

# Sandusky Register

## FDA seeks menthol cigarette ban

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SANDUSKY — The Food and Drug administration has announced plans to ban menthol cigarettes, a product the agency says is particularly popular with young people, young adults and Black people.

The FDA, which also is proposing to ban flavors for cigars, says it will take comments until July 5 and will then make a final decision on the proposed ban.

The FDA says its ban would reduce lung cancer deaths for cigarettes. Critics of the proposal say there's little evidence menthol cigarettes are worse than other cigarettes and say enforcement seems likely to target Black people.

According to the CDC, 85% of Black people who smoke use menthol cigarettes.

“A survey conducted between 2013 and 2015 showed that among Black adults who smoke, 93% used menthol cigarettes when they first tried smoking,” says a CDC article. “Among White adults who smoke, 44% used menthol cigarettes when they first tried smoking.”

In the April 28 announcement that the Biden administration wants to ban menthol cigarettes and flavored cigars, Health and Human Services Secretary Xavier Becerra said “significantly reducing tobacco-related health disparities” is one of the goals of the proposed ban.

A relatively high number of Ohio smokers use menthol cigarettes.

A paper published in 2018 at the National Center for Biotechnology Information website stated that sales of cigarette packs with menthol made up about 31% of all cigarette sales in Ohio, in the upper range for states in the Midwest region.

“The proportion of menthol cigarettes sold ranged from 16.1% in Idaho to 45.0% in Pennsylvania, and averaged 22.5% in the West, 28.4% in the Midwest, 30.2% in the Northeast, and 33% in the South,” the paper said. It said that sales of mentholated cigarettes have been rising.

The FDA says menthol is a flavor with a minty taste and smell that reduces the irritation and harshness of smoking, making cigarettes easier to use, particularly for young people trying

cigarettes. Menthol interacts with nicotine in the brain to make nicotine more addictive, the agency says.

Studies estimate smoking will fall 15% over 40 years if menthol cigarettes are no longer available, the agency says. Over those four decades, there would be 324,000 to 654,000 fewer deaths, including 92,000 to 238,000 fewer Black deaths.

The FDA says its proposed rules only will target businesses involved in menthol cigarette sales, including manufacturers, distributors and stores. Individuals won't be banned from possessing or using menthol cigarettes or flavored cigars.

Menthol cigarettes are banned in Massachusetts and California. Some states also ban flavors for electronic cigarettes.

The FDA's proposed ban has been criticized by Dr. Jeffrey Singer, a health policy analyst for the libertarian Cato Institute. Singer cited studies that menthol cigarettes are no worse than other cigarettes and also argued that a ban would fuel more racial inequities in the criminal justice system.

In an April 28 blog post at Cato's website, Singer cited an October 2012 FDA study which said menthol cigarettes are less dangerous than other cigarettes.

The abstract of the study by Brian Roston says menthol cigarette smokers have lower rates of lung cancer than other cigarette smokers.

"We found evidence of lower lung cancer mortality risk among menthol smokers compared with nonmenthol smokers among smokers at ages 50 and over in the U.S. population," the study said.

Singer also cited a similar study published in 2011 in the Journal of the National Cancer Institute. "The findings suggest that menthol cigarettes are no more, and perhaps less, harmful than nonmenthol cigarettes," the study concluded.

Singer also argues that if the government bans a form of cigarettes particularly popular with Black people, it's likely that criminal enforcement will particularly target the minority community. He noted that in New York City, which has high taxes on cigarettes, police have attempted to enforce bans on individual untaxed cigarettes, known as "loosies," leading to a well-publicized incident.

"In 2014, police infamously encountered 43-year-old Eric Garner selling 'loosies' on a street corner, and a policeman's chokehold led to his death as he repeated 'I can't breathe,'" Singer wrote.