FROM CANADA TO CALIFORNIA

BUILDING MOMENTUM ON MENTHOL RESTRICTIONS
HOW TO USE ZOOM

• If you can hear us through your computer, you do not need to dial into the call. Just adjust your computer volume as needed.

• If you are having trouble with your computer audio, please refer to the attendee email which contains a call-in number.

• All attendees are muted. Click the Q & A button at the bottom of the Zoom window and type a question for our panelists to answer. Send your questions in at any time.

• This webinar is being recorded. If you arrive late, miss details or would like to share it, we will send you a link to this recording after the session has ended.
FROM CANADA TO CALIFORNIA

BUILDING MOMENTUM ON MENTHOL RESTRICTIONS
From Canada to California: Building Momentum on Menthol Restrictions
LEGAL TECHNICAL ASSISTANCE

- Legal Research
- Policy Development, Implementation, Defense
- Publications
- Trainings
- Direct Representation
- Lobby
From Canada to California: Building Momentum on Menthol Restrictions

EQUALITY does not mean EQUITY
AGENDA

• Introduction
• Lessons from Canada
• U.S. Legal Issues
• U.S. Advocacy
• Q & A
MENTHOL BACKGROUND

- Evidence Base
- Action on Menthol
MENTHOL EVIDENCE BASE

- 54.5% of High School Students who smoked cigarettes in the last 30 days smoked menthol cigarettes.

MENTHOL EVIDENCE BASE

- The younger the smoker, the more likely that they smoke menthols.


From Canada to California: Building Momentum on Menthol Restrictions
MENTHOL EVIDENCE BASE

U.S. DEP’T OF HEALTH & HUM. SERVS., THE HEALTH CONSEQUENCES OF SMOKING—50 YEARS OF PROGRESS: A REPORT OF THE SURGEON GENERAL 18 (Figure 2.1) (2014).

From Canada to California: Building Momentum on Menthol Restrictions
MENTHOL EVIDENCE BASE

- Decline in menthol use among 12-17 is slower than non-menthol
- Menthol use is increasing for 18-25
- Menthol use is flat for 26+

From Canada to California: Building Momentum on Menthol Restrictions

Prevalence of menthol cigarette use among past 30-day smokers by race

MENTHOL
ACTION OUTSIDE OF NORTH AMERICA

Implemented (future)
• Ethiopia
• Uganda
• Turkey (2020)
• Moldova (2020)
• EU (2020)

Pending/Defending
• Brazil
• Chile
MENTHOL ACTION IN NORTH AMERICA

Canada
• Nova Scotia
• Alberta
• New Brunswick
• Quebec
• Ontario
• Prince Edward Island
• Newfoundland and Labrador
• Federal Legislation

U.S.
• Chicago, IL (school buffer)
• Berkley, CA (school buffer)
• Contra Costa County, CA (school buffer)
• Hayward, CA (school buffer)
• Santa Clara County, CA (tobacco-only store exemption)
• Yolo County, CA
• San Francisco, CA
• Minneapolis, MN (tobacco-only & liquor store exemption)
Menthol Bans: The Canadian Experience

Rob Cunningham

September 20, 2017
Canada

- 36 million people
- Bilingual
- Smoking prevalence 18% current, 14% daily (2015), down from 50% current smoking in 1965
- Current smoking among 15-19 year olds decreased from 28% in 1999 to 10% in 2015
- 3 major tobacco companies, affiliates of
  - BAT/RAI
  - PMI
  - JTI
Menthol - Canada
Menthol in Canada

• Longstanding flavour
• 4.5% of the cigarette market (2015)
• Not identified with use by minority communities as in U.S.
• 7 of 10 provinces banned menthol cigarettes:
• Menthol bans apply to ALL retailers
Provincial flavour/menthol bans

2. Alberta (Sept. 30, 2015) *
3. New Brunswick (Jan. 1, 2016)
4. Quebec (Aug. 26, 2016)
5. Ontario (Jan. 1, 2017) *
6. Prince Edward Island (May 1, 2017)
7. Newfoundland and Labrador (July 1, 2017)
(more than 80% of Canadian population)

* Earlier date for flavours other than menthol
National menthol ban pending

- To come into force Oct. 2, 2017 at retail
- Apply to cigarettes, most cigars, blunt wraps
- Bans menthol at any level, not just characterizing

* Earlier date for flavours other than menthol
Menthol market share for cigarettes, Canada, 2001-2016
Flavoured cigarillos
Canada – Little Cigars
“Twinkle” brand

• Note little stars on package
• Four pack
Youth Smoking Survey, 2006-07

• Results issued May 31, 2008, World No Tobacco Day
• Significant youth use of cigarillos
• Extensive media coverage
Prime Minister Harper,

September 17, 2008, election campaign
C-32

Second Session, Fortieth Parliament,
57-58 Elizabeth II, 2009

HOUSE OF COMMONS OF CANADA

BILL C-32

An Act to amend the Tobacco Act

FIRST READING, MAY 26, 2009

MINISTER OF HEALTH

90503

C-32

Deuxième session, quarantième législature,
57-58 Elizabeth II, 2009

CHAMBRE DES COMMUNES DU CANADA

PROJET DE LOI C-32

Loi modifiant la Loi sur le tabac

PREMIÈRE LECTURE LE 26 MAI 2009

MINISTRE DE LA SANTÉ
Canada, Bill C-32, (in force July 5, 2010)

• applies to cigarettes, cigarillos (1.4g or less, or with cigarette filter), and blunt wraps
• ban all flavours, at any level of additive
• exemption for menthol
After Bill C-32 was implemented Oct. 5, 2010, if a cigarillo/little cigar weighed more than 1.4g and did not have a cigarette filter, the product could still be flavoured; Bullseye products are shown here, before and after Bill C-32.
cigarillos before Bill C-32

Prime Time peach, rum, raspberry

“cigars” after Bill C-32

Prime Time Plus peach, rum, cherry
Cigarillos, Canada
Cigarillos, Canada

Grape  Cherry  Peach  Strawberry  Vanilla
Cigarillos sold individually, Canada

Vanilla, peach, grape, cherry individual Prime Time cigarillos purchased for $1.46 each

Individual M Colt flavoured cigarillos purchased for 97 cents each
Smokeless tobacco, Canada

Citrus
Cherry
Mint
Peach

Wintergreen
Wintergreen Wintergreen
Wintergreen
Berry
Water pipe tobacco, Canada

Strawberry Lemon Watermelon Grape Mint Fruit cocktail

Orange Pistachio Lemon Coffee Sweet
Water pipe tobacco, Canada

- Banana
- Melon
- Coconut
- Cola
- Tropicana
- Caramel
- Cappuccino
- Licorice
- Apple
- Cinnamon
Youth Smoking Survey, 2010-11

- Propel report released October 7, 2013
- Of high school students who use tobacco, 52% use flavoured tobacco
- Of high school students who smoke, 32% smoke menthol
Coordinated national call for action

Oct. 7, 2013

Youth using flavoured tobacco products at very high levels — Canadian Cancer Society calls for ban on all flavoured tobacco to curb youth smoking

07 October 2013

TORONTO -

New data released today from the national Youth Smoking Survey show that a very high number of high school students are using flavoured tobacco products. More than half (52%) of high school students in Canada who used tobacco products in the previous 30 days had used flavoured tobacco products. Fruit- and candy-flavoured tobacco makes it easier for youth to become addicted to tobacco.

“These survey results clearly show there is an urgent and compelling need for federal and provincial governments to ban all flavoured tobacco products,” says Rob Cunningham, Senior Policy Analyst, Canadian Cancer Society. “Swift action is needed to protect youth from these products. It is essential that governments introduce new legislation without delay.”

The federal Tobacco Act prohibits flavours (except menthol) in cigarettes, cigars, (little cigars) and blunt wraps. However, cigarillos are defined as cigars weighing 1.4 grams or less or having a cigarette filter. Many tobacco companies have avoided this definition, instead saying their products are not cigarettes. This makes it hard for governments to regulate flavoured tobacco products.
Youth Smoking Survey, 2012-13

- Propel report released September 10, 2014
- Of high school students who use tobacco, 50% use flavoured tobacco
50%
Youth Smoking Survey (2012-13)

• Of high school students (grades 9-12) Canada-wide who use smoke, 29% smoke menthol
• Of high school students who smoke daily, 43% smoke menthol
• High school students who smoke menthol smoke more cigarettes per week, and more likely to intend to continue smoking next year (Cancer Causes and Control)

- only 4.5% of cigarettes sold in Canada are menthol
29%
Number of high school students using in past 30 days – Canada, 2012-13, YSS

137,000 – any flavoured tobacco
50,900 – menthol cigarettes
70,500 – cigarillos
41,300 – cigars
10,000 – bidis
34,000 – smokeless
39,600 – waterpipe
little cigar/ cigarillo/cigar smoking, past 30 days, grade 10-12 students, Canada, YSS/CSTADS

- 2006-07: 16%
- 2008-09: 17%
- 2010-11: 11%
- 2012-13: 9%
- 2014-15: 9%

Bill C-32 in effect
Cigar Sales, Canada, 2001-2016

Source: Health Canada, Tobacco Reporting Regulations

Bill C-32 in effect July 5, 2010

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<td>'16</td>
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</table>
**Flavours**

Ontario

Quebec

Nova Scotia
Flavours - 7 new provincial laws
What’s wrong with this picture?

Tobacco shouldn’t come in candy flavours

Candy-flavoured tobacco products are designed to target youth and encourage youth smoking.

TAKE ACTION! Support a ban on flavoured tobacco.

#endtheflavour
cancer.ca
Nova Scotia World Precedent

May 29, 2015 event
in force May 31, 2015

Health Minister
Leo Glavine
Provincial flavour/menthol bans

2. Alberta (Sept. 30, 2015) *
3. New Brunswick (Jan. 1, 2016)
4. Quebec (Aug. 26, 2016)
5. Ontario (Jan. 1, 2017) *
6. Prince Edward Island (May 1, 2017)
7. Newfoundland and Labrador (July 1, 2017)
• Canada: national menthol ban, Oct. 2, 2017

* Earlier date for flavours other than menthol
Menthol capsules

First launched in Canada, Oct 2015

Introduced despite menthol banned in Alberta, Nova Scotia, and legislation pending in Ontario, Quebec and New Brunswick
Menthol capsules (Oct. 2015)
Menthol capsules (Oct. 2015)
Double squeezable flavour capsules (2016)

Pall Mall Duo Convertibles, with each cigarette containing two capsules

Inside lid
Industry arguments

• Menthol not popular among youth
• Bans would not affect youth smoking
• Would cause contraband
• Adults should be able to choose
• Menthol has been sold since 1930s
• Major tobacco companies – opposed menthol cigarette ban, but mostly did not sell “other” flavoured tobacco products
Opponents

- Major tobacco companies
- Convenience store associations
- National Coalition Against Contraband Tobacco (industry funded)
- Smaller tobacco companies selling “other” flavoured tobacco companies
- Exposing funding to convenience store associations, industry coalitions, effective
International - menthol bans

- Ethiopia (Sept. 21, 2015)
- Uganda (May 18, 2017)
- European Union (May 20, 2020)
- Turkey (May 20, 2020)
- Moldova (May 20, 2020)
- EU capsule ban (May 20, 2016)
EU menthol ban

• Industry argued for menthol exemption from EU Directive
Legislation bans packaging referring to banned flavour

- essential for enforcement,
- common provision in legislation
- Canada (national):
  “No person shall package a tobacco product [...] in a manner that suggests, including through illustrations, that it contains [a banned additive/flavour]
First Nations reserves

• Provincial and federal laws banning menthol apply
Legal challenges

• No problem
Electronic cigarettes

• No flavour restrictions
• Many provinces have included regulatory authority over flavours in e-cigarettes, e-juices for potential future regulations
Canada - Federal amendment (2015)

• Extend flavours ban in cigars from 1.4g or less to 6g or less,
• rum, whisky, wine, port flavours exempted
• menthol exempted
Cigars weighing more than 6g

Chocolate Grape
Cigars weighing more than 6g
Gaps in some provincial legislation

“pipe tobacco” (Ontario)

flavour cards
Menthol market share for cigarettes, Canada, 2001-2016

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<th>B.C.</th>
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<td>'16</td>
<td>12.5</td>
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</table>
Capsule cigarettes

In provinces/territories without menthol bans, menthol market share increased 6.2% in 2015 to 11.8% in 2016 (BC, SK, MB, PEI, NL, Territories)
Menthol Market Share by Province, 2016

Source: Health Canada, Tobacco Reporting Regulations

- NB: 0.0%
- Alta: 0.1%
- NS: 0.3%
- Que: 2.3%, ban Aug. 26
- Can: 5.4%
- PE/Tr: 6.0%
- Ont: 6.7%, Ja 1-'17
- N&L: 9.7%
- Man: 11.4%
- Sask: 12.0%
- BC: 12.5%

Note: "ban" indicates a ban on menthol cigarettes took place on Aug. 26.
### Menthol market share by province, Canada, 2013-2016

<table>
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<th>Province</th>
<th>2013</th>
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<td>BC</td>
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<td>MB</td>
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<td><strong>Total – BC, SK, MB, NL, PEI/Terr</strong></td>
<td><strong>6.2</strong></td>
<td><strong>11.8</strong></td>
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Source: Health Canada, Tobacco Reporting Regulations
Ontario Pre- and Post-Study (2016, 2017), menthol smokers

- 15% abstinent at 1 month post ban (Feb. 1, 2017)
- 40% had made a quit attempt since the ban
- 64% of prior primary menthol smokers who made a quit attempt said it was related to the ban (vs. 22% of those who smoked menthol occasionally)

Source: Michael Chaiton, Tom Eissenberg, Joanna Cohen, Eric Soule, Rob Schwartz, “Effects of a real world menthol ban: changes in smoking behaviour and cigarette branding after a ban in Ontario, Canada” Ontario Tobacco Research Unit webinar, “Menthol and Flavour Ban Evaluation Results”, September 19, 2017
Lessons Learned

• It can be done
• Data on youth use very important
• Main industry arguments on flavours:
  (1) contraband; (2) not affect smoking rate
• Problems if not all tobacco products covered
• Ban cigarette papers
• No laboratory testing needed for provinces
• Provinces not increasing enforcement resources; not using panels or labs
Lessons learned

- Ban all menthol, not just characterizing levels, as Canadian national government did
- Other flavoured tobacco products important for action/advocacy
- Bring packages to show decision makers, media flavoured products
- Success in one province leads to success in others
- Province-specific data beneficial
Potential partial measures during transition period

- Ban menthol capsules (EU did this)
- Ban menthol in all tobacco products except manufactured cigarettes
- Help prevent problem from getting worse
Municipalities

• No municipal action in Canada for menthol/flavours
• But local ordinances presenting tremendous opportunity in U.S.
Comments

- tobacco with training wheels
- flavours added to medicines to improve taste – easier for kids to consume; medicines are good for health but tobacco is devastating for health
- menthol is a local anesthetic that soothes the throat
Comments

• cigarettes are highly addictive, lethal drug products – tobacco companies should not be allowed to add menthol to make cigarettes taste better and easier to smoke

• menthol masks harsh taste of cigarette smoke to make it easier for kids to experiment and become addicted

• If menthol ban would not work, then why is industry so opposed?
Menthol ban – implementation successful
Just do it

- Inevitable
Thank you
LEGAL ISSUES AND LITIGATION OVER MENTHOL

PAST CASE LAW AND FUTURE CHALLENGES
TOBACCO CONTROL
BEFORE 2009
FDA AUTHORITY

CAN:

• Set tobacco product standards
• Regulate sale and distribution of tobacco products
• Regulate advertising and promotion*
• Change warning label requirements

CANNOT: ban category of products, tax, restrict use
STATE AUTHORITY UNDER THE ACT

CAN:
• Clean indoor air laws and other use restrictions
• Sales restrictions
• Taxes and pricing

CANNOT:
• Regulate content or manufacturing*
WHAT’S NEXT
ACTION ON FLAVORS & MENTHOL

From Canada to California: Building Momentum on Menthol Restrictions
WON’T THE FDA HANDLE IT?

FDA has not yet acted to address menthol*

FDA Commissioner Scott Gottlieb’s July 27 announcement mentioned possibly restricting all flavors—including menthol— in all tobacco products.

*Though they have tried!
PROHIBIT SALE OF FLAVORED TOBACCO
New York, New York
- No sale of flavored OTPs except in “tobacco bars”
- District Court & 2nd Circuit upheld
- Sales restriction, not product standard

Providence, Rhode Island
- No sale of flavored OTPs except in “smoking bars”
- District Court & 1st Circuit upheld
- Sales restriction, not product standard
PROHIBIT SALE OF FLAVORED TOBACCO
CHICAGO FLAVOR ORDINANCE
“Chicago's ordinance does not regulate the content of tobacco products; it simply says where certain types of tobacco products cannot be sold … The ordinance falls squarely within the exception to preemption established by the federal Act.”

*Independents Gas & Service Stations Associations, Inc. v. City of Chicago, Order, Nov. 12, 2014*
PROHIBIT SALE OF FLAVORED TOBACCO
LOCAL POLICY LANDSCAPE

From Canada to California: Building Momentum on Menthol Restrictions
PROHIBIT SALE OF FLAVORED TOBACCO VARIATIONS ON A THEME

• Buffer zones around schools

• Sales restricted to adult-only, tobacco-only retailers

• Sales prohibited everywhere in jurisdiction
POLICY ELEMENTS

- Timely findings and clear statements of purpose
- Clear definitions and concise language
- Clear scope of regulation
- Robust enforcement options
- Well-planned implementation process
ENFORCEMENT CHALLENGES

From Canada to California: Building Momentum on Menthol Restrictions
CONSORTIUM RESOURCES

From Canada to California: Building Momentum on Menthol Restrictions
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Menthol: Moving Center Stage!

Phillip S. Gardiner, Dr. P. H.
Co-Chair African American Tobacco Control Leadership Council (AATCLC)
UC Smoke and Tobacco Free Fellowships Program Officer, Tobacco Related Disease Research Program (TRDRP) University of California Office of the President

From Canada to California: Building Momentum on Menthol Restrictions
Public Health Law Center Webinar
September 20, 2017
African American Menthol Use Skyrockets!

Storefront Cigarette Advertising Differs by Racial/Ethnic Community

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<td>Average Price</td>
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(Seidenberg, et al., 2010)
Health Disparities

https://www.cdc.gov/cancer/dcpc/data/race.htm
Health Disparities

https://www.cdc.gov/cancer/dcpc/data/race.htm
The Fight To Ban Menthol

Still A Burning Issue
Uptown Cigarettes: For Black Folks 1989-1990

• Reynolds Targeted Philadelphia Black Community in 1989 for 1990 February Launch of Uptown Cigarettes

• Local Coalition Led by African Americans and Other Health Groups Exposed this Predatory Marketing

• Louis Sullivan, Secretary of HHS calls out R.J. Reynolds; Reynolds Withdraws Uptown
Show Ya Right

Uptown. The Place. The Taste.

SURGEON GENERAL'S WARNING: Quitting Smoking Now Greatly Reduces Serious Risks to Your Health.
Brand X Menthol Cigarettes 1995

- Red, Black and Green Packaging
- Capitalize on X Identification with Malcolm X
- Launched in Boston by Stowebridge Brook Distributors of Charlestown, Mass. 1995
- Community Based Opposition Forced the Suspension of sales
Kool Mixx Campaign 2004

• Attempt to Capitalize on Hip-Hop in the Black Community

• Nation-wide Contests on Mixing, Scratching and DJing to Culminate in a National Contest in Chicago

• Local Opposition by African American Groups

• Lawsuit Brought by Attorneys General of NY, Mass and Illinois Blocked the National Meeting in Chicago
KOOL Cigarette Packs

KOOL MIXX SPECIAL EDITION PACKS
Menthol A Sacrificial Lamb
A Deal with the Devil!

- **Family Smoking Prevention and Tobacco Control Act**
  - Proposed in 2008; Enacted in 2009
  - Dealers: Philip Morris, Southern Senators and representatives of the tobacco control movement
  - Eliminate 13 flavors in cigarettes
  - Excluded Menthol
    - African Americans, Women, Youth, Native Hawaiians, Filipinos, LGBTQ folks, Puerto Ricans, Behavioral Health issues
The Push Back

- Cigarette Bill Treats Menthol with Leniency”. Stephanie Saul’s NY Times Article (May 13, 2008)

- National African American Tobacco Prevention Network and other on the ground activists spearheaded agitation work

The Push Back

• “To make the pending tobacco legislation truly effective, menthol cigarettes should be treated the same as other flavored cigarettes.

• “Menthol should be banned so that it no longer serves as a product the tobacco companies can use to lure African American children.”

• “We do everything we can to protect our children in America, especially our white children. It’s time to do the same for all children.”

(Califano, et al., 2008)
The Result: Amended FDA Bill

- Donna Christensen, D-V.I.

- TPSAC 1st order of business issue a report of the impact of the use of menthol in cigarettes on the public health, including such use among African Americans, Hispanics, and other racial and ethnic minorities. (HR 1256, Sec. 907 (e) (1)
Federal Inaction

- 2011 TPSAC Report “the removal of menthol products from the marketplace would be beneficial to the public’s health.” The OMB sat on this report until early 2013.

- 2013/2014 FDA CTP Report Same conclusion as the TPSAC; still no action
2014 The tobacco industry sued; thus effectively blocking the use of the TPSAC report.

2015 Ruling was overturned

2016 FDA CTP took the bold step of including restrictions on the selling of menthol and all other flavors in the new “deeming regulations” for e-cigs, hookah, cigars, cigarillos and the like.
Same Old, Same Old!

• However, to add insult to 7 years of inaction and injury, 16 pages of the new deeming regulations were red-lined / deleted by the OMB that pertained to flavors and menthol, thus again exempting menthol.
  – (FDA, May, 2016)
Snake in the Grass (aka the tobacco industry)

- **Andrew Perraut** White House's Office of Information and Regulatory Affairs in the OMB from 2008 to 2014. He supervised FDA and USDA policies relating among other things, tobacco.
- Hired by the Cigar Industry and NJOY in 2014
- Re-hired by the White house to serve in the OMB in 2015  (NY Times, September 2, 2016)
But Wait: Snake in Charge?


- (No, this isn’t a picture of Donald Trump smoking a cigarette, but it might as well be)
Implications for Menthol Regulation During Trump Reign

• OMB will continue to be staffed with tobacco industry surrogates
  – Unlikely the 16 pages of the deeming regulations on menthol and flavors will be re-instated
• HHS Secretary Tom Price has taken Tobacco Money
• FDA Head Gottlieb has ties to the Vaping Industry
• New FDA CTP Harm Reduction Proposal sees flavors and Menthol as helping to reduce harm??
<table>
<thead>
<tr>
<th>Position</th>
<th>Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solicitor General</td>
<td>Noel Francisco</td>
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<tr>
<td>White House Counsel</td>
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<td>Deputy Counsel</td>
<td>Greg Katsas</td>
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<tr>
<td>Cabinet Secretary</td>
<td>William McGinley</td>
</tr>
</tbody>
</table>
The Fight To Ban Menthol

Moving to the Center of Local Tobacco Control Coalitions Agendas
• **Chicago 2013** 500ft Buffer zone around Schools
  – Tobacco industry sues
  – Merchants rebel
  – **No ongoing community engagement**
  – City Council and Mayor cave
  – 2016/2017 Buffer zone removed around Middle Schools
Existing Menthol Restrictions

• **Berkeley**: 600ft Barrier around Schools and Parks January 2017

• **Contra Costa County**: 1000ft Barrier around Schools, Parks and Libraries 2017; unincorporated areas

• **Los Gatos**: Tobacco Shops Only; January 2018

• **Santa Clara County**: Tobacco Shops Only; July 2017; unincorporated areas
Existing Menthol Restrictions

• **El Cerrito**, City-wide restrictions on menthol sales, 2018

• **Hayward**, 500ft buffer zone

• Many other cities have adopted Flavor Restrictions, **but they don’t include menthol**

Existing Menthol Restrictions

• **West Hollywood**: 600 Barrier around Youth Oriented areas; November 2016
• **Yolo County**: No exemptions; May 2017, unincorporated areas

• All include restrictions on E-cigarette juices and all other tobacco products
Existing Menthol Restrictions

• **Minneapolis**  Menthol included in existing flavors ordinance; adult only liquor stores exempted; 2017

• **Oakland**  Menthol sales restricted to adult only tobacco shops; 2017 – 2018

• **St. Paul**  Menthol sales restricted to adult only tobacco shops; vote slated for September 27, 2017

• **Richmond** California; City wide restrictions to be introduced September 26, 2017
All-in: San Francisco

- Total City-wide sales restrictions
- Unanimous Board of Supervisors vote
- Tobacco industry Referendum
  - 19,000+ signatures needed; 34,000 collected and verified
  - Over $700,000 spent by the t.i. in July alone
- Peoples Campaign Committee Established
  - $500,000 to start
Take Action!

- Enact local laws and ordinances that restrict the sale and distribution of menthol and other flavored tobacco products.
  - Create Buffer Zones around Schools and Parks
  - Restrict the sales to adult tobacco shops only
  - Enact City and or County wide bans
Take Action!

- Have your **National Organization** pass a **resolution** calling on the Food and Drug Administration’s Center for Tobacco Products to remove menthol and all flavors from all the market place.
  - Delta Sigma Theta
  - NAACP
Take Action!

- Conduct Town Hall Meetings in different parts of your city
- Use Social Media Outlets
- Build Broad Based Tobacco Control Coalitions
Take Home Message: Menthol is a Social Justice Issue!

• The disproportionate marketing and targeting candy-flavored poison to African Americans and other specially oppressed sectors of our society, is out-right discriminatory and genocidal.
  – Poorest; least informed; fewest resources; indeed the definition of preying on the most vulnerable sections of our society.
If Menthol Were Banned 100,000s of Lives would be saved

<table>
<thead>
<tr>
<th>2010 – 2050</th>
<th>All Menthol Smokers</th>
<th>Black Menthol Smokers</th>
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</thead>
<tbody>
<tr>
<td>10%</td>
<td>323,107</td>
<td>91,744</td>
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<tr>
<td>20%</td>
<td>478,154</td>
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<tr>
<td>30%</td>
<td>633,252</td>
<td>237,317</td>
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</table>

(Levy, et al., 2011)
What’s at Stake?
Thank You!

African American Tobacco Control Leadership Council (AATCLC)

https://www.savingblacklives.org

phillip.gardiner@ucop.edu
QUESTIONS & ANSWERS

Click the Q & A button to type in your question.