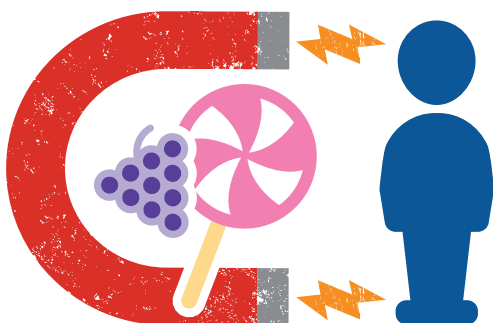


END THE SALE OF ALL FLAVORED TOBACCO PRODUCTS

The COVID-19 pandemic demonstrates the need for strong public health policies to improve lung health and reduce commercial tobacco addiction.

Minnesotans agree: We can do more to prevent kids from becoming addicted. Minnesotans for a Smoke-Free Generation supports ending the sale of all flavored tobacco products, to create a healthier future for our kids and address tobacco-related health disparities.

WEAK FEDERAL RULES ALLOW THE TOBACCO INDUSTRY TO USE FLAVORS TO ATTRACT NEW TOBACCO USERS.



- FDA's failure to end all flavored e-cigarette sales has led to dramatic increases among products still available, including a 1000 percent increase in disposable e-cigarette use by high-schoolers.¹
- Nearly 3 million students in the U.S. reported using flavored e-cigarettes, including 1.9 million using mint or menthol.¹

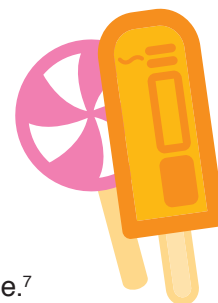
FLAVORED PRODUCTS ARE A KEY REASON MINNESOTA IS FACING A YOUTH TOBACCO EPIDEMIC.

- In Minnesota, more than a quarter of 11th-graders use e-cigarettes, and 8th-grade vaping rates doubled from 2016 to 2019.²
- Seven in 10 youth say they use e-cigarettes "because they come in flavors [they] like."³
- In Minnesota, 67 percent of high-school tobacco users use flavored products.⁴



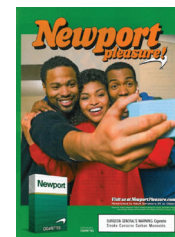
FLAVORED PRODUCTS MASK THE HARSHNESS OF TOBACCO, AND ARE LURING KIDS INTO ADDICTION.

- The tobacco industry deliberately uses flavors to attract the next generation of smokers.⁵
- Nicotine is highly addictive, harms the adolescent brain and primes youth for addiction.⁶
- Today's popular e-cigarettes contain high levels of nicotine.⁷
- Flavorings in e-liquids are harmful when inhaled and can damage airway and lung tissue.^{8,9,10,11}



THE TOBACCO INDUSTRY TARGETS BLACK, LGBTQ AND YOUNG PEOPLE WITH MENTHOL TOBACCO.

- Menthol flavoring makes it easier for kids to start smoking and harder for adults to quit.¹²
- For decades, tobacco companies have channeled menthol tobacco products into Black communities, causing death and disease.^{13,14}
- Nationally, 85 percent of Black smokers smoke menthols, versus 29 percent of white smokers.¹⁴
- The tobacco industry uses menthol to target Black Americans, LGBTQ communities, and youth.^{13,15}



RESTRICTING SALES OF FLAVORED TOBACCO PRODUCTS CAN REDUCE TOBACCO USE.

- Ending the sale of flavored tobacco products will improve the health of Black communities and other groups targeted by Big Tobacco.^{13,14}
- Among Minnesota menthol smokers, half reported they would quit smoking if menthol cigarettes were no longer sold.¹⁶
- More than a dozen Minnesota communities have restricted the sale of flavored tobacco products.¹⁷
- Studies show that local flavor restrictions reduce the chance that teens will ever try tobacco products.¹⁸



MINNESOTA IS READY TO CLEAR THE MARKET OF ALL FLAVORED TOBACCO PRODUCTS.

A 2020 statewide poll found that 74 percent of Minnesotans support prohibiting the sales of all flavored commercial tobacco products, including menthol cigarettes. Support for this policy was high across demographics and regions, including among African Americans (77 percent support) and rural residents (81 percent support).¹⁹

Minnesotans for a Smoke-Free Generation is a coalition of more than 60 organizations that share a common goal of saving Minnesota youth from a lifetime of addiction to tobacco. The coalition supports policies that reduce youth smoking and nicotine addiction, including increasing tobacco prices, ending the sale of menthol and all flavored tobacco products, and funding tobacco prevention and treatment programs.

Find out more at www.smokefreegenmn.org.

1. Wang TW et al. E-cigarette use among middle- and high-school students - United States, 2020. *MMWR Morb Mortal Wkly Rep*. 2020.

2. Minnesota Department of Health. 2019 Minnesota Student Survey: E-cigarette and Cigarette Findings. 2019.

3. U.S. Department of Health and Human Services, Food and Drug Administration, Center for Tobacco Products. Modifications to Compliance Policy for Certain Deemed Tobacco Products Guidance for Industry DRAFT GUIDANCE. 2019.

4. Minnesota Department of Health. Teens and Tobacco in Minnesota: Highlights from the 2017 Youth Tobacco Survey. 2018.

5. Ritchy AP (RJR Tobacco). Apple Wine Cigarette Project. 1972. <http://legacy.library.ucsf.edu/tid/buq49d00/pdf>.

6. U.S. Department of Health and Human Services. E-Cigarette Use Among Youth and Young Adults: A Report From the Surgeon General. 2016.

7. Jackler RK et al. Nicotine arms race: JUUL and the high-nicotine product market. *Tob Control*. 2019.

8. Muthumalage T et al. Inflammatory and oxidative responses induced by exposure to commonly used e-cigarette flavoring chemicals and flavored e-liquids without nicotine. *Front Physiol*. 2017.

9. Behar RZ et al. Identification of toxicants in cinnamon-flavored electronic cigarette refill fluids. *Toxicol In Vitro*. 2014.

10. Allen JG et al. Flavoring chemicals in e-cigarettes: Diacetyl, 2,3-pentanedione, and acetoin in a sample of 51 products, including fruit-, candy-, and cocktail-flavored e-cigarettes. *Environ Health Perspect*. 2016.

11. Bitzer ZT et al. Effect of flavoring chemicals on free radical formation in electronic cigarette aerosols. *Free Radic Biol Med*. 2018.

12. U.S. Food and Drug Administration. Preliminary Scientific Evaluation of the Possible Public Health Effects of Menthol Versus Nonmenthol Cigarettes. 2013.

13. Gardiner PS. The African Americanization of menthol cigarette use in the United States. *Nicotine Tob Res*. 2004.

14. Delnevo CD et al. Banning menthol cigarettes: A social justice issue long overdue. *Nicotine Tob Res*. 2020.

15. Stevens P et al. An analysis of tobacco industry marketing to lesbian, gay, bisexual, and transgender (LGBT) populations: Strategies for mainstream tobacco control and prevention. *Health Promot Pract*. 2004.

16. D'Silva J et al. Quitting and switching: Menthol smokers' responses to a menthol ban. *Tob Regul Sci*. 2015.

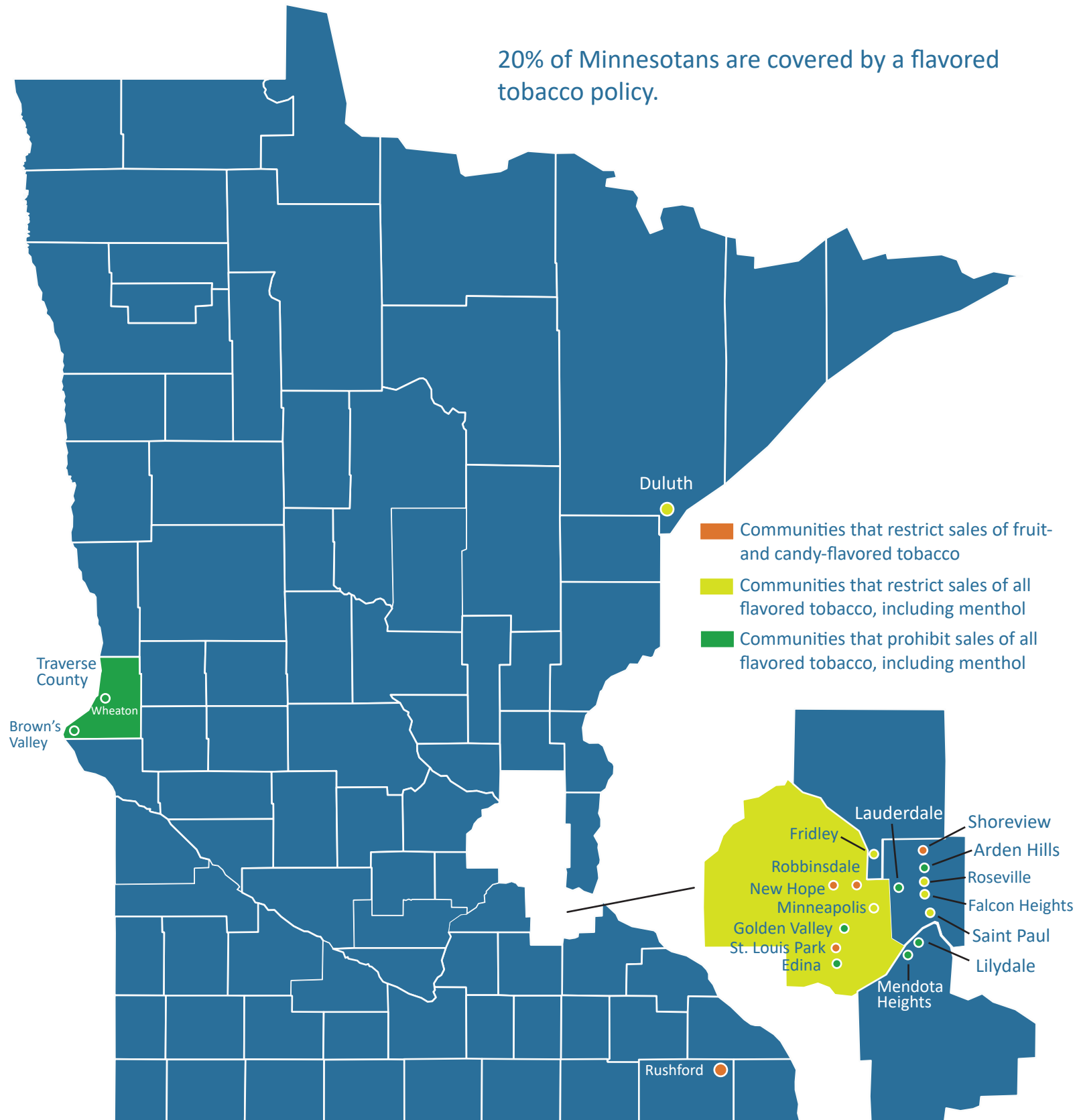
17. Brock B et al. A tale of two cities: Exploring the retail impact of flavored tobacco restrictions in the Twin Cities of Minneapolis and Saint Paul, Minnesota. *Tob Control*. 2019. Available at <https://www.ansrmn.org/issues-resources/flavored-tobacco/>.

18. Farley SM, Johns M. New York City flavored tobacco product sales ban evaluation. *Tob Control*. 2016.

19. The Morris Leatherman Company: Statewide Issues Survey, January 2020. Tobacco Issues. 2020.

Minnesota communities restricting the sale of flavored tobacco

20% of Minnesotans are covered by a flavored tobacco policy.

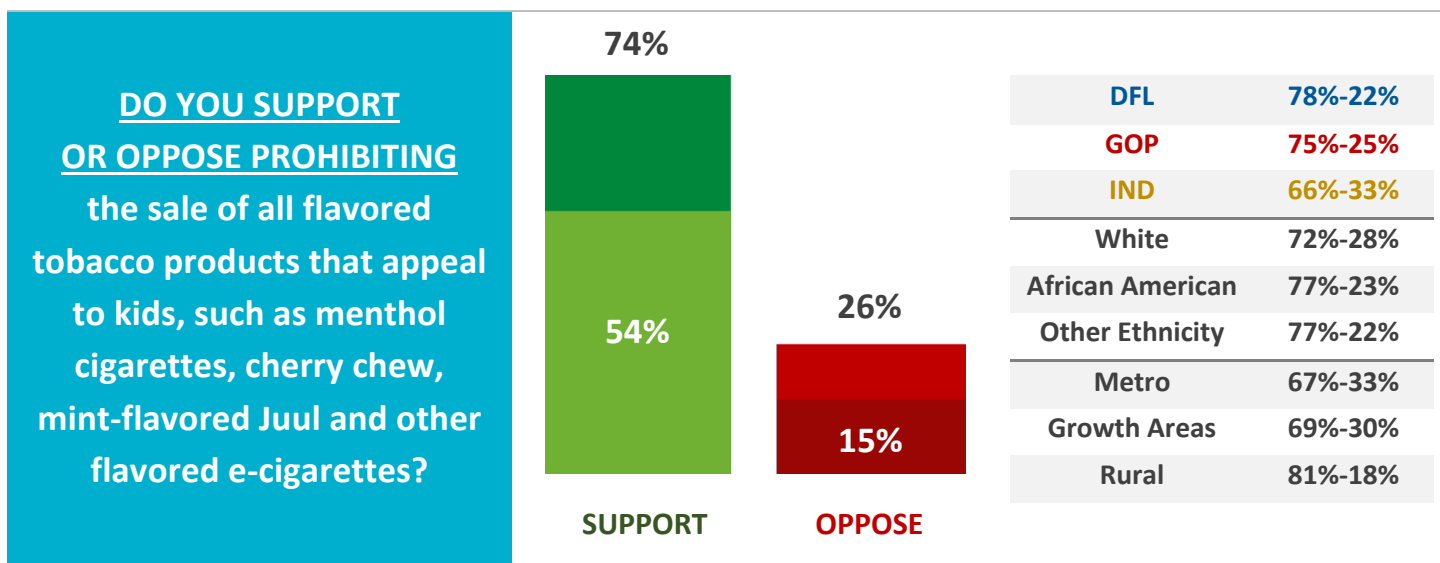




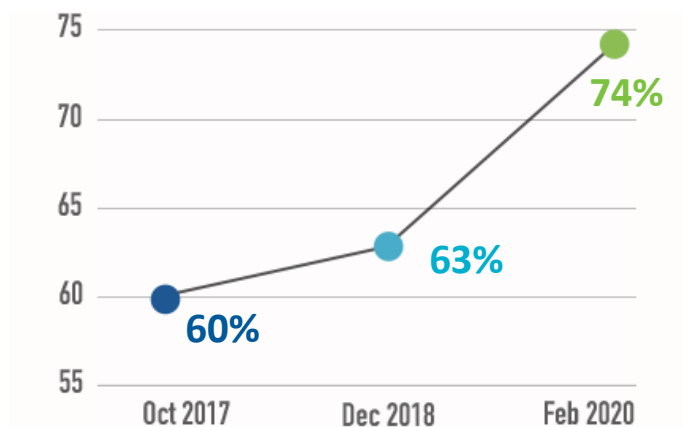
A 2020 statewide Blue Cross and Blue Shield of Minnesota scientific survey found overwhelming support for public health policies aimed at reducing tobacco's harm and creating a smoke-free generation in Minnesota.

ENDING THE SALE OF FLAVORED TOBACCO PRODUCTS

74% of Minnesotans support prohibiting the sale of all flavored tobacco products, including menthol cigarettes. Of those supporters, 54% strongly support the restrictions. Prohibiting the sale of flavored tobacco products has support across political parties, geographic locations and ethnicities.



CHANGE IN SUPPORT FOR FLAVOR PROHIBITIONS OVER TIME



	INTENSITY GAP	SUPPORT FOR POLICY	
	Strongly Support v. Strongly Oppose	Total Support	Strong Support
2017	+12	60%	27%
2018	+12	63%	29%
2020	+39	74%	54%

METHODOLOGY INFORMATION: The study contains the results of a Blue Cross and Blue Shield of Minnesota survey administered to 800 randomly selected adult residents in Minnesota by Morris Leatherman Company. Professional interviewers conducted the survey via landline and cell phone calls between January 20 and February 7, 2020. The typical respondents took twenty-four minutes to complete the questionnaire. Cellphone only households with 42% of the sample, landline only households with 10% of the sample; with the remaining 48% having both cellphones and landlines. The results are projectable to all adult residents in Minnesota to within $\pm 3.5\%$ in 95 out of 100 cases. Comparative data uses previous Blue Cross and Blue Shield of Minnesota surveys conducted by Morris Leatherman Company.



<https://www.startribune.com/to-protect-black-lives-ban-menthol/600018203/>

To protect Black lives, ban menthol

Big Tobacco marketed to African Americans for decades, and we need to end the damage.

By LaTrisha Vetaw and Zeke McKinney

FEBRUARY 2, 2021 — 5:28PM



DREW ANGERER • GETTY IMAGES

Big Tobacco marketed directly to African Americans for years, and today 85% of Black smokers prefer menthols.

Black History Month presents an opportunity for us to celebrate the contributions of Black Americans. Every February, we also reflect on the generations of Africans Americans who fought to achieve freedom and citizenship. That struggle for equality continues today.

In Minnesota and throughout the nation, racism is a public health crisis that permeates nearly every aspect of life for Black families. Worse educational outcomes, poverty, environmental injustice and poor health are just a few consequences of institutional and structural racism.

There are massive, societal-level problems that we must continue to address — and that work may take decades. Thankfully, there are also common-sense solutions Minnesota can implement now to improve the lives of Black residents.

Ending the sale of menthol and all flavored tobacco products is one step we should take to immediately address the health crisis of racism. This Black History Month, let's support Black lives and Black lungs by clearing the market of deadly menthol and flavored tobacco products.

For decades, Big Tobacco has marketed menthol cigarettes to African Americans, advertising in Black publications and neighborhoods, sponsoring concerts and even driving around Black neighborhoods handing out free menthol cigarettes. Big Tobacco's strategy worked. Today 85% of Black smokers prefer menthols, compared to 29% of white smokers.

As a result of these efforts, some people think menthol tobacco is a Black thing. Menthol is not a Black thing, it's a tobacco industry marketing thing.

Menthol gives a cooling sensation and masks tobacco's harshness, making it easier to start smoking and harder to quit. The federal government has studied the harms of menthol to Black Americans, but has failed to act. In fact, the federal government in 2009 took all flavored cigarettes off the marketplace except menthol. That policy failure has cost thousands of Black lives.

As Black health professionals in Minneapolis, we see firsthand the devastating health effects of smoking menthol tobacco products. We also have suffered immense personal loss from menthol tobacco products. Between the two of us, we have lost a father and a grandfather due to smoking-related lung cancer and heart disease, and many other family members are living with a long addiction to menthol cigarettes and suffer from various smoking-related diseases.

The pandemic adds urgency to our efforts since current and former smokers are at increased risk for severe illness from COVID-19. To make matters worse, communities targeted by the tobacco industry, including Black and Indigenous Minnesotans, are some of the hardest hit by COVID-19.

Removing flavored tobacco products from the marketplace is an important step to improve lung health and encourage adults to quit. Fortunately, all Minnesota residents can access free quitting help through 1-800-QUIT-NOW and QuitPartnerMN.com.

Minnesota is ready to join leading states that have ended the sale of menthol and flavored tobacco products. Many Minnesota communities are leading the way. Minneapolis, St. Paul, Duluth and nine other municipalities have limited where menthol products can be sold.

There is strong, bipartisan support for building a state free of tobacco addiction, especially among our young people. In addition to harming the Black community, menthol and other flavored products are driving the tobacco epidemic among young people, which wiped out decades of progress to build a generation free from tobacco addiction.

This policy is overwhelmingly popular in the community, too. Nearly three-quarters of Minnesotans and 77% of African Americans polled support ending the sale of all flavored tobacco products.

In late December, the Minnesota House Select Committee on Racial Justice recommended that Minnesota remove menthol and all flavored tobacco products from the marketplace to promote racial justice. And just a couple weeks ago, Attorney General Keith Ellison joined 22 other attorneys general in calling on the Food and Drug Administration to end the sale of menthol cigarettes nationwide.

There is significant momentum, but we know the tobacco industry will fight tooth and nail to protect its profits. Let's make this clear, though: We won't stop until we no longer have to attend funerals for our parents, grandparents, uncles and friends lost to smoking. Please join the movement to put the health of kids, Black Minnesotans and all residents ahead of Big Tobacco's profits.

LaTrisha Vetaw is director of health policy and advocacy at Northpoint Health and Wellness Center and co-chair of the Menthol Coalition. Zeke McKinney is faculty physician, HealthPartners Occupational and Environmental Medicine.

MENTHOL TOBACCO

A Pervasive Threat in Minnesota's African American Community



A 2016 survey reveals the Twin Cities African American community recognizes tobacco as a serious health problem and identifies menthol tobacco as a pervasive threat in the community.

According to Respondents (407 people)



86%

support more laws
to reduce the
harms of smoking



88%

believe tobacco use is
a **significant health issue**
in the African American
community



61%

feel menthol cigarettes
are marketed to African
Americans **more than**
other racial groups.

According to African American smokers (94 people)

72%

menthol makes it
harder to quit



84%

smoke
menthol
cigarettes



57%

noticed coupons
for cigarettes
in the last 30 days

69% believe menthol makes it easier
for young people to start smoking

Menthol use patterns and perceptions are revealed in a 2016 survey of 407 U.S.-born African Americans in Hennepin and Ramsey counties. This survey was made possible by a two-year Statewide Health Improvement Partnership (SHIP) grant, which was funded thanks to action of the Minnesota Legislature in 2015. The survey work was carried out under the leadership of the African American Leadership Forum. Partners include the Hennepin County Public Health Assessment Team — local health departments of Hennepin and Saint Paul-Ramsey Counties, Minneapolis, Bloomington, Edina and Richfield.

This menthol use and perception information is important in exploring ways to reduce tobacco's harm among African Americans in Minnesota. Engagement and education of members of the local African American community are the focus of the second part of the two-year SHIP grant.

Administration's E-cigarette Policy Leaves Thousands of Flavored E-cigarettes on the Market

The Trump Administration's policy only restricts flavors in some types of e-cigarettes. It only restricts flavors (except for tobacco and menthol flavors) in some prefilled products, leaving countless flavored e-cigarette products widely available.

1. Disposable flavored e-cigarettes will remain widely available



The e-cigarette industry has already introduced the next new fad – cheap, disposable e-cigarettes in flavors such as strawberry, grape and mango.¹ These devices are appealing to youth due to their high nicotine levels, wide range of flavors, ease of use, and concealability.

2. 15,000+ flavored e-liquids will remain widely available



There are well over 15,000 flavored e-liquids available on the market today. These flavors often mimic candy, sweets and fruits and come in varying nicotine strengths, sometimes even higher than in Juul (a 5% Juul pod delivers the equivalent nicotine of a pack of cigarettes). Also, purchasing e-liquid by the bottle is often cheaper than purchasing Juul pods, making them even more appealing to price-sensitive youth.

3. Popular open systems will remain widely available, including refillable Juul-compatible pods



After Juul, Smok and Suorin are the most popular e-cigarette devices among high school students. More than one out of ten high school e-cigarette users report that their preferred brand is Smok or Suorin (7.8% for Smok and 3.1% reported for Suorin).² These devices are sold empty and can be filled with any of the thousands of flavored e-liquids, and various nicotine strengths, that will remain on the market. In addition, empty Juul-compatible pods are already being sold and can be filled with any of the thousands of e-liquids that will remain on the market.

4. Juul and other menthol-flavored pods will remain widely available



The tobacco industry has known for decades that menthol appeals to youth, since half of youth who have ever tried smoking started with menthol flavored cigarettes. There is no reason to believe that menthol e-cigarettes will not be equally appealing to kids – especially if they are the only available flavor for pod products. The Wall Street Journal even reported in September that JUUL was considering rebranding their best-selling mint flavor as menthol to keep it on the market,³ and other brands are sure to follow suit given the loopholes in the guidance.

5. Flavored e-cigarettes will remain widely accessible

Between gas stations, convenience stores and vape shops, there are well over a hundred thousand access points where youth can get these products and devices. Kids will be enticed by a wide range of options: flavored disposable e-cigarettes; sleek, open systems with unlimited flavor options; or menthol pods.

¹ Williams, R, "The Rise of Disposable E-cigarettes," Tobacco Control, doi:10.1136/tobaccocontrol-2019-055379, October 31, 2019

² Cullen, KA, et al., "e-Cigarette Use Among Youth in the United States, 2019" JAMA, November 5, 2019

³ Maloney, J, "Juul Debates Pushing Back on E-Cigarette Ban," Wall Street Journal, September 12, 2019, <https://www.wsj.com/articles/juul-debates-pushing-back-on-e-cigarette-ban-11568327978>