Will they never stand up to the carmakers?

Air pollution kills more people than passive smoking, but Britain has failed even to meet feeble EU standards

t was fudged – stupidly and unnecessarily fudged – but at least they tried. The ban on smoking in pubs, though gutted by the prime minister's cowardice, will save some fraction of the bar staff who die every year as a result of passive smoking. The moral case is clear: people are being exposed to a risk for which they have not volunteered. While smokers have an undisputed right to kill themselves, they have no right to kill other people. This case being generally applicable, what does the government intend to do about passive driving?

Every year, according to a paper published by the British Medical Journal, some 54 bar staff in the UK die as a result of their exposure to other people's cigarette smoke. And every year, according to the EU, some 39,000 deaths in this country are caused or hastened by air pollution, most of which comes from vehicles. This is a problem three orders of magnitude greater than the one that has filled the newspapers for the past six months, and no one is talking about it.

It is true to say that our air, like that of most parts of the rich world, is much cleaner than it used to be. Since the great smog of 1952 forced the government to legislate, since coal gave way to gas and factories fitted filters to their chimneys, acute pollution crises of the kind which once killed thousands in a couple of days have not recurred. (Our nostalgia for the London peasouper, like the uproar over the disappearance of the Routemaster bus, betrays one of our national weaknesses: a romantic attachment to pollution.) Between 1992 and 2000, traffic fumes fell steeply. But in 2000 the decline in the most dangerous pollutant – small particles of soot – came to a halt. Since then the

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levels have held more or less steady (with a spike in the hot summer of 2003). The British government is in breach of European rules, and the European commission is in breach of any serious effort to do something about it. So 39,000 lives are shortened every year.

Surprisingly, passive driving strikes mostly at the heart, not the lungs. The effect is not clearly understood. According to the government's committee on the medical effects of air pollutants, either an inflammation of the lungs makes blood more likely to clot, or the pollutants somehow change the autonomic nervous system's control of the heartbeat. Either way, the committee says, there is a convincing association between "daily average concentrations of a number of classical air pollutants and the number of deaths occurring daily from cardiovascular causes".

While pollution can kill people who are already ill, there is a good deal of argument about the harm it does to healthy people. The committee maintains that "long-term exposure to air pollution is unlikely to be a cause of the increased number of people now suffering from asthma in the UK." Given that air pollution was declining until 2000, this must be true. But a study of 4,000 children in Munich showed that those who lived within 50 metres of busy roads were twice as likely to suffer from asthma, and suffered more from coughing, wheezing and allergies. A massive study in Taiwan – involving 300,000 children – found that those exposed to the heaviest traffic pollution were 16% more likely to suffer from allergic rhinitis (hayfever, housedust allergy and the like). The most carcinogenic compound ever detected – 3-nitrobenzanthrone – is produced by heavily loaded diesel engines. Like the other cancer-causing molecules they emit, it is released in very small quantities, and no one yet knows what effect it might have. But exhaust pollutants of the class to which it belongs appear, unusually, to pass straight through the placenta, which means that foetuses might be especially vulnerable.

That the decline in some forms of pollution has stopped – despite technological advances – points to a series of staggering regulatory failures. The most immediate one has recently been uncovered by researchers at Oxford Brookes University. They found that the government tests designed to ensure that catalytic converters work properly are hopeless. In the laboratory, the converter in a modern car conforming to the latest regulations appears to have an efficiency of more than 99%. In the real world this falls to 72-75%. It looks as if the manufacturers are designing their cars to respond to the peculiarities of the government test, rather than to reduce emissions on the road.

While enforcement is feeble, the tough rules the EU once proposed have been nobbled by the manufacturers. The new strategy the commission published in September consists of asking them sweetly to stop killing our frail citizens, rather than imposing a legal obligation to keep reducing the quantity of fine soot particles their

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vehicles produce. It grants governments like ours – which have done as little as they can get away with – five years in which to sit on their backsides and make excuses.

But even with all this mollycoddling, we still can't meet the rules. This year the UK has somehow contrived to break the pathetic standards (a maximum of 35 days on which pollution can exceed the legal limit) that the EU currently imposes. The problem appears to be that the growth in traffic has caught up with the improvement in the performance of engines. The government has been arguing that to do something about this would not be "cost effective". But as the National Society for Clean Air points out, if it had acted when it had to, the rules would have cost far less. The idea that laws can be broken when it makes financial sense has interesting implications for the criminal justice system.

As a cyclist, these failures drive me berserk. I refuse to own a car, partly because I believe it is wrong to fill other people's lungs with carcinogens. And so, while the drivers breathe their filtered air, I have to sit behind their tailpipes, drawing their excretions – for I am exerting myself – deep into my chest.

The Routemasters being dragged – to incomprehensible public dismay – off the streets of London do not die. Their tops are cut off, then their headless wights are sent to my home city Oxford – with the sole and certain purpose of making our lives hell. Carrying two or three half-frozen tourists at a time, they trundle round and round the centre on endless guided tours. To judge by the smoke that comes out of their rear ends they seem to run on burning tyres rather than diesel, but the council's environmental health department, engaged in lively competition with the planning department to establish the outer limits of uselessness, refuses to return my calls, so I have no idea why they are still allowed to operate.

At least the bar staff can, though perhaps at the cost of unemployment, withdraw their labour from the cancer market, but what choice do I have, or does anyone have, short of living in an oxygen tent? Why, in this age of particulate filters and hypercars, do I have to fill my lungs with every known species of airborne fug whenever I go to buy a pint of milk? Is it so hard for a government, which seems determined to offend the entire voting public with its assaults on schools and hospitals, to stand up to a handful of motor manufacturers who no longer even operate here? Or must we believe that public health in the UK takes second place to the profits of foreign corporations?