Dockets Management Staff (HFA-305)

Food and Drug Administration

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I support the FDA’s proposed rule to ban menthol in cigarettes. Just as African Americans daily fight systemic racism in voting, education, housing, and employment, we ask that you fight systemic racism in health care by fighting the tobacco industry’s ability to foster negative health outcomes in Black and poor communities. This rule will reduce poor health outcomes due to overall tobacco use in populations that continue to be targeted and exhibit higher rates of illness and disease than White populations. Anything less than a ban on menthol and other flavors in cigarettes is a failure.

According to a recent report in JAMA Oncology in 2019, cancer death rates have declined in African American populations but remain higher than Whites, Hispanics, and Asian populations. The report goes on to say that the decrease in cancer deaths rates is due to “lower smoking rates and an increase in early detection and treatment”. This report further illustrates that among all racial and ethnic groups in the United States, African Americans experience the greatest burden from tobacco-related illness and disease. Annually approximately, 45,000 African Americans die from tobacco-related diseases with tobacco use remaining the leading risk factor for chronic disease in the United States. Further evidence of the burden on the African American community finds that 41% of the smoking-related premature deaths result in 50% of life years lost, according to an article published by Dr. Valerie Yerger of the Social and Behavioral Sciences Department of the University of California San Francisco (*What more evidence is needed? Remove Menthol Cigarettes From the Marketplace–Now*, 2021).

Disparities in tobacco use are rooted in social justice. There remains documented proof of the historic predatory marketing by the tobacco industry in African American communities that is scarcely seen in White communities. In addition, local leaders in the African American community are manipulated by the tobacco industry to support tobacco use and their industry’s marketing strategies for financial gain at the detriment of the health of the community. It is no wonder that Kools, Salems, and Newports are the tobacco product of choice in African American communities in rural, suburban, and urban environments across the United States. African American organizations have received financial support to look the other way and support the rational that smoking is a personal choice. More egregious is the tobacco industry's appropriation of African American culture by funding cultural events and offering free samples to attendees. This easy access has hooked millions of people to a deadly product.

African Americans have not been the only populations impacted. According to the 2020 Population Assessment on Tobacco and Health (PATH) study, “Youth who smoke menthol cigarettes have higher cravings for, tolerance of, and addiction to nicotine than youth who smoke non-flavored cigarettes. Numerous studies illustrate youth susceptibility toward flavored tobacco products. Youth and their tobacco use was highlighted in the 1998 Master Settlement Agreement designed to protect them from the tobacco industry.

Finally, I ask that you include in your rule the elimination of menthol and all flavors in ALL tobacco products in support of improved health outcomes for African Americans. ​​It would be inhumane to eliminate the use of menthol and other flavors in cigarettes, and still allow menthol and other flavors in cigars, cigarillos, e-cigarettes, vapes, and hookah products.

I strongly encourage the FDA to take this opportunity to support the health outcomes of African American and low-income people who have been harmed by the past inaction of the federal government to guard against the predatory practices of the tobacco industry.

Respectfully,

[Your Name]