

Restricting the Sale of Menthol Cigarettes Will Protect Kids, Save Lives and Advance Health Equity



Cigarettes with characterizing flavors—except menthol—were prohibited in the U.S. as part of the 2009 Family Smoking Prevention and Tobacco Control Act.¹ Based on clear evidence that menthol cigarettes are easier for youth to start smoking, more addictive and harder to quit, the FDA submitted a final rule to the White House to prohibit menthol cigarettes in 2024, but this rule was withdrawn in January 2025. States and localities can act now to prohibit menthol cigarettes, which will protect kids, save lives and advance health equity. Researchers estimate that prohibiting menthol cigarettes nationwide would prevent over 650,000 deaths by 2060,² including over 255,000 deaths in the Black community.³

“The tobacco industry has designed, engineered, and marketed menthol cigarettes and other tobacco products that deliver multisensory flavor experiences which increase the likelihood of tobacco initiation, addiction, and sustained use.”⁴ - U.S. Surgeon General

Menthol Makes it Easier for Youth to Start Smoking

The tobacco companies know that almost all new smokers begin their addiction as kids, but they also know that to novice smokers, tobacco can be harsh and unappealing. Menthol cools and numbs the throat, reducing the harshness of tobacco smoke and making menthol cigarettes more appealing to youth. As a result, menthol cigarettes increase the number of kids who experiment with cigarettes and who become regular smokers.⁵ Half of youth who have ever tried smoking started with menthol cigarettes.⁶ Between 1980 and 2018, menthol cigarettes were responsible for 10.1 million additional new smokers.⁷

Menthol Cigarettes are More Addictive and Harder to Quit

Menthol enhances the addictive properties of nicotine, making menthol cigarettes more addictive than regular cigarettes.⁸ Menthol cigarettes are associated with increased nicotine dependence and reduced success in smoking cessation.⁹

Impact of Menthol Cigarettes on Black Americans

For more than 60 years, tobacco companies have targeted Black communities with marketing for menthol cigarettes, including sponsorship of community and music events, free samples, magazine advertising, and retail promotions.¹⁰ Today, Black neighborhoods still have more advertising and price promotions for menthol cigarettes.¹¹ This decades-long marketing campaign is the primary reason why use of menthol cigarettes is highest among Black Americans: 88% of Black smokers smoke menthol cigarettes compared to 31% of white smokers.¹² Each year, over 50,000 Black Americans die from a smoking-caused illness.¹³ Between 1980 and 2018, Black Americans accounted for 41% of excess premature deaths caused by menthol cigarettes, despite accounting for only 12% of the population.¹⁴



Impact of Menthol Cigarettes on Other Communities

In addition to youth and Black Americans, other population groups also have high rates of menthol use. Half of Hispanic smokers, 45% of Asian American smokers, and over half of lesbian, gay or bisexual smokers use menthol cigarettes. Menthol use is also higher among those with serious mental health conditions and socioeconomically disadvantaged populations. Women are more likely than men to use menthol cigarettes, and 60% of pregnant smokers use menthol cigarettes.¹⁵

Impact of Ending the Sale of Menthol Cigarettes

The evidence is clear that by increasing youth smoking and decreasing quitting, menthol cigarettes magnify the public health harms of smoking. Prohibiting menthol cigarettes nationwide would prevent over 650,000 deaths—including over 255,000 deaths in the Black community—by 2060 and eliminate the disparity in lung cancer death rates between Black Americans and other U.S. racial and ethnic groups within five years.¹⁶

State and Local Action to End the Sale of Menthol Cigarettes

In recognition of the public health threat posed by menthol cigarettes, Massachusetts, California and a growing list of over 230 localities nationwide prohibit the sale of menthol cigarettes.¹⁷ A 2024 Surgeon General's Report concluded that, "Policies that restrict the availability of menthol cigarettes can reduce smoking initiation and prevalence among adolescents, young adults, Black people, and other population groups that have disproportionately higher use of menthol cigarettes."¹⁸ There is strong support for prohibiting menthol cigarettes from a wide range of organizations, scientists and elected officials – including from a broad coalition of public health, medical, education, civil rights and community organizations. Nationwide, voters support prohibiting the sale of menthol cigarettes by a substantial 29-point margin (58% to 29%), with even higher support among Black voters.¹⁹

¹ See U.S. Food and Drug Administration's (FDA) Flavored Tobacco webpage at

<http://www.fda.gov/TobaccoProducts/GuidanceComplianceRegulatoryInformation/FlavoredTobacco/default.htm>.

² Levy, DT, et al., "Public health impact of a US ban on menthol in cigarettes and cigars: a simulation study," *Tobacco Control*, published online September 2, 2021.

³ Issabakhsh, M, et al., "Public health impact of a US menthol cigarette ban on the non-Hispanic black population: a simulation study," *Tobacco Control*, published online June 14, 2022.

⁴ U.S. Department of Health and Human Services. Eliminating Tobacco-Related Disease and Death: Addressing Disparities—A Report of the Surgeon General (p.9). Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2024.

⁵ FDA. *Preliminary Scientific Evaluation of the Possible Public Health Effects of Menthol versus Nonmenthol Cigarettes* (2013).

⁶ Ambrose, BK, et al., "Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014," *Journal of the American Medical Association*, published online October 26, 2015.

⁷ Le, TT, "An estimation of the harm of menthol cigarettes in the United States from 1980 to 2018," *Tobacco Control*, published online February 25, 2021.

⁸ Alsharari, S.D., J.R. King, J.C. Nordman, et al. "Effects of Menthol on Nicotine Pharmacokinetic, Pharmacology and Dependence in Mice." *PLoS ONE*, 10(9):e0137070, 2015. Available at <https://doi.org/10.1371/journal.pone.0137070>. Henderson, B.J., T.R. Wall, B.M. Henley, et al. "Menthol Alone Upregulates Midbrain Nachrs, Alters Nachr Subtype Stoichiometry, Alters Dopamine Neuron Firing Frequency, and Prevents Nicotine Reward." *The Journal of Neuroscience*, 36(10):2957-2974, 2016. Available at <https://doi.org/10.1523/JNEUROSCI.4194-15.2016>. Henderson, B.J., T.R. Wall, B.M. Henley, et al. "Menthol Enhances Nicotine Reward-Related Behavior by Potentiating Nicotine-Induced Changes in Nachr Function, Nachr Upregulation, and Da Neuron Excitability." *Neuropsychopharmacology*, 42:2285-2291, 2017. Available at <https://doi.org/10.1038/npp.2017.72>.

⁹ TPSAC, Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations, July 21, 2011

<http://www.fda.gov/downloads/AdvisoryCommittees/CommitteesMeetingMaterials/TobaccoProductsScientificAdvisoryCommittee/UCM269697.pdf>

¹⁰ TPSAC, Menthol Cigarettes and Public Health: Review of the Scientific Evidence and Recommendations, July 21, 2011; Hafez, N. & Ling, P.M. "Finding the Kool Mixx: how Brown & Williamson used music marketing to sell cigarettes," *Tobacco Control* 15: 359-366, 2006. See also Yeger, VB, et al., "Racialized geography, corporate activity, and health disparities: Tobacco industry targeting of inner cities," *Journal of Health Care for the Poor and Underserved*, 18: 10-38, 2007. RJ Reynolds. *Black Street Scenes: review and recommendations*. Winston-Salem, NC: R.J. Reynolds Tobacco Company, 1983. Available at <http://legacy.library.ucsf.edu/tid/onb19d00>; Landrine, H, et al., "Cigarette

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- ¹⁴ Mendez, D and Le, TT, "Consequences of a match made in hell: the harm caused by menthol smoking to the African American population over 1980-2018," *Tobacco Control*, published online September 16, 2021.
- ¹⁵ HHS, *Eliminating Tobacco-Related Disease and Death: Addressing Disparities—A Report of the Surgeon General*, 2024, at 496. See also, Delnevo, CD, et al., "Banning Menthol Cigarettes: A Social Justice Issue Long Overdue," *Nicotine & Tobacco Research*, 22(10): 1673-1675, 2020.
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