for e-cigarettes with or without nicotine, containing flavoring or other additives were sold in 65.7% of cases (167 out of 254 sites). The highest proportion of sites selling products with flavoring and aromatic additives was recorded in Kirovohradaska oblast (81.3%, 61 out of 75), Lvivska oblast (73.4%; 58 out of 79), Zaporizhzhia city (72.5%, 29 out of 40), and the lowest portion - in Khmelnytska oblast (31.7%, 19 out of 60).

The cases of TPs display were detected in the vast majority of sites (250 out of 254), including all points-of-sale in Zaporizhzhia city and Kirovohradaska oblast (Table 5).

According to the monitoring results, the most common location of the TPs display was behind the checkout area (47.4%; 119 cases). Also, a significant proportion of the TPs display was in the checkout area (40.60%; 102 cases), as well as in the regular display format (31.4%; 79 cases).

Among other formats of TPs display can be distinguished the following:

- display on a branded stand or showcase (26.8%; 67 cases),
- display at the level of children’s eyes (24.8%; 62 cases),
- display in the format of expressive TPs power wall (14.4%, 36 cases).

Less frequently, TPs were placed next to sweets or children’s products (6.8%; 17 cases) or were hung from the ceiling (6.4%; 16 cases) (Diagram 11).

Diagram 11: Characteristics of tobacco products display at points-of-sale in Zaporizhzhia city, Lvivska, Kirovohradska and Khmelnytska oblasts

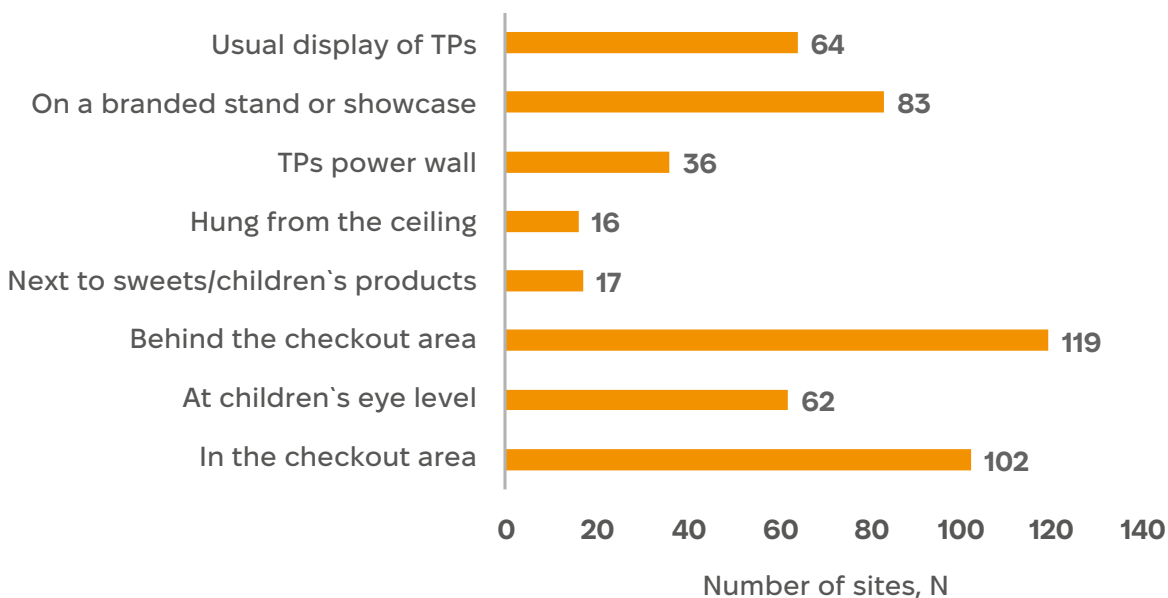


Table 5. Characteristics of tobacco products display by region (city of Zaporizhzhia, Lvivska, Kirovohradska and Khmelnytska oblast)

	Zaporizhzhia city	Lvivska oblast	Kirovohradska oblast	Khmelnytska oblast
In the checkout area	7	45	33	17
At the level of children's eyes	14	37	10	1
Behind the checkout area	7	43	28	41
Next to sweets/children's products	2	15	0	0
Hung from the ceiling	1	2	9	4
Expressive TPs power wall	7	16	12	1
Usual TPs display	9	27	14	14
Display on a branded stand or showcase	29	30	8	16

In 44.9% of cases, tobacco products advertising was present at TPs points-of-sale, and in another 22.4% of cases - advertising of products containing flavoring or other additives was found. According to the monitoring results, the most common

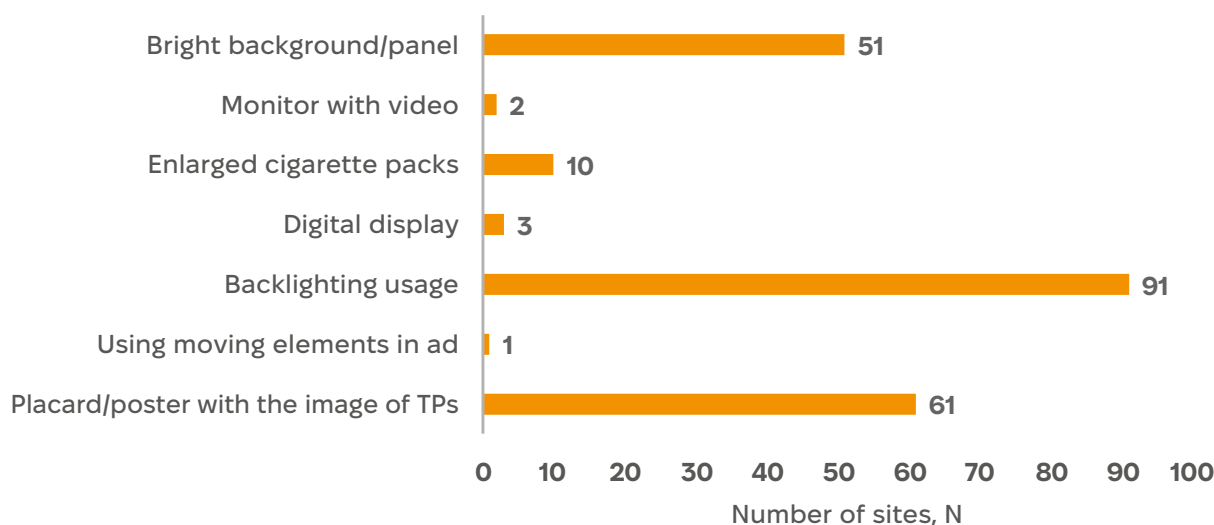
method of TPs advertising was the use of backlighting (79.1%; 91 cases). Placards or posters with TPs images (53.0%; 61 cases) and bright backgrounds or panels (44.4%; 51 cases) were also frequently seen (Diagram 12).

Less common advertising methods included the following:

- enlarged cigarette packs (8.7%; 10 cases),
- digital display (2.6%; 3 cases),
- monitor with video (1.7%; 2 cases),
- use of dynamic elements for ad (0.9%; 1 case).

Advertising posters most often depicted actually tobacco products (98.5%). In one case, healthcare workers were depicted.

Diagram 12: Characteristics of tobacco products advertising at points of sale in Zaporizhzhia city, Lvivska, Kirovohradska and Khmelnytska oblasts



In points of sale where illumination was used as advertising, it was winking or blinking in 18.6% of cases (17 out of 91 objects).

TPs promotion was recorded in 12.5% of cases, such activity was observed in Zaporizhzhia city and Lvivska oblast. The most common phenomenon was the sale of cigarette packs with more than 20 cigarettes. In addition, offering a discount on TPs were registered in two cases, and in one case – it was spotted the placement of tobacco brand image on other goods.

The warnings on cigarettes packs were fully visible in 159 cases, partially covered - in 24 cases, and fully covered - in 16 cases.

Only in a few instances (4 cases) a separate poster or sheet of paper with TPs assortment and prices was presented in points-of-sale.

Per-piece sale of cigarettes was recorded at 2 points-of-sale in Zaporizhzhia city and at 1 site - in Lvivska oblast.

Graphic signs prohibiting the sale of cigarettes to minors were found only in 23.3% of cases (59 out of 254 points-of-sale). Although the placement of such a

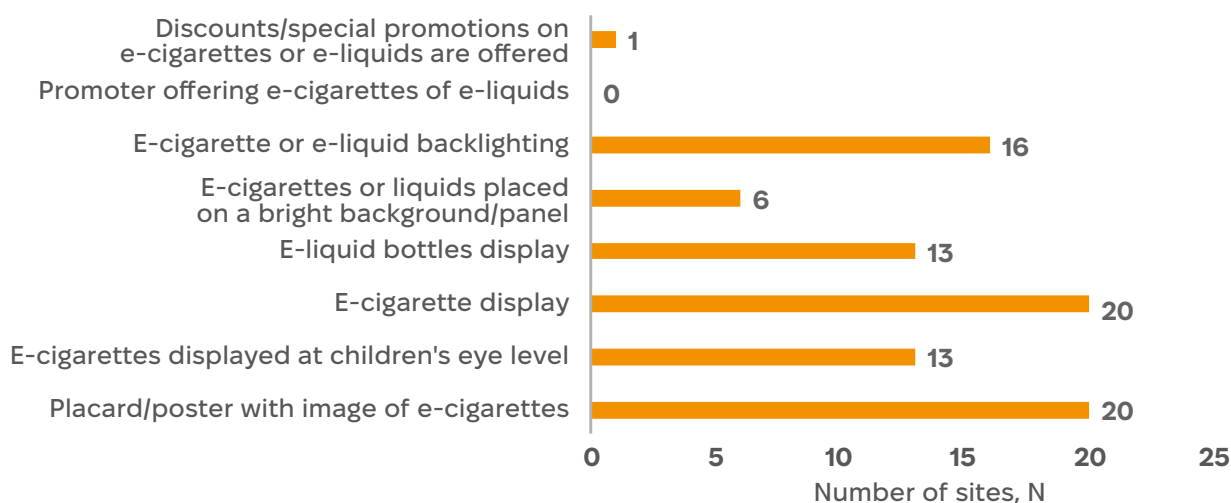
sign is not a mandatory requirement of the law, its presence is an important factor facilitating in raising citizens' awareness of the ban on tobacco products selling to minors and supporting compliance with anti-tobacco legislation requirements.

Advertising or promoting the selling of e-cigarettes was recorded in 13.7% (35 out of 254) of the cases. The most common methods of advertising or promoting the sale of e-cigarettes were the use of placards or posters with e-cigarettes or e-liquids images (52.6%; 20 cases) and e-cigarettes display (52.6%; 20 cases). A significant proportion of TPs displays included e-cigarettes or e-liquids backlighting (42.1%; 16 cases).

E-cigarettes or e-liquids were often displayed at children's eye level or near children's products (34.2%; 13 cases). In some cases, they were placed on a bright background or panel (15.8%; 6 cases).

Offering discounts or special promotions on e-cigarettes or e-liquids were less common (2.6%; 1 case), including the posting near the checkout area the plate with text: «Don't throw it away!!! Bring your used e-cigarette and get a discount!!!». Internet delivery was also offered in one case (Diagram 13).

Diagram 13. Characteristics of advertising and promotion of electronic cigarettes at TPs points of sale in the city of Zaporizhzhia, Lvivska, Kirovohradska and Khmelnytska oblasts



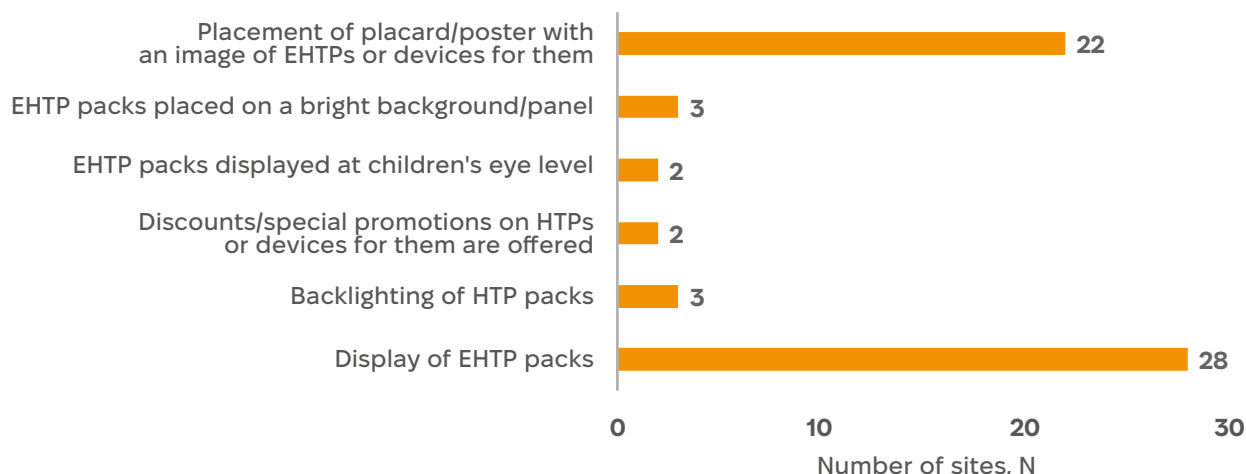
Advertising or promotion of tobacco heating systems/EHTPs was recorded in 40.5% of cases. The displaying of EHTP packs was the most common method of promoting EHTPs (45.9%; 28 cases). A significant proportion also included the use of placards or posters depicting EHTPs or their devices (36.0%; 22 cases).

Other marketing elements were found much less frequently, such as:

- display of EHTP packs on a bright background or panel (4.9%; 3 cases),
- illumination of EHTP packs (4.9%; 3 cases),
- special signs informing that EHTPs are selling here (3.3%; 2 cases),
- EHTP packs displayed at the level of children's eyes or next to children's goods (3.3%; 2 cases).

The least common methods of promoting were discounts or special promotions on EHTPs or devices for them (1.6%; 1 case) (Diagram 14).

Diagram 14. Characteristics of advertising and promotion of heated tobacco products at points of sale in Zaporizhzhia city, Lvivska, Kirovohradska and Khmelnytska oblasts



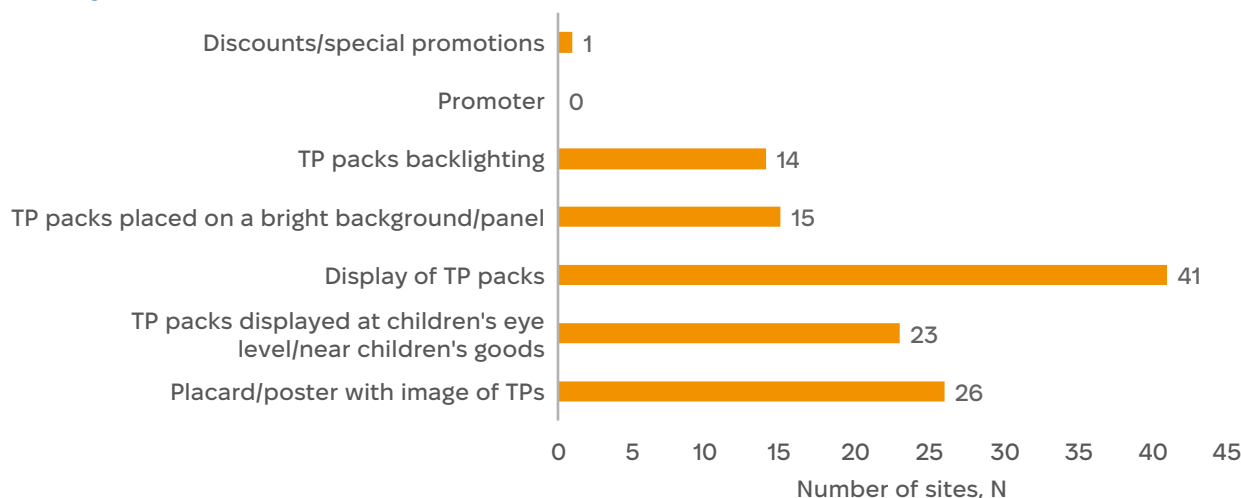
According to the monitoring results, combined advertising and sales promotion of smokeless TPs was recorded in 23.1% of cases. The display of smokeless TP packs was the most common method of sales promotion (16.1%; 41 cases). Less common were using placards or posters depicting smokeless TPs (10.2%; 26 cases) and placing the packs at children's eye level or near children's products (9.0%; 23 cases).

Some trade outlets used additional visual elements, such as:

- bright background or panels for placing TP packs (5.88%; 15 cases),
- illumination of TP packs (5.49%; 14 cases).

The least common methods of promotion were discounts or special offers on smokeless tobacco products (0.4%; 1 case) and using other formats (0.8%; 2 cases) (Diagram 15).

Diagram 15. Characteristics of advertising and promotion of smokeless tobacco products at points of sale in the city of Zaporizhzhia, Lvivska, Kirovohradska and Khmelnytska oblasts





► **Places of illicit trade**

During the monitoring in Khmelnytska oblast, 11 cases of illicit TPs trade were recorded, including 2 cases each at the markets in the cities of Khmelnytskyi and Shepetivka and 7 cases in Kamianets-Podilskyi. The evidence of TPs trade was recorded: at a spontaneous market - 2 cases, at the entrance to a grocery market - 2, near a bus stop - 1 and near small architecture forms - 2 cases. Predominantly, there were sold regular cigarettes (TPs of domestic production with excise stamps, imported with and without excise stamps (manufacturer - Moldova)), without flavoring additives, and in one case –tobacco for rolling cigarettes.



CONCLUSIONS

Based on the results of the study conducted in the city of Zaporizhzhia, Lvivska, Kirovohradska and Khmelnytska oblasts, the following conclusions can be drawn:

- 1** A significant part of public catering facilities, transport stops, train stations as well as children, healthcare and educational establishments are not provided with visual information (graphic signs and warning texts) on the smoking ban accordingly to the current legislation requirements.
- 2** Despite the legal prohibition, the events of smoking can be observed in the premises and on the terraces of public catering facilities, at bus stops, stations, children's playgrounds, medical and educational institutions. Cigarette butts are found on most territories, indicating insufficient control efficiency.
- 3** Smoking ban warning did not meet the requirements in 83.9% of public catering facilities. In 66.8% of cases, there was no graphic sign about smoking prohibition, and in 83.9% of cases - visual materials were not accompanied by warning text «Smoking, consumption, use of TPs, e-cigarettes, devices for consuming TPs without burning them, hookahs are prohibited!». The fact of smoking in the institutions' premises was recorded in 3.4% of cases. Smoking on equipped terraces was recorded in 53.2% of sites, with the highest rate of smoking prevalence (56.9%) on terraces that meet the premises criteria. In addition, during the monitoring, the presence of hookahs, ashtrays or objects that serve as ashtrays were revealed in some facilities. The vast majority of employees are aware of the ban on indoor smoking, but in one third of cases they answering that smoking is allowed.
- 4** None of the public transport stops had a smoking ban sign that complied with the norms of current legislation. The fact of smoking was recorded in 34.5% of the surveyed transport stops, predominantly in Khmelnytska oblast; the presence of cigarette butts indirectly indicates the fact of smoking in 83.2% of cases.
- 5** Train stations and bus stations have become another areas where anti-tobacco legislation is violated, and the cases of offences are concentrated at the entrances, platforms, and passenger disembarkation points. The absence of graphic signs prohibiting smoking are recorded in 43% of train and bus stations, and 83.7% of mentioned sites have no relevant text. Smoking, mainly on platforms, at entrances and passenger disembarkation points, are recorded in 56.7% of cases. Cigarette butts have been found on the territories of another 75.7% of the surveyed sites.
- 6** None of the surveyed children's playgrounds had the plates with warning text "Smoking, consumption, use of tobacco products, electronic cigarettes, devices for the consumption of tobacco product without burning them, hookahs are prohibited!", and the presence of 'no smoking' graphic sign was recorded only on 5 sites. The fact of smoking was observed in 29.3% of cases, and indirectly smoking in designated places is indicated by the presence of cigarette butts on 63.4% of monitored sites.

- 7 51% of the HCFs do not have 'no smoking' graphic signs, and 73.1% of them do not have plates with relevant warning text. The evidence of smoking is recorded in 43% of facilities, and cigarette butts are spotted in 46.2% of cases. The best equipped with warning signs are facilities in Kirovohradska oblast. While asking about the possibility of smoking, 74.1% of staff have reported that it is prohibited. However, in some facilities, specially equipped smoking areas were found, and also in some facilities, staff reported about the possibility to smoke on the territory of the site.
- 8 Among the surveyed educational institutions (general secondary schools, vocational schools and higher educational institutions), the following facts have been recorded: the smoking ban warning does not meet the requirements of the current legislation - in 79.3% of cases; the lack of banning graphic sign - in 69% of cases and the lack of relevant text about smoking ban - in 79.3% of cases. Evidence of smoking is recorded in all regions except Zaporizhzhia city, and the predominant number of these registered case are taking place in higher educational institutions and near them where warning signs are absent. In addition, cigarette butts are found near 33 institutions. It is also revealed that in close proximity to the territory of one of the educational institutions in Lvivska oblast are functioning stores specialized in the sale of vape devices and hookah bar, which may contribute to attracting young people to smoking.
- 9 As for TPs points-of-sale, in 63% of cases these sites are located near transport stops, and in 15.6% of cases - near educational institutions. Cigarette advertising availability is recorded in 44.9% of POS and predominantly presented in the form of backlighting, posters, and TPs displays behind the checkout area or at the level of children's eyes. E-cigarettes have been advertised in 13.7% of the time using TPs display, backlighting, posters, and often placed near children's products. Electric heating systems and EHTPs have been promoted in 24.3% of cases, most often in the form of TP packs display and placement of posters. Discounts and special promotions have been rarely used, but observed for all product categories. Selling cigarettes by the piece is recorded at 2 POS in Zaporizhzhia city and at 1 POS - in Lvivska oblast.
- 10 Illicit cigarettes trade, including those without excise stamps, has been detected in crowded areas, such as markets and bus stops in Khmelnytska oblast.



RECOMMENDATIONS

Violations of tobacco control legislation are widespread in the surveyed oblasts, indicating systemic shortcomings in implementation and control. Of particular concern are cases involving children, youth, and violations of the law on the territory of healthcare facilities. The identified gaps need to be addressed systematically through increased control, information campaigns, and stricter regulation of TPs advertising and trade.

Local state administrations have broad power to implement tobacco control policies at the regional level. To ensure the effectiveness of these measures, it is important to develop a joint action plan that brings together all stakeholders responsible for implementing tobacco control initiatives in the region.

A regional strategy and tobacco control action plan approved at the level of the regional state administration can be an effective tool. Such a document can be designed for 3-5 years and should cover key areas of work, identify responsible stakeholders, and take into account the needs of the region.

Accordingly, it is advisable to conduct a situation assessment and needs analysis at the local level before developing a strategy. In particular, the methodology of this study can be used to assess the state of compliance with tobacco control legislation requirements. It is important to develop such a strategy in a multi-sectoral manner (in collaboration with all relevant agencies) to comprehensively take into account the views of each stakeholder and to gain their support and participation.

The main areas of work in the region may include the following:

Access restrictions:

- Promote the expansion of smokeless zones and smokefree sites. The list of such areas could include park territories, terraces that are not premises as defined by legislation, areas of architectural monuments, adjacent areas of sports grounds. It is also advisable to expand smoke-free zones around public transport stops, for example, to establish a ban within a radius of 50 m.
- Identify locations where tobacco products selling is prohibited. For example, tobacco sales could be prohibited within a certain distance of kindergartens, secondary schools, vocational schools, and higher educational institutions to reduce the impact of tobacco products marketing and availability to children and adolescents.
- Encourage TPs points-of-sale to post a special sign stating that the selling of tobacco and nicotine products to persons under the age of 18 is prohibited.

Informing and educating:

- Ensure the posting of visual information on smoking ban and the use of tobacco and nicotine products in places and establishments where smoking is prohibited.
- Develop and regularly implement regional programs, including school-based programs, to prevent and reduce tobacco use among children and adolescents. This includes providing evidence-based information on the harmful effects of tobacco and nicotine products.

- Develop and implement information campaigns for the population using mass media, external social advertising on prevention of tobacco and nicotine products consumption, exposure to secondhand smoke, smoking ban in public places, ban on advertising and promotion of tobacco products, etc.

Improving the competencies of specialists:

- Organize and conduct specialized thematic trainings, courses and seminars aimed to develop the competencies of media representatives, employees of health and education sector, employers, particularly in the sphere of the hotel and restaurant business, in order to raise their awareness on tobacco and nicotine product use and to enhance their motivation to conduct outreach work among the population.