SHASTA COUNTY TOBACCO EDUCATION COALITION
2650 Breslauer Way, Redding, CA 96001
PH (530) 225-5134 I FAX (530) 229-8460

American Cancer Society

American Heart Association

American Lung Association

Anderson Partnership for Healthy Children

Child Abuse Prevention Coordinating Council of Shasta County

Health Improvement Partnership, Inc.

INSPIRE Smoking Cessation Services

Mercy Medical Center Redding

Northern Valley Catholic Social Services

Planned Parenthood Shasta-Diablo

Second Wind Smoking Cessation

Shasta College

Shasta County Chemical People, Inc

Shasta County Office of Education

Shasta County Public Health

Youth Violence Prevention Council

And Community Members

December 9, 2010

Dr. Jonathan Samet, MD, MS
Chair, Tobacco Products Scientific Advisory Committee
Food and Drug Administration
9200 Corporate Boulevard
Rockville, MD 20850-3229

Re: FDA Regulation of Flavored Tobacco

Dear Dr. Samet:

The Shasta County Tobacco Education Coalition is working with local organizations to raise awareness of the use of menthol in cigarettes and characterizing flavors (i.e. cherry, chocolate, mint) in other tobacco products. In doing so, organizations are made aware that the Food & Drug Administration has been granted the authority to regulate such products.

You will find a resolution attached encouraging the FDA to ban the use of menthol in cigarettes and ban characterizing flavors in other tobacco products. This resolution is signed by the Shasta Coalition of African Americans for Community Health, Education, and Empowerment.

Please assist in ensuring that the FDA exercises its authority to regulate these products. National survey data shows that 82% of African American smokers use menthol cigarettes (SAMSHA. 2004—2008.National Surveys on Drug Use and Health [INSDUHs]). The FDA can stop industry targeting of African Americans.

Sincerely,

Cris Hartman

Cris Hartman
Chair

Enclosures (1)

CC: Dr. Jonathan Samet, Tobacco Products Scientific Advisory Committee- Food and Drug Administration
Senator Barbara Boxer, United States Senate
Senator Dianne Feinstein, United States Senate
Dr. Lawrence Deyton, Center for Tobacco Products- Food and Drug Administration
Cristi Stark, Center for Tobacco Products- Food and Drug Administration
Dr. Margaret Hamburg, Food and Drug Administration
Kathleen Sebelius, Department of Health and Human Services

Our mission is to promote a healthy community and work to protect our residents from the harmful health and economic effects of tobacco and secondhand smoke. Meetings are held the third Wednesday of every month from 11:30 - 1:00 at Round Table Pizza- Mt. Shasta Mall.

Shasta Coalition of African Americans
for Community Health, Education, and Empowerment
P.O. Box 494711, Redding, CA, 96049
(530) 524-5242

Resolution Encouraging the Food and Drug Administration to Ban the Use of Menthol in Cigarettes and Characterizing Flavors in Other Tobacco Products

WHEREAS, 44% of children aged 12-17 years who smoke, and 79% of African American, 51% of Asian American and Hispanic, and 37% of white high school-aged smokers use menthol cigarettes;[i]

WHEREAS, the tobacco industry has targeted African Americans with mentholated products and as a result nearly 82% of African American smokers smoke menthol cigarettes, compared with 29% of white smokers;[ii]

WHEREAS, tobacco industry documents clearly show how the tobacco industry designed flavored tobacco products to target youth;[iii]

WHEREAS, mentholated and flavored products have been shown to be "starter" products for youth who begin smoking;[iv, v, vi]

WHEREAS, the tobacco industry has been manipulating the dose of menthol in cigarettes to ensure the uptake and continued use of tobacco, especially by young people and the African/Black American community for many years;[vii]

WHEREAS, the U.S. Food and Drug Administration (FDA) has the authority to issue product standards to promote public health, which can include eliminating or reducing certain ingredients;[viii]

WHEREAS, the FDA already prohibits cigarettes from having candy, fruit, and spice as characterizing flavors because these flavors make tobacco products especially appealing to kids, and can lead to a lifetime of tobacco addiction;[ix]

WHEREAS, menthol was expressly exempted from the ban on characterizing flavors in cigarettes;[x]

WHEREAS, other tobacco products (including but not limited to smokeless tobacco, cigars, hookah tobacco, and dissolvable tobacco products) are not included in the ban on candy, fruit, spice or other characterizing flavors;[xi]

WHEREAS, the tobacco industry has a well-documented history of developing and marketing mentholated brands to racial and ethnic minorities and youth;[xii, xiii]

WHEREAS, in cigarettes, menthol is the only cigarette additive that is actively marketed to consumers, and virtually all cigarettes contain at least some menthol to make cigarettes more palatable;[xiv]

WHEREAS, the Shasta Coalition of African/Black Americans for Community Health and Empowerment (S.C.O.A.C.H.E.) is committed to the health and well being of African/Black Americans and is particularly concerned about preventing tobacco use among youth;

NOW, THEREFORE, BE IT RESOLVED, that S.C.O.A.C.H.E. hereby supports the Food and Drug Administration's exercise of its authority to ban the use of menthol and in cigarettes and characterizing flavors in other tobacco products in the United States;

BE IT FURTHER RESOLVED that S.C.O.A.C.H.E. shall send this resolution to the following individuals:

FDA Staff and Advisory Committee:

Dr. Lawrence Deyton, MSPH, MD
Director
Center for Tobacco Products
Food and Drug Administration
9200 Corporate Boulevard
Rockville, MD 20850-3229

Cristi Stark, MS
Center for Tobacco Products
Food and Drug Administration
9200 Corporate Boulevard, Room 110H
Rockville, MD 20850-3229

Margaret Hamburg, MD
Commissioner
Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993-0002

Dr. Jonathan Samet, MD, MS
Chair
Tobacco Products Scientific Advisory Committee
Food and Drug Administration
9200 Corporate Boulevard
Rockville, MD 20850-3229

Kathleen Sebelius
Secretary
Department of Health & Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Federal Elected Officials:

Senator Barbara Boxer
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510

Wally Herger
United States House of Representatives
242 Cannon HOB
Washington, DC 20515

Senator Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

APPROVED AS TO FORM:

Abu Baker Salahueldin 11-22-10

Abu Bakr Salahuddin, Chair November 22, 2010

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[1] Jennifer M. Kreslake et al., *Tobacco Industry Control of Menthol in Cigarettes and Targeting of Adolescents and Young Adults*, 98 AM. J. PUB. HEALTH 1685, 1685-92 (2008).
[2] Substance Abuse and Mental Health Services Administration, Office of Applied Studies, *The NSDUH Report: Use of Menthol Cigarettes*, Nov. 19, 2009, *available at:* http://oas.samhsa.gov/2k9/134/134MentholCigarettes.htm.
[3] Department of Health and Human Services, Food and Drug Administration, *FDA Parental Advisory on Flavored Tobacco Products – What You Need to Know, available at:* www.fda.gov/TobaccoProducts/ProtectingKidsfromTobacco/FlavoredTobacco/ucm183196.htm.
[4] Substance Abuse and Mental Health Services Administration, Office of Applied Studies, *The NSDUH Report: Use of Menthol Cigarettes*, Nov. 19, 2009, *available at:* http://oas.samhsa.gov/2k9/134/134MentholCigarettes.htm.
[5] James C. Hershey et al., *Are Menthol Cigarettes a Starter Product for Youth?*, 8 NICOTINE & TOBACCO RES. 403, 403-13 (2006).
[6] Olivia Wackowski & Cristine D. Delnevo, *Menthol Cigarettes and Indicators of Tobacco Dependence Among Adolescents*, 32 ADDICTIVE BEHAV. 1964, 1964-69 (2007).
[7] Jennifer M. Kreslake et al. *Tobacco Industry Control of Menthol in Cigarettes and Targeting of Adolescents and Young Adults*, 98 AM. J. PUB. HEALTH 1685, 1685-1692 (2008).
[8] Family Smoking Prevention and Tobacco Control Act, Pub. L. No. 111-31, § 102, 123 Stat. 1776 (codified as amended in scattered sections of 5 U.S.C., 15 U.S.C., and 21 U.S.C.); 21 U.S.C. § 387a-1 (2010).
[9] 21 U.S.C. § 387g(a)(1)(A) (2010).
[10] *Id.*
[11] *Id.*
[12] *United States v. Philip Morris*, 449 F. Supp. 2d 1, 71 (D.D.C. 2006) aff'd, 566 F.3d 1095 (D.C. Cir. 2009).
[13] Valerie B. Yerger et al., *Racialized Geography, Corporate Activity, and Health Disparities: Tobacco Industry Targeting of Inner Cities*, 18 J. OF HEALTH CARE FOR THE POOR & UNDERSERVED 10, 10-38 (2007).
[14] Summary of the Second Conference on Menthol Cigarettes: *Menthol in Cigarettes: It helps the poison go down easier* A Report to the Food and Drug Administration (FDA) Prepared as Public Comment by Phillip Gardiner, Dr. P.H., University of California Office of the President, Tobacco Related Disease Research Program Pamela Clark, Ph.D., University of Maryland College Park, School of Public Health. December 21st, 2009.