

NALBOH NEWSBRIEF

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Exploring the Six Functions of Public Health Governance

Legal
Authority

Continuous
Improvement

In this issue:
Legal Authority and
Continuous Improvement

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N A L B O H

National Association of Local Boards of Health

Public Health Priorities

Cool, Minty, and Toxic

Public Health Leaders Urge FDA to Act on Menthol Cigarettes

by Kerry Cork

On April 12, 2013, the Tobacco Control Legal Consortium hand-delivered a formal Citizen Petition to the U.S. Food and Drug Administration, on behalf of nineteen national public health organizations, urging the FDA to prohibit the use of menthol as a characterizing flavor in cigarettes.

Why is this important? In 2009, Congress passed the Family Smoking Prevention and Tobacco Control Act which, among other things, prohibited fruity and candy-like additives as “characterizing flavors” in cigarettes. Because tobacco manufacturers use flavors, herbs, and spices to mask the harshness of tobacco and attract new generations of underage smokers, the flavor ban was an important step to prevent youth smoking. The Tobacco Control Act, however, made one exception to this flavor ban, deferring action on the most popular of all flavors—menthol—and directing the FDA to decide whether continued sale of menthol cigarettes is “appropriate for public health.” Although the FDA’s own Tobacco Product Scientific Advisory Committee studied menthol cigarettes and issued a report in March 2011, which concluded that the “removal of menthol cigarettes from the

marketplace would benefit public health in the United States”—the FDA has yet to act. The filing of a Citizen Petition requires the FDA to formally consider this issue.

Menthol is a deceptively deadly flavor. It produces a cooling sensation popular with many smokers, especially the young and those new to smoking. In fact, menthol cigarettes are the source of addiction for nearly half of all teen smokers. Moreover, menthol cigarettes are used at disproportionately higher rates by racial and ethnic minority smokers, including African-Americans (82.6%), Native Hawaiian or Pacific Islanders (53.2%), Hispanics or Latinos (32.3%), and Asian Americans (31.2%), relative to white smokers (23.8%).

The impact of menthol cigarettes on our nation’s health is staggering. Menthol cigarettes constitute approximately one-third

of the American cigarette market. One model estimates that if menthol were prohibited as a characterizing flavor in cigarettes, between 2010 and 2020 over 2.2 million would not start smoking. By 2050, the number of people who would not smoke would be 9 million. Prohibiting menthol in cigarettes may be the single most powerful measure readily available to the FDA to improve America’s health.

To learn more about the robust body of scientific data on menthol and its relationship to smoking initiation and cessation, and to read the Citizen Petition to the FDA urging action on menthol in cigarettes, visit the Public Health Law Center’s website at www.publichealthlawcenter.org.

Kerry Cork, JD, is associate counsel at the Tobacco Control Legal Consortium.

Quit Resources to Promote in Your Community

by Tricia Valasek

All boards of health and health departments should promote quit resources to tobacco users. These resources are available in a variety of formats including print ads, quitlines, text messages, social media, and radio/television promotions. Below are a few options of resources that your board of health and health department can promote within and adapt to your jurisdiction:

Smokefree.gov

The information and professional assistance available at www.smokefree.gov can help support the immediate and long-term needs of those trying to quit smoking or maintain their smoke-free lifestyle. Smokefree.gov allows persons to choose the help that best fits their needs through:

- A step-by-step quit smoking guide
- Information about a wide range of topics related to smoking and quitting
- An interactive U.S. map highlighting smoking information in your state
- LiveHelp, National Cancer Institute’s instant messaging service
- National Cancer Institute’s telephone quitline, 1-877-44U-QUIT
- Local and state telephone quitlines, 1-800-QUIT-NOW
- Publications to download, print, or order

SmokefreeTXT

SmokefreeTXT is a mobile service designed for young adults across the United States. SmokefreeTXT was created to provide 24/7

encouragement, advice, and tips to help smokers stop smoking for good. Information about the program is available at www.smokefree.gov/smokefreetxt.

Quitlines

Quitlines are available to individuals for support in quitting, a free quit plan, free educational materials, and referrals to local resources. The telephone numbers to promote are:

- 1-800-QUIT-NOW (1-800-784-8669)
- 1-855-DÉJULO-YA (1-855-335-3569) (en Español)

CDC’s Media Campaign Resource Center

The U.S. Centers for Disease Control and Prevention’s Office on Smoking and Health

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