

Menthol Flavored Tobacco Products Fact Sheet

Tobacco Control Program • August 2021

BACKGROUND

Currently, tobacco manufacturers cannot market cigarettes with characterizing flavors, except for cigarettes that taste like menthol or tobacco¹

- This exception was included within the Tobacco Control Act that was signed into federal law in 2009, which also gave the Food and Drug Administration (FDA) authority over tobacco products¹
- ❖ The FDA announced that flavored ENDS* pods and cartridges would no longer be sold after February 6, 2020, with an exception for both tobacco and menthol flavors²
 - This restriction does NOT extend to tanks, e-liquids, or disposables, and does not include any other tobacco products

**=Electronic Nicotine Delivery Systems, also known as e-cigarettes or vapor products and devices*

- ❖ On April 29, 2021, the Food and Drug Administration (FDA) announced that it would proceed with drafting product standards that will both eliminate the current exemption for menthol cigarettes and remove flavors from all cigar products³
 - Although they expect the proposed rulemaking to be released within the next year, it will likely take longer to be finalized and to go into effect as delays and legal challenges occur

THE MENTHOL PROBLEM

A previous FDA report on the health impact of menthol cigarettes determined that menthol in cigarettes leads to increased smoking initiation among youth and young adults, greater addiction, and a harder time quitting⁴

- ❖ Flavored products are often the first tobacco products youth and young adults ever use and are a key driver of the youth e-cigarette epidemic, given that 97% of youth who vape use flavored products



Menthol Facts:

Menthol is a chemical found naturally in peppermint and other plants, and can also be produced in a lab

Menthol in cigarettes creates a cooling sensation in the throat and airways when the user inhales, making cigarette smoke feel less harsh on the user

The amounts of tar, nicotine, and other poisons are 30-70% higher in inhaled menthol cigarettes than in non-menthol cigarettes

Menthol cigarettes are **not** less harmful than other cigarettes. Smoking any kind of cigarette, including menthol cigarettes is harmful and increases risk for serious illness and death. ⁵

- ❖ Almost no one becomes a smoker if they do not start smoking before the age of 25
- ❖ Menthol cigarettes contribute to tobacco-related health disparities in the U.S.⁵
 - Menthol cigarettes disproportionately impact groups that were historically less likely to smoke: young people, blacks, and women. The tobacco industry has long targeted these groups with menthol cigarettes^{6,7}
 - Most Black people who smoke use menthol cigarettes
 - Even though Black people start smoking later, smoke less, and try to quit more than any other racial group, they are significantly less likely to quit and more likely to die from smoking-related diseases⁵
 - A higher percentage of black adults who smoke started by using menthol cigarettes (93%) than white adults who smoke (44%)⁵
 - More than half (54%) of youth ages 12-17 years who smoke use menthol cigarettes⁵
 - It is easy to become addicted to nicotine and harder to quit than other substances
- ❖ In the past, the tobacco industry marketed menthol cigarettes as being healthier and safer; advertisements emphasized their cool, refreshing taste³
 - Many people chose menthol cigarettes because they believed they were safer than non-menthol cigarettes, but they are not⁵

References

¹Tobacco Control Legal Consortium “Tobacco Control Act of 2009”, (2009, January 6). Available at: <https://www.publichealthlawcenter.org/topics/special-collections/tobacco-control-act-2009>.

² Guidance Document, Enforcement Priorities for Electronic Nicotine Delivery System (ENDS) and Other Deemed Products on the Market Without Premarket Authorization, Guidance for Industry, Final Guidance Document, p.10 (2020, April). Available at: <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/enforcement-priorities-electronic-nicotine-delivery-system-ends-and-other-deemed-products-market>

³FDA, Products, Ingredients & Components, Menthol and Other Flavors in Tobacco Products. (2021, April 29). Available at: <https://www.fda.gov/tobacco-products/products-ingredients-components/menthol-and-other-flavors-tobacco-products>

⁴Food and Drug Administration. *Preliminary Scientific Evaluation of the Possible Public Health Effects of Menthol versus Nonmenthol Cigarettes*. 2013. Available at: <https://www.fda.gov/media/86497/download>

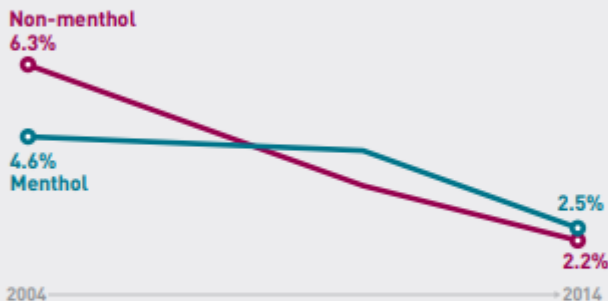
⁵Smoking & Tobacco Use: Menthol and Cigarettes. Centers for Disease Control and Prevention, July 2021. Available at: https://www.cdc.gov/tobacco/basic_information/tobacco_industry/menthol-cigarettes/ and <https://www.cdc.gov/tobacco/disparities/african-americans/index.htm>

⁶ Truth Initiative. *MENTHOL*. August 2018. Available at: <https://truthinitiative.org/research-resources/traditional-tobacco-products/menthol-facts-stats-and-regulations>

⁷The Center for Black Health and Equity. *The Menthol Issue*. Available at: <https://centerforblackhealth.org/menthol/>

Menthol vs. non-menthol smoking rates by age, 2004-2014

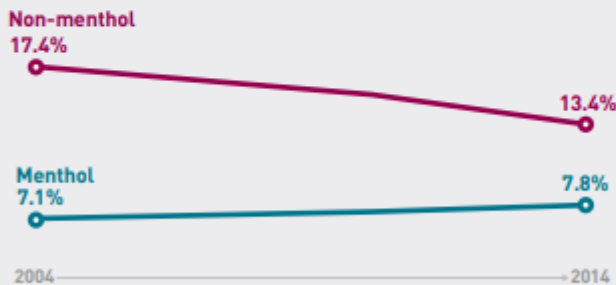
Youth (12-17 years old)



Young adults (18-25 years old)



Adults (26+ years old)



Source: National Survey on Drug Use and Health, 2004-2014.

IMAGE CREDIT: TRUTH INITIATIVE