



The African American Tobacco Control Leadership Council

Friday, November 9, 2018

To: Mayor Peggy McQuaid, Vice Mayor Rochelle Nason, Councilmember Michael Barnes, Councilmember Peter Maass, Councilmember Nick Pilch and City Manager Nicole Almaguer

From: The African American Tobacco Control Leadership Council

Re: Adopt City-Wide Restrictions on the Sale of Menthol and all Flavored Tobacco Products, Including Flavored E-Juices in the City of Albany.

The African American Tobacco Control Leadership Council (AATCLC) strongly encourages the Santa Cruz City Council to restrict the sale of menthol and all flavored tobacco products, including flavored e-juices city-wide in Albany. We know that the city is considering 3 distinct options; however, restricting the sale city-wide will have the greatest impact on the public's health. We already know that 80% of youth's 12-17 start smoking using flavored cigarettes (Ambrose et al., 2015). If the City Council truly wants a healthier Albany, and we believe that you do, then it is imperative that menthol and all flavor additives to tobacco products be restricted and recognized as a social justice issue, an issue that disproportionately impacts poorer communities, marginalized groups, and communities of color.

This is no minor matter. Menthol and flavored tobacco products are driving tobacco death and disease rates nation-wide; while the use of non-flavored tobacco cigarettes has been decreasing, the use of menthol cigarettes is on the rise, among youth and adults, and among Latinos, Blacks and Whites (Villanti, 2016). Let's be clear, the majority of women smokers, smoke menthol cigarettes; the same is true for youth of all backgrounds; folks from the LGBTQ community disproportionately smoke these products; 47% of Latino smokers prefer menthol cigarettes; 62% of Puerto Ricans prefer menthol; nearly 80% of Native Hawaiians: a majority of Filipinos and a majority people with behavioral health issues, all disproportionately use these "minty" products (CDC, 2010; Fallin, 2015; Forbes, 2013; Delnevo, 2011; Hawaii State Dept. of Health, 2009; Euromonitor, 2008; Hickman, 2015). Moreover, 85% African Americans adults and 94% of Black youth smokers are using menthol products (Giovino, 2013). These striking statistics arise from the predatory marketing of these products in the Black Community, where there are more advertisements, more lucrative promotions and *cheaper prices* for menthol cigarettes compared to other communities (Henriksen et al., 2011; Seidenberg et al., 2010).

And as if to add insult to injury, the Council should be aware that menthol, which masks the harsh taste of tobacco, allows for deeper inhalation of toxins and greater amounts of nicotine and this is what makes menthol cigarettes harder to quit compared to other cigarettes (Ton et al.,

2015; Levy et al., 2011). At bottom, the “cool refreshing taste of menthol” heralded by the tobacco industry, is just a guise; ultimately, menthol allows the poisons in cigarettes and cigarillos to go down easier.

We all have been reading in the papers about the “JUUL Explosion,” where a little thumb drive looking device is being used by more youth than regular cigarettes (CDC, 2018). And one of the main drivers of youth taking up e-cigarettes generally is the fact that they are available in over 15,000 kid friendly flavors! ((<https://www.flavorshookkids.org/> 2018). The vaporist community would like you to believe that aerosol inhaled by e-cigarette users is only water vapor, nothing could be further from the truth. The facts are these:

1. E-cigarettes are tobacco products that delivering nicotine, an addictive substance that especially in youth can compromise the brains executive functioning (Report of the Surgeon General, 2014)
2. The Propylene Glycol and Vegetable Glycerin that constitute a large portion of the e-juice and the resulting vapor **are not FDA approved for inhalation**
3. There are as many metals and in some cases more metals are found in the e-cigarette vapor compared to cigarette smoke (Williams et al., 2013)
4. Many of the same toxins and carcinogens found in regular cigarettes, like benzene, formaldehyde, and tobacco specific nitrosamines can be found in e-cigarette vapor (Goniewicz et al., 2013). And yes they are at lower levels than in a regular cigarette, but while this may be safer, this does not mean that this products are safe!
5. The 15,000 + flavors available on the market may be Generally Recognized as Safe (GRAS) for **ingestion** but, they are not GRAS for **inhalation**.
6. E-Cigarette vapor activate platelet formation just like regular cigarettes, the process that leads to arterial blockages (Hom et al., 2016)
7. E-cigarette aerosol consists of ultrafine particles at levels comparable to or higher than cigarettes. These particles can cause cardiovascular and pulmonary disease. In addition, the particle size in e-cigarettes are often smaller than those generated by cigarettes, which are likely more dangerous (Fuoco FC, Buonanno G, Stabile L, Vigo P. 2014)
8. Kids who start with e-cigarettes are more likely to become regular cigarette users and in many cases, dual users (Byrne S et al., 2018)
9. Here is a link to the European Public Health Association: Fact or Fiction on E-cigs: https://eupha.org/repository/advocacy/EUPHA_facts_and_fiction_on_e-cigs.pdf

The AATCLC is calling upon the Albany City Council to join a growing number of cities and counties around the country that are restricting the sale of menthol and all flavored tobacco products, including e-juices city-wide. Just this past June, San Francisco passed city-wide restrictions on the sale of menthol and all flavored tobacco products, including flavored e-juices, the toughest law in the Country. This was rapidly followed by the City of Richmond in July, passing its own city-wide restrictions. And then in August, Beverley Hills followed suit with their own city-wide restrictions. In October Main County approved a County-wide ban for all unincorporated areas of the County and just last night Alameda approved city-wide restrictions

on the sale of all flavored tobacco products, and e-juices, including menthol. While other cities have buffer zones and or narrower restrictions on flavored products, we are hopeful that the City of Albany will join this growing movement to remove all flavors, especially menthol, from these deadly and addictive products through a city-wide ordinance.

Formed in 2008, the African American Tobacco Control Leadership Council is composed of a cadre of dedicated community activists, academics, public health advocates and researchers. Even though based in California, we are national in scope and reach. We have partnered with community stakeholders, elected officials, and public health agencies, from Chicago and Minneapolis to Berkeley and San Francisco. This work has help to shape the national discussion and direction of tobacco control policy, practices, and priorities, especially as they affect the lives of Black Americans, African immigrant populations and ultimately all smokers. The AATCLC has been at the forefront in elevating the regulation of mentholated and other flavored tobacco products on the national tobacco control agenda, including testifying at the FDA hearings to remove menthol products from the market place.

We here at the AATCLC recognize that the Council is probably under extraordinary pressure from the tobacco industry and the vaporist community to put profits above human life and limit or curtail restrictions to flavored tobacco products. Please join your sister cities and stand up to the tobacco industry and their allies and call for: **No Selling of Menthol and All Flavor Tobacco Products, including Flavored E-Juices City-Wide in Albany.** Say No to the continued predatory marketing of flavored tobacco products to our youth, and say Yes, to the health and welfare of the kids, the most vulnerable, nay, all citizens of the City of Albany.

We are all counting on you!

Sincerely,



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