



ATTORNEY GENERAL WILLIAM TONG  
STATE OF CONNECTICUT

**Testimony Regarding House Bill 6488: *An Act Concerning Cigarettes, Tobacco Products, Electronic Nicotine Delivery Systems And Vapor Products***  
**Public Health Committee**  
**Wednesday, February 1st, 2023**

Thank you for the opportunity to submit testimony concerning House Bill 6488, *An Act Concerning Cigarettes, Tobacco Products, Electronic Nicotine Delivery Systems And Vapor Products*.

**I fully support a ban on flavored tobacco. As currently written, this legislation does not yet accomplish that. This legislation carves out the mostly widely used flavor—menthol—which must be included in order to deter youth addiction.**

The Connecticut Office of the Attorney General has a proud and longstanding history of holding the tobacco industry accountable for its predatory practices, including efforts to hook vulnerable populations and conceal the negative health effects of its products. From negotiating the Master Settlement Agreement in the 1990s to the recently announced settlement with Juul, we have focused our efforts on combatting the insidious ways that Big Tobacco has marketed to children.

We know that flavored products lure youth into trying tobacco products, starting them on the road to addiction. Unfortunately, Connecticut has fallen behind our neighboring states in addressing this problem. From Massachusetts to California, states and municipalities are enacting comprehensive flavor bans. There are simply no compelling reasons why any flavored tobacco products should remain on the market in Connecticut.

Surveys show that over 80% of kids who have ever used tobacco products started with a flavored product. While e-cigarettes justifiably get a lot of attention, no other flavored product contributes more to the death and disease caused by tobacco use than menthol cigarettes. About 50 percent of youth who smoke cigarettes start with and then use menthol cigarettes. Menthol in cigarettes disguises the harsh flavor of tobacco, making it attractive for beginners who are experimenting, and increasing the likelihood of addiction. Menthol cigarettes remain a major barrier to smoking cessation. Unfortunately, the prevalence of menthol smoking has remained constant in recent years, despite declines in non-menthol smoking. To put it succinctly, menthol flavor in cigarettes increases youth initiation and addiction and makes it harder to quit.

The scientific research shows that menthol is not only a starting point for youth, but that these products disproportionately affect communities of color and other groups, a school-based survey found that 80.6% of Black middle school smokers and 84.8% of Black high school smokers regularly smoke menthol cigarettes. Menthol cigarettes are a leading reason why tobacco use is the number one preventable cause of death for Black Americans. Smoking kills 45,000 Black Americans each year, and lung cancer kills more Black Americans than any other type of cancer.



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Menthol's popularity in the Black community is not an accident. It is a direct result of decades of predatory marketing by the tobacco industry. Starting in the 1950s, the tobacco industry targeted minority communities with marketing for menthol cigarettes through sponsorship of community and music events, targeted magazine advertising, youthful imagery and retail marketing.

This targeting continues today: menthol cigarettes are still heavily advertised, widely available and priced cheaper in Black and other minority communities, making them more appealing. A treasure trove of research indicates that Black neighborhoods have a disproportionate number of tobacco retailers, pervasive tobacco marketing, and in particular, more marketing of menthol products. As a result of all this, 85% of Black smokers smoke menthol cigarettes (compared to just 29% of white smokers).

History has proven that we cannot trust the industry to accurately depict their products, including whether or not a product contains a flavor. I would therefore recommend modifying the bill to not only include menthol but also to add an "ordinary consumer" standard, i.e., "Flavored Tobacco Product means any tobacco product that imparts a taste or smell, other than the taste or smell of tobacco, that is distinguishable by an ordinary consumer either prior to, or during the consumption of, a tobacco product ..." Tying detection of flavored products to an ordinary consumer's sense of smell or taste would be an important tool to combat Big Tobacco's likely attempts to obscure that they are selling flavored products.

Ending the sale of flavored tobacco products, including menthol, will have an enormous impact in reducing the number of people who die or suffer debilitating preventable illness from tobacco use, significantly reducing the number of young people who become addicted to tobacco products, and reversing the youth e-cigarette epidemic. A comprehensive flavor ban that includes menthol will save thousands of Connecticut lives, protect public health, and advance health equity. It should be implemented immediately.

Thank you once again for the opportunity to submit testimony in support of this important legislation. For additional information, please contact Cara Passaro, Chief of Staff to the Attorney General at [cara.passaro@ct.gov](mailto:cara.passaro@ct.gov).