

**Statement of John M. Clymer to  
Food and Drug Administration  
Listening Session on  
Proposed Regulations to Establish Tobacco Product  
Standards for Menthol in Cigarettes and Characterizing Flavors in Cigars  
June 13, 2022**

Good afternoon. My name is John Clymer. I am executive director of the National Forum for Heart Disease & Stroke Prevention, a non-profit, non-partisan organization focused on advancing health equity and preventing heart disease and stroke. We represent over 100 for-profit, non-profit and public sector members throughout the country. Our mission is to spark and lead collaborative action to achieve health equity and optimize cardiovascular health and well-being throughout the lifespan. Smoking prevention and cessation is a primary means to achieve this mission.

The National Forum for Heart Disease & Stroke Prevention appreciates the opportunity to voice its strong support of the proposed product standards prohibiting menthol as a characterizing flavor in cigarettes and cigars. The proposed rules will have an enormous, beneficial public health impact both in the short and long term.

**Cigarette smokers are 2 to 4 times more likely to get heart disease than non-smokers** and cigarette smoking doubles a person's risk for stroke.

**It is an indisputable fact that smoking causes hypertension.** Hypertension is the only modifiable risk factor that kills more people prematurely than smoking itself kills<sup>i</sup>. Hypertension causes heart attack, strokes, heart failure and kidney failure, and multiple additional types of cardiovascular disease including arrhythmia, heart valve complications, abdominal aortic atherosclerosis, coronary artery atherosclerosis, and COPD or Chronic Obstructive Pulmonary Disease.

The Surgeon General of the United States has issued a call to action to control hypertension, signifying it is a national priority in preventing heart disease and stroke, which are the first and fifth leading causes of death in the United States, respectively. In 2020, according to the CDC, nearly 700,000 Americans died from heart disease and more than 160,000 from stroke.

Hypertension is becoming more prevalent at earlier ages. People who develop high blood pressure before age 40 have a higher risk of heart disease and stroke in middle age. **Prohibiting menthol flavorings in tobacco products will reduce youth smoking and, thereby, hypertension.** Menthol cools and numbs the throat, reduces the harshness of tobacco smoke, and makes cigarettes and cigars more appealing to new smokers, particularly young people.<sup>ii</sup> Half of youth who have ever tried smoking started with menthol cigarettes<sup>iii</sup> and menthol cigarettes were responsible for 10.1 million additional new smokers between 1980 and 2018.<sup>iv</sup>

**Prohibiting menthol cigarettes and cigars will increase smoking cessation and save lives.** Five percent of Americans are living with a smoking-related disease. Smoking-attributable healthcare spending exceeds \$170 billion per year<sup>v</sup>, and that amount does not include the costs and hardships suffered by people with smoking-related disease who cannot work and their caregivers who cannot work. Prohibiting menthol cigarettes, which are more difficult to quit than non-menthol cigarettes, will reduce this burden by increasing smoking cessation.<sup>vi</sup> As described in the rule, modeling studies have estimated that 324,000 to 654,000 smoking-attributable deaths would be avoided by the year 2060 if menthol cigarettes were no longer available in the United States.<sup>vii</sup>

**Prohibiting menthol cigarettes and cigars would decrease tobacco-related health disparities and advance health equity, especially among Black Americans.** Menthol cigarettes have caused substantial harm to public health, and particularly to Black Americans. For more than 60 years, the tobacco industry has targeted Black Americans with marketing and price promotions for menthol cigarettes,<sup>viii</sup> and as a result, 85% of Black smokers smoke menthol cigarettes compared to 29% of White smokers.<sup>ix</sup> Consequently, Black Americans are less likely to successfully quit smoking<sup>x</sup> and suffer disproportionately from tobacco-related disease and death.<sup>xi</sup> Despite accounting for 12% of the population, Black Americans represented 41% of premature deaths caused by menthol cigarettes between 1980 and 2018.<sup>xii</sup> In addition to youth and Black smokers, preference for menthol is also disproportionately high among Hispanic and Asian smokers, lesbian, gay, and bisexual smokers, smokers with mental health problems, socioeconomically disadvantaged populations, and pregnant women.<sup>xiii</sup> Each year, approximately 45,000 African Americans die from a smoking-caused illness. Unless action is taken, an estimated 1.6 million African Americans alive today, who are now under the age of 18, will become regular smokers; and about 500,000 of these will die prematurely from a tobacco-related disease.

The National Forum for Heart Disease & Stroke Prevention, on behalf of its more than 100 member organizations, urges the FDA to act swiftly to issue this lifesaving rule in final form.

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i Frieden, TR, “Stopping a Pandemic Deadlier than COVID,” *The Wall Street Journal*, March 25, 2022

ii Tobacco Product Standard for Characterizing Flavors in Cigars, 87 Fed. Reg. 26396, 26463-26466 and 26469-26470 (proposed May 4, 2022) (to be codified at 21 C.F.R. pt. 1166)

iii Ambrose, BK, et al., “Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014,” *Journal of the American Medical Association*, published online October 26, 2015.

iv Le, TT, “An Estimation of the Harm of Menthol Cigarettes in the United States from 1980 to 2018,” *Tobacco Control*, published online on February 25, 2021.

v U.S. Department of Health and Human Services. *Smoking Cessation. A Report of the Surgeon General*. Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2020

vi Tobacco Product Standard for Characterizing Flavors in Cigars, 87 Fed. Reg. 26396, 26466-26468 and 26473-26477 (proposed May 4, 2022) (to be codified at 21 C.F.R. pt. 1166).

vii Levy, D.T., J. Pearson, A. Villanti, et al. “Modeling the Future Effects of a Menthol Ban on Smoking Prevalence and Smoking-Attributable Deaths in the United States.” *American Journal of Public Health*, 101:1236-1240, 2011. Available at <https://doi.org/10.2105/AJPH.2011.300179>. Levy, D.T., R. Meza, Z. Yuan, et al. “Public Health Impact of a US Ban on Menthol

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in Cigarettes and Cigars: A Simulation Study.” *Tobacco Control*, 2021. Available at <https://doi.org/10.1136/tobaccocontrol-2021-056604>.

<sup>viii</sup> Gardiner, PS, “The African Americanization of menthol cigarette use in the United States,” *Nicotine & Tobacco Research*, 6(S1): S55-S65, 2004. Yerger, VB, et al., “Racialized geography, corporate activity, and health disparities: Tobacco industry targeting of inner cities,” *Journal of Health Care for the Poor and Underserved*, 18: 10-38, 2007. Hafez, N. & Ling, P.M.

“Finding the Kool Mixx: how Brown & Williamson used music marketing to sell cigarettes,” *Tobacco Control* 15: 359-366, 2006.

<sup>ix</sup> Delnevo, CD, et al., “Banning Menthol Cigarettes: A Social Justice Issue Long Overdue,” *Nicotine & Tobacco Research*, 22(10): 1673-1675, 2020.

<sup>x</sup> CDC, “Current Cigarette Smoking Among Adults—United States, 2005-2015,” *Morbidity & Mortality Weekly Report*, 65(44): 1205-1211, November 11, 2016, [http://www.cdc.gov/mmwr/volumes/65/wr/mm6544a2.htm?s\\_cid=mm6544a2\\_w](http://www.cdc.gov/mmwr/volumes/65/wr/mm6544a2.htm?s_cid=mm6544a2_w).

<sup>xi</sup> CDC, “Vital Signs: Disparities in Tobacco-Related Cancer Incidence and Mortality—United States, 2004-2013,” *Morbidity & Mortality Weekly Report*, 65(44): 1212-1218, <http://www.cdc.gov/mmwr/volumes/65/wr/mm6544a3.htm>.; See also American Cancer Society. *Cancer Facts & Figures for African American/Black People 2022-2024*. Atlanta: American Cancer Society, 2022. HHS, “Tobacco Use Among US Racial/Ethnic Minority Groups—African Americans, American Indians and Alaskan Natives, Asian Americans and Pacific Islanders, and Hispanics: A Report of the Surgeon General,” 1998, [http://www.cdc.gov/tobacco/data\\_statistics/sgr/1998/complete\\_report/pdfs/complete\\_report.pdf](http://www.cdc.gov/tobacco/data_statistics/sgr/1998/complete_report/pdfs/complete_report.pdf)

<sup>xii</sup> Mendez, D and Le, TT, “Consequences of a match made in hell: the harm caused by menthol smoking to the African American population over 1980-2018,” *Tobacco Control*, published online September 16, 2021.

<sup>xiii</sup> Delnevo, CD, et al., “Banning Menthol Cigarettes: A Social Justice Issue Long Overdue,” *Nicotine & Tobacco Research*, 22(10): 1673-1675, 2020.