A Move to Ban Menthol Cigarettes

What is the issue?

The US Food and Drug Administration has issued a proposal to ban menthol cigarettes and flavoured cigars.

What are menthol cigarettes?

- Menthol cigarettes are flavored with menthol, which triggers the cold-sensitive nerves in the skin.
- Menthol has a cooling and anesthetic (or pain killing) effect which decreases the cough reflex and can soothe the dry throat feeling that many smokers have.
- As a result, menthol smokers may inhale more deeply, hold the smoke in the lungs longer, and get more exposure to the dangerous chemicals in cigarette smoke.
- Menthol cigarettes cause diseases including cancer, cardiovascular, respiratory diseases and multiple adverse reproductive outcomes.
- Menthol products accounted for approximately one-fifth of the United States cigarette market in 2006.
- About 85% of African Americans smokers prefer menthol cigarettes in comparison to 29% of white smokers.

What exactly is the FDA proposal?

- Some states in the US have already banned menthol cigarettes but the FDA plans to extend the prohibition countrywide.
- Apart from menthol, all other flavours in cigarettes were banned in the US in 2009.
- FDA's proposal aims to prohibit menthol as a characterizing flavor in cigarettes and prohibit all characterizing flavors (other than tobacco) in cigars.
- The proposed ban does **not** cover electronic cigarettes.

What is the need for the ban?

- **Prevent children from smoking**- The proposed rules would help prevent children from becoming the next generation of smokers and help adult smokers quit.
- **Health equity**- The proposed rules are an important step to advance health equity by significantly reducing tobacco-related health disparities.
- **Health effects**- Menthol also interacts with nicotine in the brain to enhance nicotine's addictive effects, while making it more difficult for people to quit smoking.
- **Research studies**- Modeling studies have estimated a 15% reduction in smoking within 40 years if menthol cigarettes were banned.

How did menthol cigarettes become more popular among Black smokers?

- Over decades, tobacco companies used “predatory” and “targetted” advertising to attract Black consumers towards menthol cigarettes through culturally tailored advertising images and messages.
- The tobacco industry attempts to maintain a positive image among African Americans by supporting cultural events and making contributions to minority higher education institutions, elected officials, civic and community organizations, and scholarship programs.
- Tobacco firms use price promotions such as discounts and multi-pack coupons which are most often used by African Americans.
- Although African Americans usually smoke fewer cigarettes and start smoking cigarettes at an older age, they are more likely to die from smoking-related diseases than Whites.

Why is the proposed ban criticized?

- **Validity of the data-** Tobacco firms have disputed the scientific evidence that menthol cigarettes are more harmful than regular cigarettes.
- **Loss of revenue**- Some have claimed that the ban will cause the government significant revenue loss.
- **Black marketing**- Taking these products out of the legal marketplace will push them into unregulated, criminal markets that don’t follow any regulations and ignore minimum age laws.
- **Targets African Americans**- Some activists have flagged concerns that the ban could push Black smokers towards criminalization.

The first country in the world to ban menthol cigarettes was Brazil, in 2012. India has not banned the sale of menthol cigarettes.

How would a similar ban play out in India?

India has 26.7 crore tobacco users aged 15 and above, as per the last available Global Adult Tobacco Survey (GATS 2016-17).

- Tobacco regulation laws in India are covered under Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, or COTPA,
- It restricts the advertisement, promotion and sponsorship of tobacco products,
- It prohibits smoking in public places and sale to and by minors
- It also prohibits the sale of tobacco products within a radius of 100 yards of educational institutions and requires mandatory depiction of specified pictorial health warnings on all tobacco product packs.
- In 2019, the Centre banned electronic cigarettes.
- In addition, different states have their own rules in place banning hookah consumption, including flavoured hookahs, in public places.
- **Impact of banning menthol cigarette in India**- The impact of such a step would only be on young adults and women who are just starting to smoke.
- Banning it could prevent new users from beginning smoking but it is likely to reduce initiation

to regular smoking.

- Banning products has logistical issues as well as things will be smuggled.
- Other than banning tobacco products outrightly, experts stressed a need for oversight on social media platforms, content streaming websites, and web based shopping portals.

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