***Template Comments in Support of Proposed Rule to Prohibit Menthol Cigarettes***

Comments Due July 5, 2022

Submit comments [via this link at the Federal Register](https://www.federalregister.gov/documents/2022/05/04/2022-08994/tobacco-product-standard-for-menthol-in-cigarettes)

Note for Organization: It is suggested you put this on your organization’s letterhead. Please further customize and edit this letter as your organization sees fit.

[Date]

Dockets Management Staff (HFA-305)

Food and Drug Administration

5630 Fishers Lane, rm. 1061

Rockville, MD 20852

Re: Docket No. FDA-2021-N-1349 for “Tobacco Product Standard for Menthol in Cigarettes”

[Name of Organization] from [city (if local organization), state] appreciates the opportunity to submit comments in strong support of the proposed product standard prohibiting menthol as a characterizing flavor in cigarettes, which will reduce youth smoking, save lives, and advance health equity. The proposed rule will have an enormous public health impact both in the short and long term.

[Add a paragraph about your organization, why your organization cares about ending the sale of menthol cigarettes, your organization’s expertise and the people your organization serves]

**Prohibiting menthol cigarettes will reduce youth smoking.** Menthol cools and numbs the throat, reduces the harshness of tobacco smoke, and makes cigarettes more appealing to new smokers, particularly young people. As is well-documented in the proposed rule, menthol facilitates experimentation, progression to regular smoking of menthol cigarettes and contributes to greater nicotine dependence.[[1]](#endnote-1) Half of youth who have ever tried smoking started with menthol cigarettes[[2]](#endnote-2) and menthol cigarettes were responsible for 10.1 million additional new smokers between 1980 and 2018.[[3]](#endnote-3) [Insert additional examples of how prohibiting menthol cigarettes will impact thepopulation/patients you serve if applicable]

**Prohibiting menthol cigarettes will increase smoking cessation and save lives.** Smoking remains the leading cause of preventable disease and death in the United States.[[4]](#endnote-4) Prohibiting menthol cigarettes, which are more difficult to quit than non-menthol cigarettes, will reduce this burden by increasing smoking cessation.[[5]](#endnote-5) As described in the rule, modeling studies have estimated that 324,000 to 654,000 smoking attributable deaths would be avoided by the year 2060 if menthol cigarettes were no longer available in the United States.[[6]](#endnote-6) [Insert additional examples of how prohibiting menthol cigarettes will impact thepopulation/patients you serve if applicable]

**Prohibiting menthol cigarettes would decrease tobacco-related health disparities and advance health equity, especially among Black Americans**. Menthol cigarettes have caused substantial harm to public health, and particularly to Black Americans. For more than 60 years, the tobacco industry has targeted Black Americans with marketing and price promotions for menthol cigarettes,[[7]](#endnote-7) and as a result, 85% of Black smokers smoke menthol cigarettes compared to 29% of White smokers.[[8]](#endnote-8) Consequently, Black Americans are less likely to successfully quit smoking[[9]](#endnote-9) and suffer disproportionately from tobacco-related disease and death.[[10]](#endnote-10) Despite accounting for 12% of the population, Black Americans represented 41% of premature deaths caused by menthol cigarettes between 1980 and 2018.[[11]](#endnote-11) In addition to youth and Black smokers, preference for menthol is also disproportionately high among Hispanic and Asian smokers, lesbian, gay, and bisexual smokers, smokers with mental health problems, socioeconomically disadvantaged populations, and pregnant women.[[12]](#endnote-12) Importantly, the proposed product standard is expected to substantially decrease tobacco-related health disparities and to advance health equity across population groups. [Insert additional examples of how prohibiting menthol cigarettes will impact the population/patients you serve if applicable].

**Prohibiting menthol as a characterizing flavor in cigarettes will help to reduce the tremendous toll of tobacco in [state]**:[[13]](#endnote-13) [Find toll of tobacco in your state here: https://www.tobaccofreekids.org/problem/toll-us]

* High school students who smoke: XX
* Additional kids (under 18) who become new regular, daily smokers each year: XX
* Adults in [State] who smoke: XX
* Adults who die each year in [State from their own smoking:
* Kids alive in [State] today who will ultimately die from smoking: (given current smoking levels): XX
* Annual health care expenditures in [State] directly caused by tobacco use: $XX

**On behalf of [Insert population/patients you serve if applicable] in [state] we urge the FDA to act swiftly to issue this lifesaving rule in final form.**

Respectfully submitted,

Name and title of Organizational Official

1. Tobacco Product Standard for Characterizing Flavors in Cigars, 87 Fed. Reg. 26396, 26463-26466 and 26469-26470 (proposed May 4, 2022) (to be codified at 21 C.F.R. pt. 1166) [↑](#endnote-ref-1)
2. Ambrose, BK, et al., “Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014,” *Journal of the American Medical Association*, published online October 26, 2015. [↑](#endnote-ref-2)
3. Le, TT, “An Estimation of the Harm of Menthol Cigarettes in the United States from 1980 to 2018,” *Tobacco Control*, published online on February 25, 2021. [↑](#endnote-ref-3)
4. U.S. Department of Health and Human Services (HHS). The Health Consequences of Smoking: 50 Years of Progress. A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014 [↑](#endnote-ref-4)
5. Tobacco Product Standard for Characterizing Flavors in Cigars, 87 Fed. Reg. 26396, 26466-26468 and 26473-26477 (proposed May 4, 2022) (to be codified at 21 C.F.R. pt. 1166). [↑](#endnote-ref-5)
6. Levy, D.T., J. Pearson, A. Villanti, et al. “Modeling the Future Effects of a Menthol Ban on Smoking Prevalence and Smoking-Attributable Deaths in the United States.” American Journal of Public Health, 101:1236-1240, 2011. Available at https://doi.org/10.2105/AJPH.2011.300179. Levy, D.T., R. Meza, Z. Yuan, et al. “Public Health Impact of a US Ban on Menthol in Cigarettes and Cigars: A Simulation Study.” Tobacco Control, 2021. Available at https://doi.org/10.1136/tobaccocontrol-2021-056604. [↑](#endnote-ref-6)
7. Gardiner, PS, “The African Americanization of menthol cigarette use in the United States,” *Nicotine & Tobacco Research*, 6(S1): S55-S65, 2004. Yerger, VB, et al., “Racialized geography, corporate activity, and health disparities: Tobacco industry targeting of inner cities,” *Journal of Health Care for the Poor and Underserved*, 18: 10-38, 2007. Hafez, N. & Ling, P.M. “Finding the Kool Mixx: how Brown & Williamson used music marketing to sell cigarettes,” *Tobacco Control 15:* 359-366, 2006. [↑](#endnote-ref-7)
8. Delnevo, CD, et al., “Banning Menthol Cigarettes: A Social Justice Issue Long Overdue,” *Nicotine & Tobacco Research*, 22(10): 1673-1675, 2020. [↑](#endnote-ref-8)
9. CDC, “Current Cigarette Smoking Among Adults—United States, 2005-2015,” *Morbidity & Mortality Weekly Report*, 65(44): 1205-1211, November 11, 2016, <http://www.cdc.gov/mmwr/volumes/65/wr/mm6544a2.htm?s_cid=mm6544a2_w>. [↑](#endnote-ref-9)
10. CDC, “Vital Signs: Disparities in Tobacco-Related Cancer Incidence and Mortality—United States, 2004-2013,” *Morbidity & Mortality Weekly Report*, 65(44): 1212-1218, <http://www.cdc.gov/mmwr/volumes/65/wr/mm6544a3.htm>.; See also American Cancer Society. Cancer Facts & Figures for African American/Black People 2022-2024. Atlanta: American Cancer Society, 2022. HHS, “Tobacco Use Among US Racial/Ethnic Minority Groups—African Americans, American Indians and Alaskan Natives, Asian Americans and Pacific Islanders, and Hispanics: A Report of the Surgeon General,” 1998, <http://www.cdc.gov/tobacco/data_statistics/sgr/1998/complete_report/pdfs/complete_report.pdf> [↑](#endnote-ref-10)
11. Mendez, D and Le, TT, “Consequences of a match made in hell: the harm caused by menthol smoking to the African American population over 1980-2018,” *Tobacco Control*, published online September 16, 2021. [↑](#endnote-ref-11)
12. Delnevo, CD, et al., “Banning Menthol Cigarettes: A Social Justice Issue Long Overdue,” *Nicotine & Tobacco Research*, 22(10): 1673-1675, 2020. [↑](#endnote-ref-12)
13. Campaign for Tobacco-Free Kids, The Toll of Tobacco in [State], https://www.tobaccofreekids.org/problem/toll-us/[state]. [↑](#endnote-ref-13)