

# What's Menthol Got To Do With It? Everything!

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# Disclosure

- I have no Financial Interest in any Tobacco and or E-cigarette companies
- I have no Financial Interest in any Pharmaceutical Companies

# Menthol: It Helps the Poison Go Down Easier!

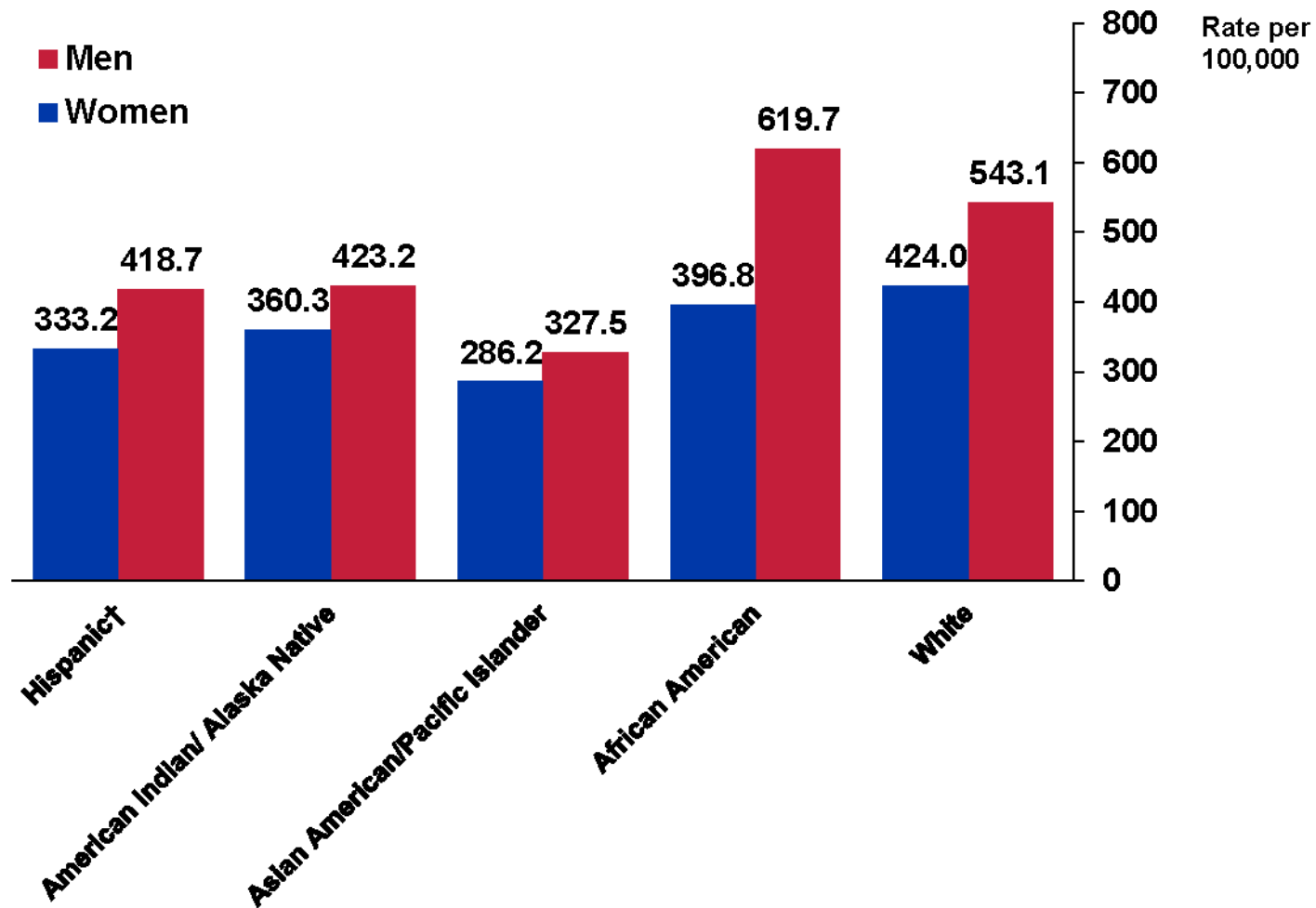
- One of the main driving forces in Racial and Ethnic Smoking Health Disparities
  - Identify the disparities
  - Predatory Marketing by the tobacco industry
  - Its Not Just African Americans
  - The Fightback

# Smoking Prevalence 2012

- African Americans 18.1%
- Am. Indians/Alaska Natives 21.8%
- Asian Americans 10.7%
- Hispanics 12.5%
- Whites 19.7%
- Multiracial 26.1%

(MMWR, 2014)

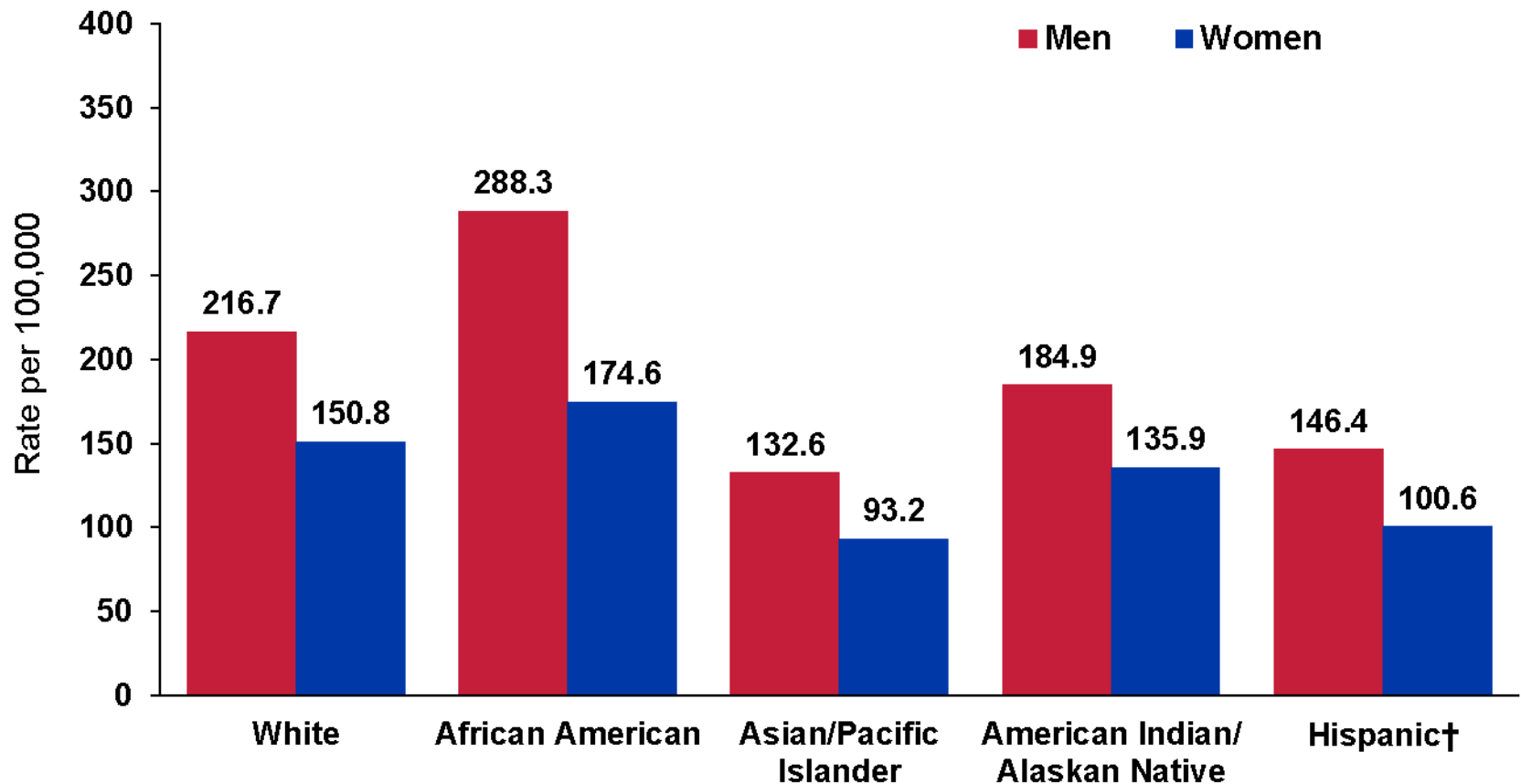
# Cancer Incidence Rates\* by Race and Ethnicity, 2005-2009



\*Age-adjusted to the 2000 US standard population.

†Persons of Hispanic origin may be of any race.

## Cancer Death Rates\* by Race and Ethnicity, US, 2005-2009



\*Per 100,000, age-adjusted to the 2000 US standard population.

†Persons of Hispanic origin may be of any race.

# Age Adjusted Incidence Rates

(All sites and Lung) per 100,000 (Females and Males, ACS 2007)

	AA	AIAN	AAPI	Whites	Hispanic
All Sites					

M	639.8	359.9	385.5	555.0	444.1
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F	383.8	305.0	303.3	421.1	327.2
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Lung Cancer					
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M	110.6	55.5	56.6	88.8	52.7
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F	50.3	33.8	28.7	56.2	26.7
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# Age Adjusted Mortality Rates

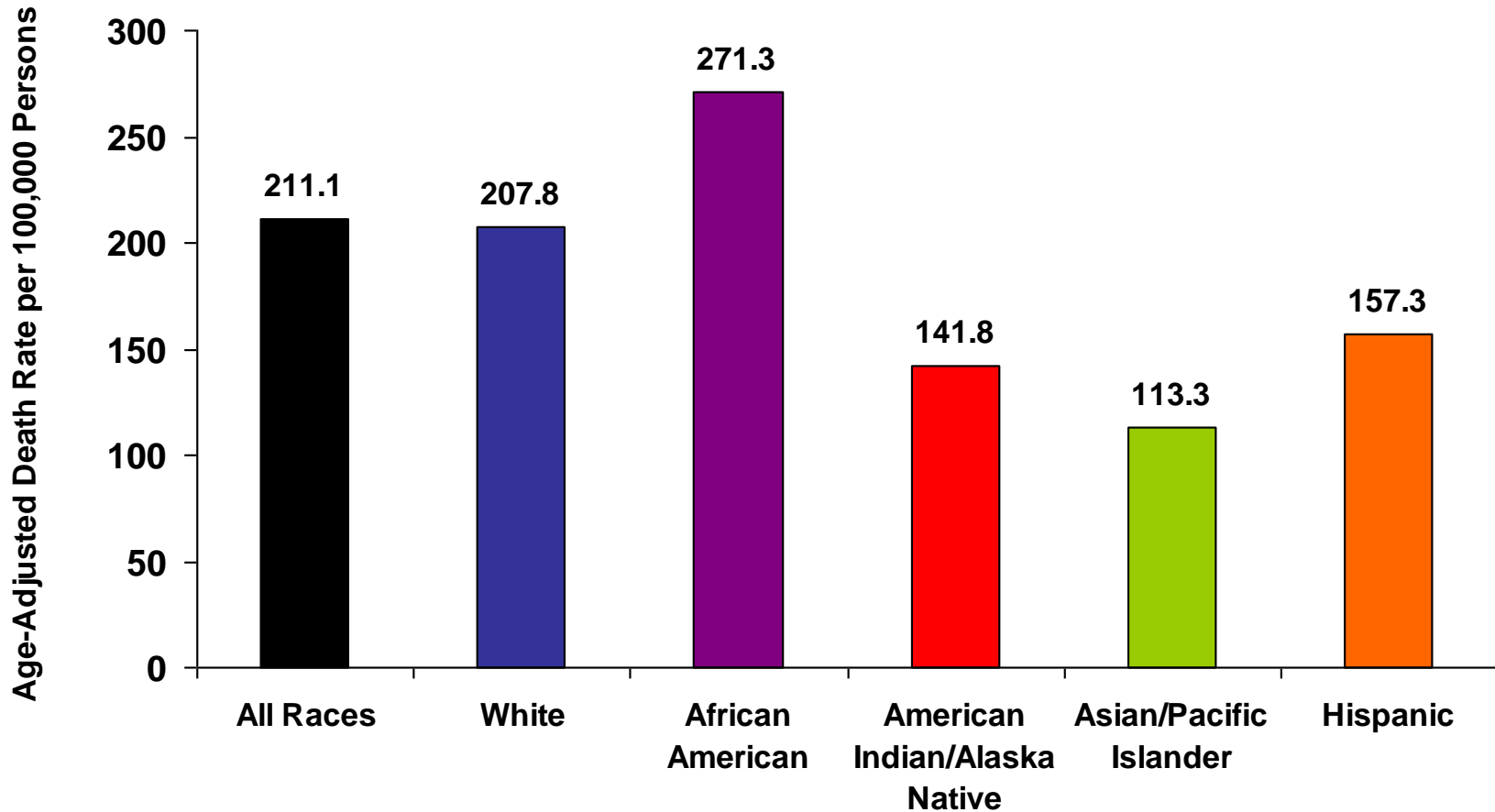
(All sites and Lung) per 100,000 (Females and Males, ACS 2007)

	AA	AIAN	AAPI	Whites	Hispanic
All Sites					
M	331.0	153.4	144.9	239.2	166.4
F	192.4	111.6	98.8	163.4	108.8
Lung Cancer					
M	98.4	42.9	38.8	73.8	37.2
F	39.8	27.0	18.8	42.0	14.7



# Heart Disease

Age-Adjusted Death Rates per 100,000 Persons by Race & Hispanic Origin: U.S., 2005 (CDC, 2007)



# Unique African American Smoking Characteristics

1. Smoke Fewer Cigarettes Per Day
2. Take Fewer Puffs Per Cigarette
3. Slower Cotinine metabolism
4. Smoke Higher Nicotine Cigarettes  
Compared to other Racial/Ethnic groups

(1, Clark, et al., 1996; 2, McCarthy, et al, 1995; 3 and 4 Wagenknecht, et al., 1990; Perez-Stable, et al., 1998; Benowitz, 1998);

# Unique African American Smoking Characteristics

5. Begin Smoking Later in Life
6. Highest Rates of Menthol Cigarette Use

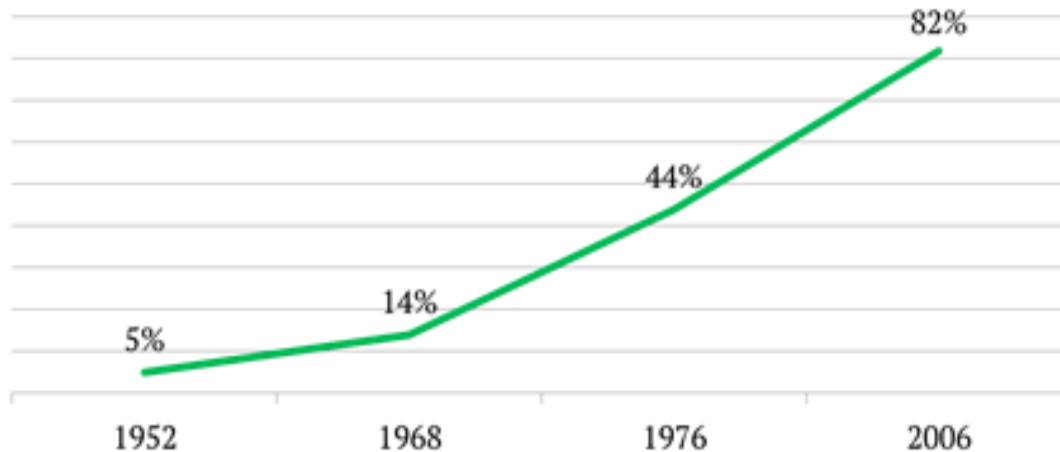
(NSDUH, 2004-2008; RSG, 1998)

# **The African Americanization of Menthol Cigarettes**

**50 Years of Predatory Marketing . . .  
And Counting**

# African American Menthol Use Skyrockets!

African Americans Adult Smokers Who Use Menthol



- Roper, B.W. (1953). A Study of People's Cigarette Smoking Habits and Attitudes Volume I. Philip Morris, Bates No. 2022239249. MSA, Inc. (1978) The Growth of Menthols, 1933 -1977. Brown & Williamson, Bates No. 670586709-785. NSDUH, 2004-2008.

# Tobacco Industry's Assault on the African American Community (1960s & 70s)

- 91% of Advertising Budget for TV (B&W)
- Use of Male Actors with more Black features
  - Tripled Cigarette Advertising in Ebony
    - “Menthols got a brand new bag”
      - Cool Jazz; Cool Lexicon
        - Philanthropy

(Gardiner, 2004)

A new idea in smoking

# Salem refreshes your taste



- menthol fresh
- rich tobacco taste
- modern filter, too

Springtime is wonderful... In the freshness of the air... the fragrance of soft, new grass... just a smoke of a Salem cigarette suggests all the fresh and fragrant things of Springtime. Through Salem's pure white filter comes the richest taste in cigarettes... rich tobacco... with a new, menthol softness. That's why smokers prefer a whole new idea in smoking. Smoke refreshed... Smoke Salem.

© 1964 R.J.R. Tobacco Company



N. Y. YANKEE STAR ELSTON HOWARD FLASHES THE SIGN:

"YOUR CIGARETTE'S NOT TASTING COOL ENOUGH  
TILL YOU *Come Up to KOOL*"



"Feel extra coolness in your throat.."

says *Elston Howard*

"Extra coolness no other cigarette can offer. Taste a new freshness that lasts all through the day . . . Kool after Kool after Kool. Believe me," says Yankee Star Elston Howard, "I know!"

Take Elston Howard's advice: "Try just one carton of Kool. You'll never go back to those hot and dry-tasting cigarettes again!"

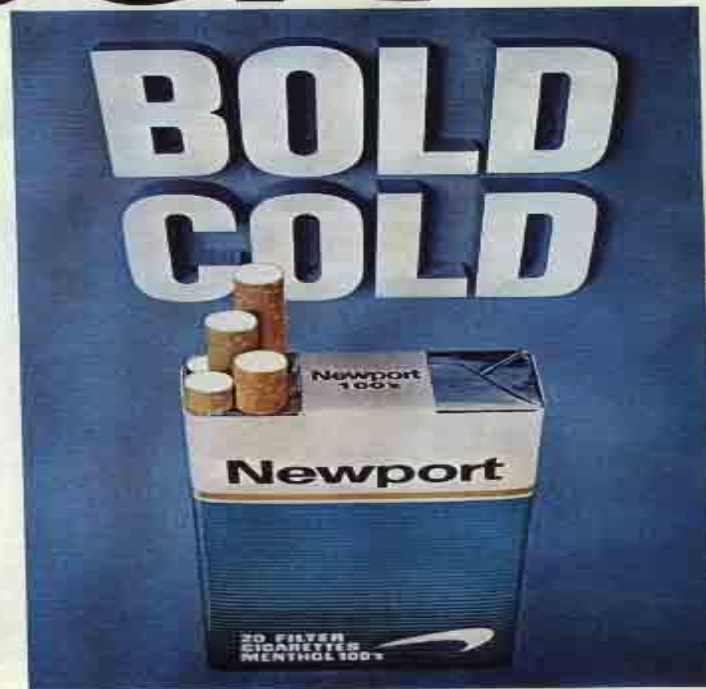


**Cool  
ain't Cold.  
Newport  
is.**



A whole  
new bag of  
menthol  
smoking  
filter kings & 100's

© 1970 Philip Morris Inc.



1970 *Ebony* magazine advertisement

Box: 17 mg "tar", 1.1 mg. nicotine; 100's: 19 mg. "tar", 1.3 mg. nicotine av. per cigarette. FTC Report Nov. 1975.

*Alive with pleasure!*  
**Newport**

*After all, if  
smoking isn't  
a pleasure,  
why bother?*



Warning: The Surgeon General Has Determined  
That Cigarette Smoking Is Dangerous to Your Health.



**REAL & RICH**  
THAT'S WINSTON MENTHOL  
& COOL

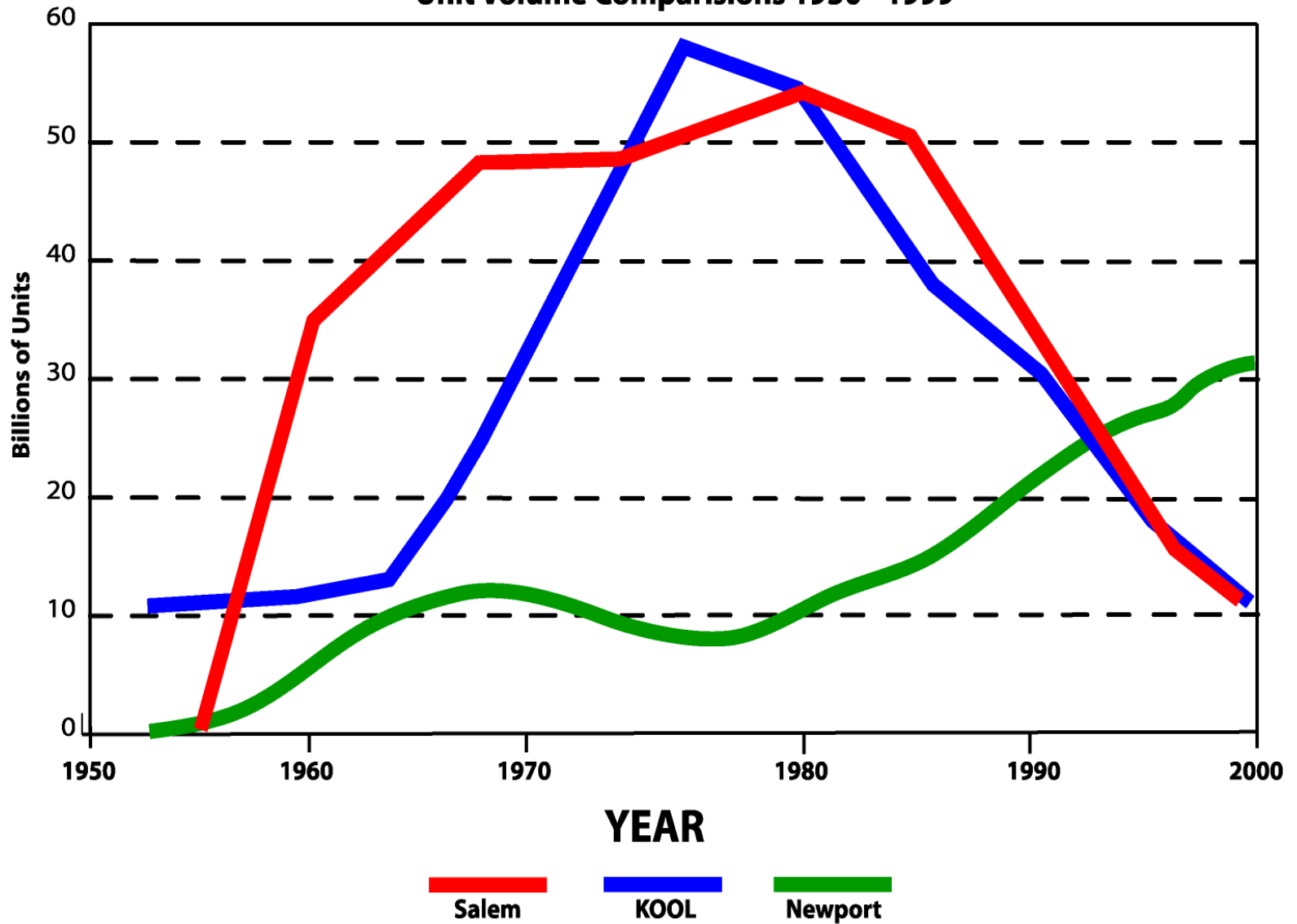


© 2004 R.J. REYNOLDS TOBACCO COMPANY. WINSTON MENTHOL  
7mg "tar", 11mg nicotine av. per cigarette. FTC Report 4/05 '01

When the Surgeon General  
Has Determined That Cigarette Smoking  
is Dangerous to Your Health.

# Key Menthol Brands

## Unit Volume Comparisons 1950 - 1999





# Menthol Wars: The 1980s and the Fight for Market Share

- **Cigarette Sampling *Vans***

- Kool, Newport, Salem, Benson & Hedges
- Free Cigarette Samples
- High Traffic Areas: Parks, Known Street Corners, Daily Routes
  - (Yerger, Przewoznik and Malone, 2007)

SURGEON GENERAL'S WARNING: Cigarette  
Smoke Contains Carbon Monoxide.

**Fire  
it UP!**

**Newport  
pleasure!**



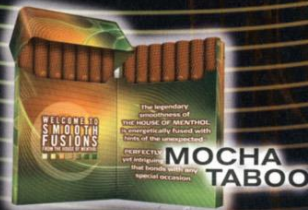
© Lorillard 2002

Lights Box: 9 mg. "tar," 0.8 mg. nicotine; Medium Box: 12 mg. "tar," 0.9 mg. nicotine; Box: 16 mg. "tar," 1.3 mg. nicotine av. per cigarette by FTC method.

# ENTICING

Inviting and surprising, MOCHA TABOO will entice you with its sweet indulgence

**KOOL**  
SMOOTH FUSIONS  
FROM THE HOUSE OF MENTHOL



Available for a limited time only

**SURGEON GENERAL'S WARNING: Cigarette  
Smoke Contains Carbon Monoxide.**

Mintrigue, Caribbean Chill, Mocha Taboo, Midnight Berry KS Box, 10 mg. "tar", 0.9 mg. nicotine; Box Kings, 17 mg. "tar", 1.3 mg. nicotine av. per cigarette by FTC method. The amount of tar and nicotine you get from this product varies depending on how you smoke it. There is no such thing as a safe cigarette. For more information visit [www.bwtarnic.com](http://www.bwtarnic.com) ©2004 B&W T Co.

# All tobacco Products Contain Some Menthol

- Menthol content of U.S. tobacco products

• Product	Menthol (mg)
• Regular (non-menthol) cigarettes	0.003
• Menthol cigarettes (weak effect)	0.1–0.2
• Menthol cigarettes (strong effect)	0.25–0.45
• Pipe tobacco	0.3
• Chewing tobacco	0.05–0.1

(Hopp, 1993)



# The Ultimate Candy Flavoring; Menthol Helps The Poison Go Down Easier

- Chief Constituent of Peppermint Oil; Minty-Candy Taste; **Masks the Harshness of Smoking**
- **Cooling Sensation**; activates taste buds; cold receptors; increases throat grab
- **Anesthetic effects; Mimics Bronchial Dilatation**
- **Independent Sensory Activation Neurotransmitters**
- **Increases Salivary Flow; Transbuccal Drug absorption**
- **Greater Cell Permeability** (Ferris, 2004; Benowitz, 2004)

# Racial Differences Cotinine Clearance, Half-Life, and Nicotine

	Black		White
Cotinine	0.56 ml	(p=.009)	0.68 ml
Half/Life	1064 min	(p=.07)	950 min
Nic/Cig	1.41 mg	(p=.02)	1.09 mg

(Perez-Stable, et al., 1998)

# Menthol and Inhalation

- Menthol reduces irritation, thus increasing the amount of smoke that is inhaled and allowing the smoker to inhale deeper and longer (Ton et al., 2015)
- Inhaling more smoke means greater nicotine intake, making menthol flavored tobacco products more addictive and harder to quit (Levy, 2011)

# Melanin and Nicotine

- Melanin is the substance that gives color to our skin
- Nicotine is stored in tissues that contain melanin
- The darker your skin means that more nicotine is stored in your body (King et al., 2009)

# Menthol Harder to Quit!

	Quit Attempts	% Difference
Non-Menthol	38.1%	
Menthol	41.4%	<b>+8.8%</b>

	Cessation (>3 mo.)	% Difference
Non-Menthol	21.2%	
Menthol	18.3%	<b>-13.8%</b>

(Levy, et al., 2011)

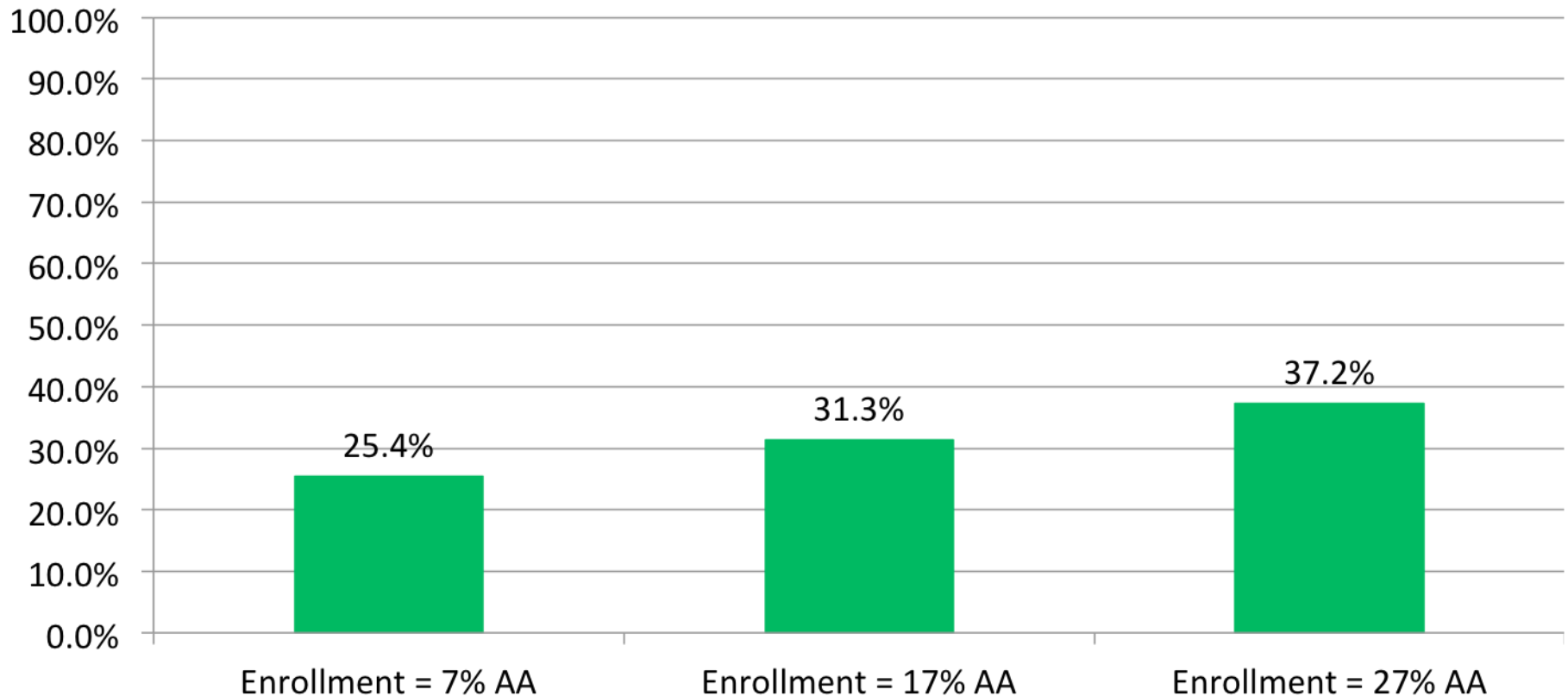
# Focus vs. Non Focus Communities

(Wright, 2009)

- ▶ Focus Communities: Inner-city, Colored and Poor
  - Less expensive, more desirable promotions
    - Buy 1, Get X Free
    - Summer/ Holidays
  
- ▶ Non-focus Communities: Upscale, suburban, rural and white
  - More expensive, less desirable promotions
    - Buy 2, Get X Free
    - Buy 3, Get X Free
  
- ▶ Menthol Cigarettes Cheaper
  - Non-focus- 50 cents off/ pack (\$5.00 off/ ctn)
  - Focus- \$1.00-\$1.50 off/ pack (\$10.00-15.00 off/ ctn)

# Predatory Marketing Patterns (Henriksen, 2011)

As the % African American students increased, proportion menthol ads increased:



# Menthol Cigarettes: Cheaper for African Americans

- For each 10% increase in the proportion of African American students:
  - Newport discount 1.5 times greater
  - The proportion of menthol advertising increased by 5.9%,
  - Newport promotion were 42% higher and
  - The cost of Newport was 12 cents lower.

(Henriksen, et al., 2011)



# Storefront Cigarette Advertising Differs by Racial/Ethnic Community

	Brookline	Dorchester	<i>p-value</i>
	n= 42	56	
	%	%	
• Retailer w/ Ads	42.9	85.7	<0.001
• Small Ads	56.8	20.1	“
• Large Ads	2.0	23.7	“
• Menthol Ads	17.9	53.9	“
• Average Price	\$4.94	\$4.55	“

(Seidenberg, et al., 2010)

# **Its Not Just Black Folks**

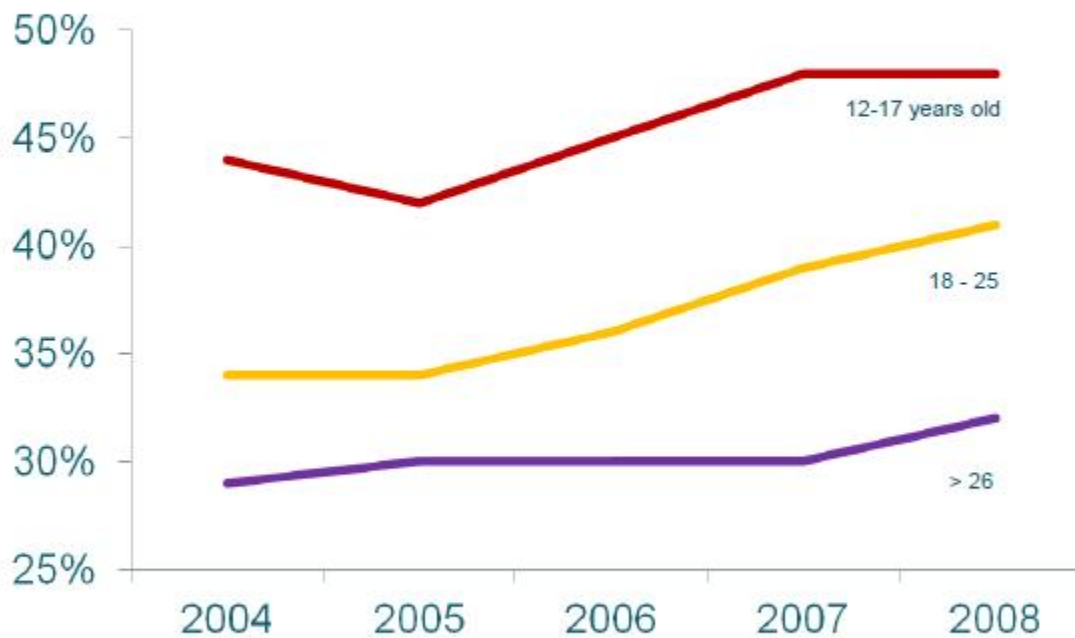
**Menthol: The New Cigarette of  
Choice**

# Who uses Menthol Cigarettes?

- 1.1 million underage adolescents smoked menthol cigarettes
- 18.1 million adults
- 52.2% of all menthol smokers are women

(NSDUH, 2004-2008)

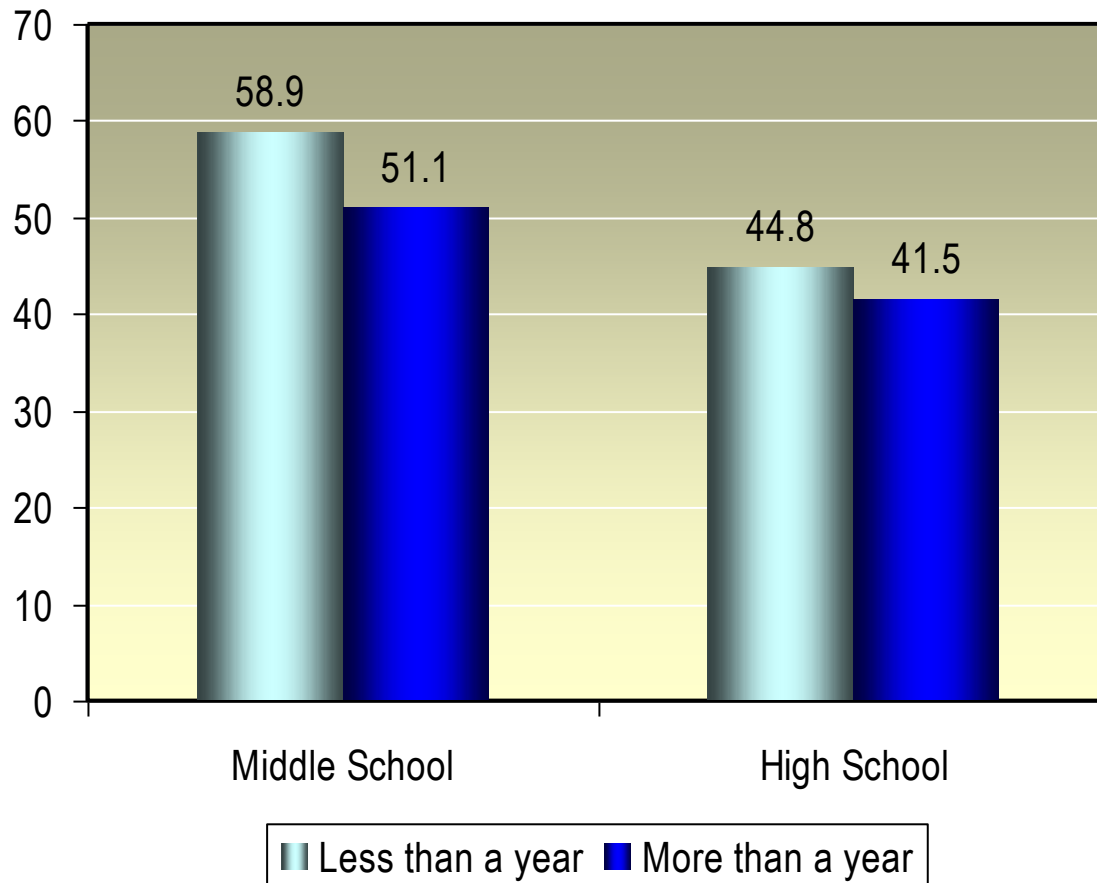
## Kids Smoke Menthols Most



Source: 2004 to 2008 SAMHSA National Survey on Drug Use and Health (NSDUH)

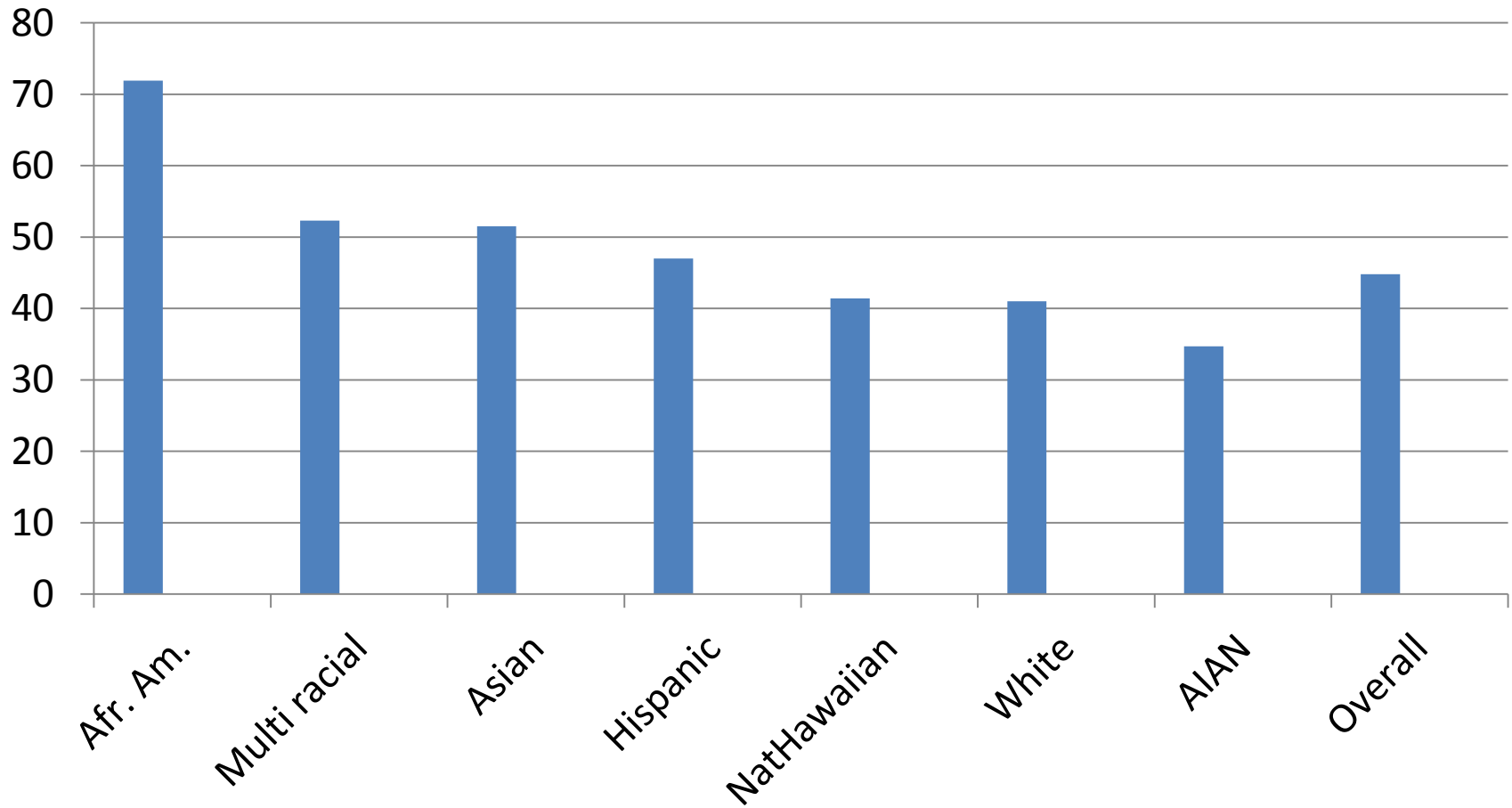
# Are Mentholated Cigarettes a Starter Product for Youth? —2002 NYTS Hersey, 2006

[Percentages for youth smoking a usual brand of cigarettes.]



- “Less Experienced” smokers in middle school are more likely to smoke menthol ( $p = 0.002$ )
- The same pattern exists for smokers in high school (but n.s.)

# Percent Menthol Cigarette Use among Past Month Cigarette Smokers Aged 12 - 17 Years, by Race/Ethnicity: 2004-2008 (NSDUH, 2004-2008)



# Prevalence of Menthol Smoking Among Ever Smokers; Hispanic Origin

(Delnevo, 2011)

Mexican	19.9 (18.3, 21.7)
Puerto Rican	62.0 (58.0, 65.8)
Other	26.5 (23.7, 29.5)
<b>Total</b>	<b>27.1 (26.7, 27.6)</b>

# Hawaii Youth Tobacco Survey, 2000, 2003 and 2009 (Hawaii State Department of Health, 2009)

		Middle School			High School	
	2000	2003	2009	2000	2003	2009
Cigarette Prevalence	38.4	21.1	17.2	63.3	47.8	36.9
Menthol	61.5	61.4	70.0	76.1	75.8	78.4
Brand: Kools		56.1	27.1		61.1	57.6



# Filipinos and Menthol

- Menthol cigarettes constituted 55% of the cigarette market in 2007
- Marlboro Menthol Lights; Philip Morris Menthols
- Cigarettes in the Philippines were found to contain 8% more nicotine and 76% more tar than imported brands
- (Euromonitor Cigarette Report, 2008)

# Menthols: The New Cigarette of Choice

Although overall smoking prevalence has decreased, the prevalence of menthol cigarette use among past 30-day cigarette smokers increased significantly from

- **35% in 2008–2010 to**
- **39% in 2012–2014.**

(Villanti et al., 2016)

# Menthols: Its Not Just Kids Anymore

- **Significant increases in menthol cigarette use among adults ages:**
  - 18–25
  - 26–34
  - 35–49
  - between the two time periods; 2008-2010 – 2012-2014
    - (Villanti et al., 2016)

# All Smokers

- While menthol cigarette prevalence has remained constant among **African American** smokers, it has increased among:
  - **Whites**
  - **Asian Americans**
  - **Hispanics**
- (Villanti et al., 2016)

# Menthol A Sacrificial Lamb



1823060 [www.fotosearch.com](http://www.fotosearch.com)

# Federal Inaction: A Sordid History

- The 2009 FSTPA banned to use of 13 flavors in cigarettes, **but this law didn't include menthol**
- The TPSAC produced a report 2011 that stated that the removal of menthol products from the marketplace would be beneficial to the public's health. **The OMB sat on this report until early 2013.**
- The FDA CTP conducted its own study on menthol and came to the same conclusion as the TPSAC; **still no action**

# Stirring?

- The tobacco industry sued the FDA CTP saying the TPSAC report couldn't be used because members of the TPSAC had ties to the pharmaceutical industry; **thus effectively blocking the use of the report.**
- This ruling was overturned in the summer of 2015, thus allowing the FDA CTP to use the report.
- In the Spring of this year, 2016, the **FDA CTP took the bold step of including restrictions on the selling of menthol and all other flavors** in the new deeming regulations for e-cigs, hookah, cigars, cigarillos and the like.

# Same Old, Same Old!

- However, to add insult to 7 years of inaction and injury, 16 pages of the new deeming regulations were **red-lined / deleted by the OMB that pertained to flavors and menthol, thus again exempting menthol.**

– (FDA, May, 2016)



# Snake in the Grass

- **Andrew Perraut** White House's Office of Information and Regulatory Affairs in the OMB from 2008 to 2014. He supervised FDA and USDA policies relating among other things, tobacco.
- Hired by the Cigar Industry and NjOY in 2014
- Re-hired by the White house to serve in the OMB in 2015 (NY Times, September 2, 2016)

# But Wait: Snake in Charge?

- Trump owns 500,001 and \$1,000,000 worth of **Altria Stock** <http://www.fool.com/investing/general/2016/01/31/3-surprisingly-controversial-stocks-in-donald-trum.aspx>



- (No, this isn't a picture of donald trump smoking a cigarette, but it might as well be)

# Implications for Menthol Regulation During Trump Reign

- OMB will continue to be staffed with tobacco industry surrogates
  - Unlikely the 16 pages of the deeming regulations on menthol and flavors will be re-instated
- HHS Secretary Tom Price has taken Tobacco Money
- FDA Head Gottlieb has ties to the Vaping Industry

# Jones Day / Reynolds (BAT) is in the White House

- Solicitor General Noel Francisco
- White House Counsel Don McGahn
- Deputy Counsel Greg Katsas
- Cabinet Secretary William McGinley

# Take Home Message: Menthol is a Social Justice Issue!

- The disproportionate marketing and targeting candy-flavored poison to African Americans and other specially oppressed sectors of our society, is out-right discriminatory and genocidal.
  - Poorest; least informed; fewest resources; indeed the definition of preying on the most vulnerable sections of our society.

# If Menthol Were Banned 100,000s of Lives would be saved

2010 – 2050

All Menthol Smokers    Black Menthol Smokers

10%	323,107	91,744
20%	478,154	164,465
30%	633,252	237,317

(Levy, et al., 2011)

# Take Action!

- **Enact local laws and ordinances** that restrict the sale and distribution of menthol and other flavored tobacco products.
  - Create Buffer Zones around Schools and Parks
  - Restrict the sales to adult tobacco shops only
  - Enact City and or County wide bans

# Take Action!

- Have your **National Organization** pass a **resolution** calling on the Food and Drug Administration's Center for Tobacco Products to remove menthol and all flavors from all the market place.



# Menthol

**It Helps the Poison Go Down  
Easier!**

**Remove Menthol and all Flavored Tobacco  
Products From the Marketplace**

**Thank You!**

**TRDRP**

*Research for a Healthier California*

[www.trdrp.org](http://www.trdrp.org)

[phillip.gardiner@ucop.edu](mailto:phillip.gardiner@ucop.edu)

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