

Family Fare[®]

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Helping You Get There![®]

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Jeff Mercer
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Family Fare Convenience Stores
North Carolina and Virginia

Re: Docket No. FDA-2021-N-1349

I am visiting with you today to alert you to our opposition to the recent proposed rule by the FDA that would not allow menthol cigarettes and / or other menthol tobacco products to be manufactured or sold in the United States of America.

Family Fare has 103 stores in North Carolina and Virginia. Our company has been in business since 1936 and is preparing for a hopeful transition to the fourth generation of the family. A menthol ban threatens our existence as a going concern.

Will you please consider two issues in particular: illegal cigarette sales and youth tobacco use?

Firstly, there is a huge illegal cigarette market in the form of counterfeit cigarettes worldwide and here in the United States. This illegal market has led to warnings about how a menthol cigarette ban will make it much worse from organizations as far ranging as the American Civil Liberties Union (ACLU) and the Fraternal Order of Police (FOP).

An expanded illegal market means that we will have to compete with an illicit market that does not pay taxes or care much about any other restraints on the sale of tobacco products. Retailers already face underground market competition in many product areas. Adding menthol cigarettes to the inventory of items will drive even more sales underground - putting more jobs and our business at risk. Have you considered the potential job loss and the tax revenue consequence to federal, state and local governments?