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SAFE Glen Cove Coalition: FDA Plan to Prohibit Menthol Flavor in Cigarettes

The U.S. Food and Drug Administration (FDA) recently announced a proposed product standards to prohibit menthol as a characterizing flavor in cigarettes and prohibit all characterizing flavors (other than tobacco) in cigars. These actions have the potential to significantly reduce disease and death from combusted tobacco product use, the leading cause of preventable death in the U.S., by reducing youth experimentation and addiction, and increasing the number of smokers that quit. The proposed rules would help prevent children from becoming the next generation of smokers and help adult smokers quit and the proposed rules represent an important step to advance health equity by significantly reducing tobacco-related health disparities.

According to the FDA, the proposed product standards are based on clear science and evidence establishing the addictiveness and harm of these products and build on the Family Smoking Prevention and Tobacco Control Act, which prohibited all characterizing flavors (other than tobacco and menthol) in cigarettes in 2009. They are also a critical piece of the Administration's reignited Cancer Moonshot to reduce the death rate from cancer by at least 50 percent over the next 25 years as tobacco use is a leading cause of cancer and death from cancer, and approximately 30 percent of all cancer deaths in the United States are caused by smoking.

The authority to adopt tobacco product standards is one of the most powerful tools Congress gave the FDA and the actions we are proposing can help significantly reduce youth initiation and increase the chances that current smokers quit. It is clear that these efforts will help save lives and via the rulemaking process, there's an important opportunity for the public to make their voices heard and help shape the FDA's ongoing efforts to improve public health.

Menthol product standard would have significant public health impact: Menthol is a flavor additive with a minty taste and aroma that reduces the irritation and harshness of smoking. This increases appeal and makes menthol cigarettes easier to use, particularly for youth and young adults. Menthol also interacts with nicotine in the brain to enhance nicotine's addictive effects. The combination of menthol's flavor, sensory effects and interaction with nicotine in the brain increases the likelihood that youth who start

using menthol cigarettes will progress to regular use. Menthol also makes it more difficult for people to quit smoking.

In 2019, there were more than 18.5 million current menthol cigarette smokers ages 12 and older in the U.S., with particularly high rates of use by youth, young adults, and African American and other racial and ethnic groups. Published modeling studies have estimated a 15 percent reduction in smoking within 40 years if menthol cigarettes were no longer available in the United States. These studies also estimate that 324,000 to 654,000 smoking attributable deaths overall (92,000 to 238,000 among African Americans) would be avoided over the course of 40 years.

When finalized, per the US FDA the proposed menthol product standard will reduce the appeal of cigarettes, particularly to youth and young adults, decreasing the likelihood that nonusers who would otherwise experiment with menthol cigarettes would progress to regular smoking and improve the health and reduce the mortality risk of current menthol cigarette smokers by decreasing cigarette consumption and increasing the likelihood of cessation.

The FDA further maintains flavored cigar product standard would reduce youth risk. Characterizing flavors in cigars, such as strawberry, grape, cocoa and fruit punch, increase appeal and make cigars easier to use, particularly among youth and young adults. More than a half million youth in the U.S. use flavored cigars, and in recent years more young people tried a cigar every day than tried a cigarette. When finalized, this product standard will reduce the appeal of cigars, particularly to youth and young adults, and decrease the likelihood of experimentation, development of nicotine dependence, and progression to regular use and improve public health by increasing the likelihood that existing cigar smokers may quit.

The FDA said they cannot and will not enforce against individual consumers for possession or use of menthol cigarettes or flavored cigars. If these proposed rules are finalized and implemented, FDA enforcement will only address manufacturers, distributors, wholesalers, importers and retailers who manufacture, distribute, or sell such products within the U.S. that are not in compliance with applicable requirements. These proposed regulations do not include a prohibition on individual consumer possession or use.

The State and local law enforcement agencies do not independently enforce the Federal Food, Drug and Cosmetic Act and do not, and cannot, take enforcement actions against any violation of FDA's tobacco authorities, including its regulations, on the FDA's behalf. However, the agency recognizes concerns related to how state and local law enforcement may enforce their own laws in a manner that may impact equity and community safety, particularly for underserved and underrepresented communities. Starting May 4th the FDA is seeking comment on, among other things, how it can best make clear the respective roles of the agency and state and local law enforcement, as well as policy considerations related to the potential racial and social justice implications of the proposed product standards.

The agency also recognizes the importance of ensuring broad and equitable access to all the tools and resources that can help smokers quit. The FDA and HHS are working with federal partners to make sure the support is there for those who are trying to quit, especially in underserved communities. Many insurance plans cover tobacco cessation services, like medication and counseling, without any out-of-pocket cost. Smokers interested in quitting today should visit smokefree.gov or call 1-800-QUIT-NOW to learn about cessation services available in their state.

SAFE, Inc. is the only alcohol and substance abuse prevention, intervention and education agency in the City of Glen Cove. Its Coalition is concerned about tobacco use and vaping seeking to educate and update the community regarding its negative consequences in collaboration with Carol Meschkow, Manager- Tobacco Action Coalition of Long Island. To learn more about the SAFE Glen Cove Coalition please follow us on [ww.facebook.com/safeglencovecoalition](https://www.facebook.com/safeglencovecoalition) or visit the Vaping Facts and Myths Page of SAFE's website to learn more about how vaping is detrimental to your health www.safeglencove.org.