

## Delaware must act to end sale of all flavored tobacco

By Kathy Jennings | May 5, 2021

Flavored tobacco products pose a significant danger to our public health and are fueling a growing epidemic of tobacco use in Delaware. While the U.S. Food and Drug Administration has an opportunity to prohibit menthol cigarettes and take a step toward mitigating the harms of flavored tobacco products in our communities, Delaware can do more, and it should start with introducing and passing legislation to end the sale of flavored tobacco products.

Let's be clear: Menthol is a flavor. And just like candy, mint, and fruit flavors, tobacco companies use menthol to lure potential customers to their products - especially youth and minority populations. While the tobacco industry initially marketed menthol cigarettes as safer and healthier, this could not be further from the truth. This lie, among others, led state attorneys general from 46 states to sue the tobacco industry several decades ago, which resulted in a master settlement agreement that restricted the advertising and marketing of cigarettes. As a result of this agreement, there was a significant decrease in youth cigarette smoking and smoking overall. It represents progress, but more work is still needed.

Today, menthol cigarettes continue to hook and addict many young people to smoking. Menthol masks the harsh taste of tobacco, making it attractive for individuals to experiment with tobacco and - in many cases - ultimately become addicted. Flavored tobacco is also driving a growing youth tobacco-use epidemic, including here in Delaware. Research shows that 81 percent of kids who have used tobacco started with a flavored product. In Delaware, the devastating reality is that 13.6 percent of high school students currently use e-cigarettes, and 1,800 kids try cigarettes for the first time each year.

Earlier this year, I was proud to join more than 20 attorneys general in calling on the FDA to end the sale of menthol cigarettes altogether. Critically, the FDA must respond this week to a citizen petition that urges the FDA to ban menthol cigarettes. The FDA has the chance to take an important step toward reducing youth smoking initiation and advancing health equity by banning these products, but Delaware cannot wait for federal action. As a state, we must lead to end the sale of flavored tobacco for good to protect the next generation of Delawareans from the effects of tobacco addiction.

The FDA has found that it is likely that menthol cigarettes pose a public health risk above that seen with nonmenthol cigarettes. Both the Tobacco Product Scientific Advisory Committee and the FDA concluded that menthol cigarettes increase the number of children who experiment with cigarettes, and the number of children who become regular smokers as a result. Furthermore, researchers found that among daily smokers, Black menthol smokers had 53 percent lower odds of quitting compared to Black non-menthol smokers.

Since the 1950s, the tobacco industry has aggressively targeted communities of color with menthol cigarettes, which has led to Black Americans dying at higher rates than other groups from tobacco-related diseases such as cancer, heart disease, and stroke. That's why civil rights and Black health organizations like the NAACP and the African American Tobacco Control Leadership Council have called on the Biden administration to ban menthol cigarettes. Adding to the call here at home, the Central

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Delaware NAACP Branch, Medical Society of Delaware, and more than 30 other national and state-based groups have joined together to call for action to end the sale of all flavored tobacco products.

We have an opportunity to remove these harmful products from store shelves. To that end, Rep. Melissa Minor-Brown (RD-17) is leading efforts in the Delaware General Assembly to pass legislation to end the sale of all flavored tobacco products - including menthol cigarettes, flavored e-cigarettes, cigars, hookah, smokeless tobacco, and more.

The upcoming decision by the FDA on menthol cigarettes is an important moment - but Delaware can act on its own to protect our communities from all harmful flavored tobacco products.

While I hope the FDA moves forward with a menthol flavoring ban, I believe it is important for our state to act without further delay to address this health imperative, and to fight the disparate impact of tobacco addiction on youth and communities of color.

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