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Nothing good can come from FDA's proposed ban of menthol cigarettes

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Food and Drug Administration Commissioner Robert M. Califf announced this week that the agency plans to seek a ban on menthol cigarettes and cigars.

This ironically comes in the wake of recent research that shows menthol smokers have no greater difficulty giving up smoking than non-menthol smokers. Even more ironic is the fact that FDA researchers reported in the journal *Nicotine and Tobacco Research*:

We found evidence of lower lung cancer mortality risk among menthol smokers compared with non-menthol smokers among smokers at ages 50 and over in the U.S. population.

And a prospective cohort study involving more than 85,000 participants in 12 southern states, reported in the Journal of the National Cancer Institute in 2011 concluded:

The findings suggest that menthol cigarettes are no more, and perhaps less, harmful than nonmenthol cigarettes.

The Centers for Disease Control and Prevention report that 60 percent of teen smokers choose non-menthol cigarettes. And teen smoking in general has dropped to an all-time low of 1.5 percent of teens—only 1 in 250 teens are daily smokers. Teen smoking has practically disappeared.

A recent study by the Reason Foundation found states with the highest menthol consumption had the lowest youth smoking rates. Furthermore, menthol smokers tend to smoke fewer cigarettes per day than non-menthol smokers.

Countries that have banned menthol cigarettes have generally found smokers have either switched to non-menthol cigarettes, come up with ways to add menthol to their cigarettes, or purchased menthol cigarettes on the black market.

Because menthol cigarettes are much more popular among Black and Brown smokers than white smokers, banning menthol cigarettes runs counter to efforts to reduce health disparities. But even worse, as I wrote last year, prohibition of menthol cigarettes is likely to worsen inequities in criminal justice. The last thing this country needs is yet another reason for law enforcement to engage with minorities they suspect are committing the victimless crime of selling menthol cigarettes in the black market.

A ban of menthol cigarettes and cigars will only lead to negative, even if unintended, consequences.

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