

MENTHOL BAN

Highlighting the Facts & Rebutting Tobacco Industry Misinformation



A ban on the manufacture and sale of menthol tobacco products like the rule being finalized by the Food and Drug Administration (FDA) will advance public health, improve health equity, and save and improve Black lives.

It will also cause the tobacco industry to lose money, so the industry and its affiliates have attempted to distract and scare communities with misinformation. This factsheet addresses the industry's age-old tricks so we can stay focused on the certain benefits of a menthol ban.



Why is a menthol ban a health equity issue?

A ban on the sale of menthol tobacco products will protect everyone because menthol increases smoking initiation and makes it harder to quit. Tobacco use is the leading cause of preventable death and disease among African Americans, and almost 9 out of 10 African Americans who smoke choose menthol cigarettes, compared to less than 30 percent of white smokers. This is not a coincidence. For decades, the tobacco industry targeted Black communities with menthol for tremendous profit, researching and appropriating Black culture along the way. From free menthol giveaways in ice cream truck-like vans from the 1960s into the 1990s to saturating urban Black neighborhoods with menthol ads, cheap prices, and coupons today, the industry

has flooded Black communities with this minty poison. For decades, the industry has taken advantage of racial economic inequity to gain cultural influence by funding and sponsoring Black publications, cultural events, educational institutions, and civic leaders. The industry then buys political influence to thwart live-saving public health policy by directly and indirectly investing in otherwise credible organizations with the established trust of the public and Black community, which then pushes the industry's misinformation.

Isn't tobacco use an issue of personal responsibility?

Almost no one becomes a smoker if they do not start smoking before the age of 25, so the industry hooks young people with products designed to maximize addictiveness. It is easy to become addicted to nicotine and just as difficult, if not more so, to quit than substances like heroin. This is especially true with menthol tobacco products. As a result, even though Black people start smoking later, smoke less, and try to quit more often than any other racial group, they are significantly less likely to quit. The industry has spent billions of dollars to make this a reality. Consider that tobacco use is not as much of a choice as some assume.

Won't a ban on menthol increase the criminalization of African Americans?

This industry talking point exploits real and traumatic issues of police brutality and mass incarceration. Excessive force and systemic racism exist independently of public health measures and must be addressed. The FDA menthol ban would prohibit the manufacture and retail distribution of menthol cigarettes. It would not criminalize individuals for purchasing, using, or possessing menthol products.

Isn't it true that a ban on menthol will only create a new illicit trade market?

This is another industry-fueled argument. While existing tax laws already prohibit the sale of untaxed cigarettes and smokeless tobacco, [research](#) shows that a menthol ban's impact on an underground menthol market would be minimal and could be largely mitigated by additional FDA action.

Why is the FDA singling out menthol cigarettes?

Congress already removed all flavors from cigarettes – except menthol – in 2009. The FDA ban would just add menthol to the existing list of prohibited flavors. Like food, drugs, and cosmetics, the FDA regulates and pulls products from the market that pose a serious threat to public health and safety.