State and Local Stakeholders’ Role in Reducing Menthol Tobacco Use

April 26, 2018
3 – 4 PM ET
Webinar Logistics

• Two ways to listen to audio
  – Through your computer speakers (preferred)
  – Via telephone: 866-519-2796, passcode 060399
  – Do not use both methods

• This webinar is being recorded

• Submit discussion questions in the chat box for the Q&A session
Today’s Agenda

• Welcome
• State support of menthol policies
• Local menthol campaign case study
• Social context of menthol tobacco use
• Q&A
• Partner resources
About ASTHO
TCN Executive Committee

- **Chair**: Erin Boles Welsh (RI)
- **Chair-Elect**: Luci Longoria (OR)
- **Immediate Past Chair**: Andrea Mowery (MN)
- **Policy Chair**: Amanda Dederich (WI)
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- Region 1-3: Donna Asbury (NH), Dawn Berkowitz (MD)
- Region 4: Kerri Verden (KY)
- Region 5: Tana Feiner (WI), Christina Thill (MN)
- Region 6-8: Amanda Mortensen (OK)
- Region 9-10: Liz Hendrix (CA), Lola Irvin (HI)
TCN Mission

To improve the public’s health by providing education and state-based expertise for tobacco prevention and control at the state/territory and national levels.
TCN 2016-2019 Strategic Map

Strengthen the Relevance and Sustainability of the Tobacco Control Movement

Updated & Approved 12/1/17

A. Improve the Effectiveness of S/T Tobacco Prevention and Control
   - Implement Strategies that Advance Health Equity
   - Foster Support for TCN Policy Recommendations

B. Establish a National Voice for S/T Tobacco Control Programs
   - Develop Relationships with National Partners & Stakeholders
   - Create Opportunities for Sharing Success "How-To's"
   - Establish a Peer-to-Peer Mentoring Model

C. Engage Members in the Future of TCN
   - Demonstrate the Value and Contributions of TCN
   - Develop a Bank of State-Specific Program Highlights
   - Enhance Communication Channels
   - Represent S/T in Responding to Public Comment Requests

D. Secure Sustainable Funding
   - Increase Funding for Health Equity
   - Implement a Member Recognition Program
   - Expand Systematic Member Engagement
   - Annually Assess and Respond to Member Needs
   - Keep Pace with Changes in the Environment, New Products & Industry Practices

Year Two Tracks of Work:

1. Track 1: Engage members in the future of TCN
   - Implement Strategies that Advance Health Equity
   - Foster Support for TCN Policy Recommendations

2. Track 2: Support tobacco funding with national partners
   - Develop Relationships with National Partners & Stakeholders
   - Create Opportunities for Sharing Success "How-To's"
   - Establish a Peer-to-Peer Mentoring Model

3. Track 3: Keep pace with environmental changes
   - Demonstrate the Value and Contributions of TCN
   - Develop a Bank of State-Specific Program Highlights
   - Enhance Communication Channels
   - Represent S/T in Responding to Public Comment Requests

Overarching principle: Incorporate health equity throughout the work of TCN

Strengthen the Connections Between Tobacco Control Practice and Research
Menthol is a health equity issue

Triple Aim of Health Equity

- Implement Health in All Policies
- Strengthen Community Capacity
- Expand Understanding of Health

- Implement a Health in All Policies Approach With Health Equity as the Goal
- Expand Our Understanding of What Creates Health
- Strengthen the Capacity of Communities to Create Their Own Healthy Future
**Bold Steps**

- **INCREASE THE PRICE OF ALL TOBACCO PRODUCTS** through taxation policies and restrictions on discounts.
- **RESTRICT SALES** of menthol-flavored tobacco products to adults-only tobacco stores.
- **RESTRICT SALES** of flavored tobacco products to adults-only tobacco stores.
- **MAKE 21 THE MINIMUM** legal age to purchase tobacco products.
- **RESTRICT SALES** of higher nicotine cigarettes.
- **EXTEND THE PROTECTIONS** of the Minnesota Clean Indoor Air Act by including electronic cigarettes in restricted products and expanding the locations covered to include cars with children, lodging, treatment facilities and other places used by the public.
- **ADOPT SMOKE FREE HOUSING** policies in all multi-unit housing.
A Comprehensive and Collaborative Approach
Menthol Cigarette Intervention Grant

MDH: Grant to Community Health Board (CHB)

CHB: Partner with Community-Based Organization (CBO)

CBO: Engage Community
Key Activities

- Partnership between local public health and community organizations
- Research through surveys and key informant interviews
- Education via Community Change Agents at gatherings and events
- Youth Engagement
- Dissemination findings back to the community
- Mobilization
Baseline Assessment

407 Surveys
- Church gatherings
- Partner meetings
- Outdoor markets
- Community festivals
- Public housing meetings
- Door-to-door canvassing

10 Interviews
- Key informants included individuals from faith-based, community, business, and philanthropy organizations
- The interview process was used to further explore the issue of menthol tobacco in the community
Menthol Findings

Survey results mirror national findings

- 84% smoke menthol
- 88% believe tobacco use is a significant health issue
- 61% feel menthol is marketed to their community more than others
- 86% support for laws
- 72% menthol makes it harder to quit
- 57% noticed coupons
- 69% believe menthol makes it easier for young people to start
Findings reveal community support for action

Key recommendations

- Restrict sales of menthol and other flavored products
- Set minimum prices for cigars
- Reduce number and density
- Coupon and buy down deals
Metro-wide Coalition
RESTRICTING MENTHOL TOBACCO: THE MINNEAPOLIS STORY

LaTrisha Vetaw
NorthPoint Health & Wellness, Inc.

Betsy Brock
Association for Nonsmokers-Minnesota
Who we are

LaTrisha Vetaw, NorthPoint, Inc.

Betsy Brock
Association for Nonsmokers-Minnesota
Success in Minneapolis!

• On July 1, 2015 the Minneapolis City Council voted unanimously to restrict the sale of flavored tobacco (menthol exempt) to adult-only tobacco product shops

• On August 4, 2017, the Council voted 10-2 to remove the menthol exemption (added liquor store exemption for menthol only)
  • Implemented August 2018
Minneapolis:
• Largest city in Minnesota (population: 400,000)
• Increasing focus on health equity
• North/South divide
• City Council passed $15/hr minimum wage and required paid sick and safe time in 2017
• The Council/ Mayor were up for re-election in 2017
STEP 1:
DEVELOP A CAMPAIGN
BEAUTIFUL LIE UGLY TRUTH
ABOUT MENTHOL TOBACCO
Campaign Materials

“I’m stronger, smarter, cooler without it.

I’M GOOD.
I don’t need your menthol tobacco.”
**ABOUT MENTHOL**

Easier to start, harder to quit.

Tobacco companies add menthol to tobacco products to cool the throat and make them taste better.

The tobacco industry has marketed menthol cigarettes as healthier and safer, but they are just as deadly.

Many people choose menthol cigarettes because they believe they are safer than non-menthol cigarettes. They are not.

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**MENTHOL USE IN MINNESOTA**

**African Americans:** 88% of African American adults who smoke use menthol, compared to 25% of adult smokers overall.

**High School Students:** 44% of Minnesota high school students who smoke use menthol.

**LGBTQ Youth & Adults:** 70% of LGBTQ youth smokers smoke menthol.

**36%** of adult LGBTQ smokers smoke menthol cigarettes.

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**HARMFUL EFFECTS OF MENTHOL**

Menthol cigarettes cause cancer, heart and lung diseases, and death. Tobacco use, including menthol-flavored products, is still the No. 1 preventable cause of death in Minnesota.

Studies have shown that the tobacco industry has manipulated menthol levels to broaden youth appeal.
The tobacco industry has a long history of targeting the African American community, women, LGBTQ, and youth with menthol tobacco marketing.

Tobacco companies began targeting African Americans with menthol cigarettes in the 1960s.

Brands such as Salem and Newport would give out free packs of menthol cigarettes from vans.

Tobacco industry documents show these vans targeted young, lower-income, black smokers at "retail outlets, currency exchanges/check cashing stations, public aid offices, large housing complexes, shopping malls, rapid transit locations, busy street corners, and nightclubs/bars.

AND NOW, A MESSAGE FROM TOBACCO EXECUTIVES

"We don't smoke that shit. We just sell it. We reserve the right to smoke for the young, the poor, the black and stupid."
—R.J. Reynolds Executive, 1975

"...the base of our business is the high school student."
—President (means of Newport), 1976

TAKE ACTION:

What can we do to stop the tobacco industry from harming our communities with menthol tobacco?

Minnesota communities have the authority to regulate the sale of menthol tobacco products. While such a policy will inconvenience adult smokers, it will help protect youth from a lifetime addiction. Minneapolis and Saint Paul already prohibit the sale of fruit and candy flavored tobacco products in any store that allows kids to enter. The same needs to be done for menthol.

Join us at: beautifullieuglytruth.org
Video

BeautifulLieUglyTruth
STEP 2: BUILD A COALITION
• 50+ organizations working together to advocate for menthol tobacco restrictions
  • Community groups, African American leadership, health plans, public health, medical community, faith community, etc.
STEP 3: COUNTER THE OPPOSITION
Opposition

- Tobacco companies: most notably Reynolds American
  - African American leaders
- Retail associations:
  - Minnesota Retailers Association
  - National Association of Tobacco Outlets (NATO)
- Convenience store chains
NATIONAL ACTION NETWORK PRESENTS:
Community Leadership Luncheon
Topic: Decriminalizing The Black Community
Banning Of Menthol Cigarettes
January 25, 2017 12-2PM
Location: Greater New Friendship MBC
2600 E. 38th Street
Minneapolis, MN 55408

Panelists Includes:

Major Nell Franklin
Ex. Director/Former Narcotics Agent
Maryland State Police

Chief John I. Dixon III
President, Noble

Former Congressman Kendrick Meek
Former Captain
Florida State Highway Patrol

Art Way Esq.
Sr. Drug Policy Manager/Colorado
DPA (Drug Policy Alliance)
Lobbyists descend on Minneapolis to fight menthol restriction

Tobacco companies and retailers are pushing back against Minneapolis leaders' move to restrict the sales of menthol cigarettes in the city.

By Emma Nelson Star Tribune | JULY 20, 2017 — 10:28PM
STEP 4: ADVOCATE
Minneapolis Policy Timeline/Process

- March 13, 2017: Educational hearing in Health Committee
- June 16: Formal introduction of ordinance and beginning of t-shirt war!
- July 20: Press conference
- July 24: Public hearing in Health Committee, 60+ supportive testifiers and “Quorum-ghazi”
- August 2: Health Committee take two and Committee of the Whole
- August 4: Final vote
STEP 5: CELEBRATE!
STEP 6: IMPLEMENT & EVALUATE
Implementation and Evaluation

- **Implementation:**
  - Implementing August 2018
  - City is preparing materials and outreach plan

- **Evaluation:**
  - Robust evaluation plan including: case study, youth focus groups, retail assessments, analysis of sales data, and compliance assessments
Key Lessons Learned

1. Community engagement & youth involvement is essential
2. Don’t underestimate the opposition: it will be fierce
3. Check-in often with your council champions and supporters
4. Make sure you have clear talking points & messaging
Contact Information

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SOCIAL CONTEXT of MENTHOL TOBACCO USE

Michael Scott
NAATPN, Inc
What is social context?

• Immediate social and physical environment
  • People and institutions
  • Culture
Menthol’s Social Context

• Newport, Kools....

• The ‘Black’ cigarette

• Healthier?
Targeted Marketing
What’s The Deal With Menthol

African American menthol use has skyrocketed in the last 50 years.

<table>
<thead>
<tr>
<th>Year</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>2016</td>
<td>&gt;88%</td>
</tr>
<tr>
<td>2006</td>
<td>- 80%</td>
</tr>
<tr>
<td>1976</td>
<td>- 44%</td>
</tr>
<tr>
<td>1968</td>
<td>- 14%</td>
</tr>
<tr>
<td>1953</td>
<td>- 5%</td>
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</tbody>
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### What’s The Deal With Menthol

- Priority populations have been disproportionally targeted with this menthol assault.

<table>
<thead>
<tr>
<th>Population</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>African Americans</td>
<td>88%</td>
</tr>
<tr>
<td>Asians</td>
<td>51%</td>
</tr>
<tr>
<td>Latinos</td>
<td>47%</td>
</tr>
<tr>
<td>LGBTQ</td>
<td>36%</td>
</tr>
<tr>
<td>Whites</td>
<td>30%</td>
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</tbody>
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(Gardiner 2004)
While overall cigarette use continues to fall, menthol use is on a slight increase.
Can I get a loosey??
MENTHOL SMOKING RATES AMONG TEEN SMOKERS

- AFRICAN AMERICAN: 95%
- ASIAN: 61%
- HISPANIC: 58%
- WHITE: 51%

While the Family Smoking and Tobacco Prevention Control Act banned flavored cigarettes as a method of protecting public health/families....... 

By allowing an exemption for menthol.... do the poorest; least informed; fewest resources receive the same level of protection??

The definition of preying on the most vulnerable sections of our society.
(Inter)National Movement to Ban Menthol

Chicago
San Francisco
Oakland
Canada
Brazil
European Union

Dr. Phil Gardiner, AATCLC

Carol McGruger, AATCLC
(Inter)National Movement to Ban Menthol

**Minneapolis**  Menthol included in existing flavors ordinance; adult only liquor stores exempted; 2017

**Oakland**  Menthol sales restricted to adult only tobacco shops; 2017 – 2018

**St. Paul**  Menthol sales restricted to adult only tobacco shops; adult liquor stores exempted

**Richmond**  California; City wide restrictions Ordinance to be written for November, 2017
Push Back on Menthol Ban

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Sr. Drug Policy Manager/Colorado
DPA (Drug Policy Alliance)

For More Information, Please call Rev. Devos Toy 612-991-6973
shamfieldpastor@yahoo.com
Greater New Friendship MBC 612-837-7628 info@greaterfriend.org
A national observance day led by NAATPN, Inc.

Opportunity to engage faith leaders and their communities in a discussion about how to improve health outcomes for African Americans.

Tobacco is still the number one killer of African Americans

Encourage congregations to support one another in escaping tobacco addiction, with specific aim to highlight the role of menthol in particular
Thank You

www.naatpn.org

www.nomentholsunday.org
Questions and Answers

Submit your questions through the chat box on your screen
Tobacco manufacturers have used menthol cigarettes for years to target vulnerable populations. In fact, according to national surveys, menthol cigarettes are the source of addiction for nearly half of all teen smokers. Menthol increases the palatability of smoking, especially among youth and members of racial and ethnic populations, and menthol increases the difficulty of quitting. Yet when Congress prohibited most cigarettes with flavorings as part of the 2009 Family Smoking Prevention and Tobacco Control Act, it exempted the most important flavoring of all: menthol.

**January 15, 2018: Ruling Allows FDA Action on Menthol**

In 2009, the U.S. Food and Drug Administration (FDA) created a group of scientists called the Tobacco Products Scientific Advisory Committee (TPSAC) to guide agency decision-making. The 2009 Family Smoking Prevention and Tobacco Control Act directed TPSAC to take up the issue of menthol tobacco products as its first order of business. A TPSAC report on menthol was quickly challenged and thrown out by a district court judge sympathetic to the tobacco industry, preventing the FDA from moving forward. A circuit court then reversed the earlier district court decision based on an appeal from the FDA.

**Featured resources are below.** Other relevant resources in right sidebar (desktop/tablet), or end of page (mobile).

- **Menthol Toolkit**
  A collection of resources created by the Tobacco Control Legal Consortium at the Public Health Law Center for state and local advocates to educate themselves on menthol tobacco products, and find out how they can effect change in the sale and consumption of menthol tobacco products in their communities.
While overall smoking rates have declined across the country, menthol cigarettes are slowing that progress.

90%

Nearly 90% of African American smokers use menthol cigarettes
IMPACT OF MENTHOL CIGARETTES ON YOUTH SMOKING INITIATION AND HEALTH DISPARITIES

Cigarettes with specific characterizing flavors were prohibited in the U.S. on September 22, 2009, as part of the Family Smoking Prevention and Tobacco Control Act (TCA) that gave the U.S. Food and Drug Administration (FDA) authority over tobacco products.\(^1\) This provision excluded menthol cigarettes, which make up more than a quarter of the cigarette market in the United States, and pose tremendous public health harms.\(^2\) The FDA has determined that menthol cigarettes lead to increased smoking initiation among youth and young adults, greater addiction and decreased success in quitting smoking.\(^3\) Further, FDA’s Tobacco Products Scientific Advisory Committee’s (TPSAC)\(^4\) concluded, “Removal of menthol cigarettes from the marketplace would benefit public health in the United States.”

Menthol Makes it Easier for Youth to Initiate Tobacco Use

The tobacco companies know that almost all new tobacco users begin their addiction as kids, but they also know that to novice smokers, tobacco can be harsh and unappealing. Internal tobacco industry documents show that tobacco companies have a long history of using flavors to reduce the harshness of their products to make them more appealing to new users, almost all of whom are under age 18.\(^5\) By masking the harshness and soothing the irritation caused by tobacco smoke, flavors make it easier for beginners – primarily kids – to experiment with the product and ultimately become addicted.

Menthol has particularly appealing qualities for novice smokers. Menthol is a chemical compound that cools and numbs the throat, reducing the harshness of cigarette smoke, thereby making menthol cigarettes more appealing to youth who are initiating tobacco use.\(^6\) As TPSAC noted, “Menthol cannot be considered merely a flavoring additive to tobacco. Its pharmacological actions reduce the harshness of smoke and the irritation from nicotine.”\(^7\) According to TPSAC’s conclusions.\(^8\)
FDA Open Comment Period

“We are issuing an advance notice of proposed rulemaking (ANPRM) and calling upon all stakeholders to share data, research and information that can inform our process for examining the role that flavors – including menthol – play in initiation, use and cessation of tobacco products.”

Public comments are due June 19
Visit the TCN Website!

www.tobaccocontrolnetwork.org/
TCN Resources

• Twice monthly newsletter archive
• State and territorial tobacco program directory
• Blog posts, webinar recordings, and podcasts
• 2016 Policy Recommendations document
• **Coming Soon** – Interactive TCN State Policy Map
• Any inquiries can be sent to [tcn@astho.org](mailto:tcn@astho.org)
New to the ASTHO Website

• Tobacco blog posts

http://www.astho.org/StatePublicHealth/

• New Ask the Experts, webinar, and podcast recordings

http://www.astho.org/Prevention/Tobacco/Webinars/
State and territorial health agencies develop and implement public health programs and policies to reach populations within their jurisdictions. In tobacco control and prevention, state and territorial health agencies have an important role to play in addressing the tobacco-related health disparities among priority populations.

http://www.astho.org/Prevention/Tobacco/Tobacco-Related-Disparities-Infographic/
Please complete your evaluations following the webinar – we value your feedback!

WHAT DO YOU THINK?
TCN@ASTHO.ORG
WWW.TOBACCOCONTROLNETWORK.ORG/

THANK YOU!