CERD

Public health and racial equity are critical issues in the United States. We can dramatically improve both by banning menthol as a flavoring in cigarettes. Nearly half a million Americans – **[including # from state or city]** lose their lives every year due to smoking, and African Americans die disproportionally. Menthol is largely to blame. Nearly 90% of African Americans who smoke use menthol, and it is no accident; the tobacco industry has targeted the Black community for decades and pushed menthol relentlessly. As one RJ Reynolds executive said in 1994 (when he thought no one was listening, of course), *"We don't smoke that shit. We just sell it. We just reserve the right to smoke for the young, the poor, the black and the stupid."*

Menthol in cigarettes makes smoking initiation easier, addiction stronger, and quitting harder. And it is the "spoonful of sugar" for the most dangerous consumer product in history. Tobacco is a major contributor to the four leading causes of death for African Americans. For example, smoking increases the risk of diabetes by 30-40%.

Menthol should have been eliminated a long time ago. The 2009 Family Smoking Prevention and Tobacco Control Act banned all flavorings in cigarettes – except menthol. But it did give the FDA authority to extend the ban to menthol if it was deemed harmful to public health. Since at least 2013, the FDA's Center for Tobacco Products has been sitting on a mountain of evidence proving the harm caused by menthol yet has done nothing. Tens of thousands of Americans, mostly Black Americans, who would have been protected from a lifetime of addiction and early death, have borne the brunt of FDA's inaction.

The exception for menthol is not just racist and immoral, it may violate U.S. law. The U.S. is party to the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). Article 5 of that convention guarantees equality in the right to public health. Flavors that Whites typically smoke were banned; the flavor that Blacks typically smoke was not. White smoking prevalence, especially among children, has gone down dramatically since 2009. For the Black community, progress has been slower.

Many cities and a growing number of states have banned menthol cigarettes on their own rather than wait for FDA. A nationwide ban would save millions of lives, especially Black Lives. Menthol matters.

Our community must take action to protect all Americans equally from tobacco products and ban the flavor that left African Americans' lives at risk.

ASH
ACTION
ON SMOKING & HEALTH