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National Hispanic Medical Association

Feb. 7, 2024

Hon. Shalanda Young
Director, Office of Management and Budget
1650 Pennsylvania Ave. NW
Washington, D.C. 20502

Hon. Richard L. Revesz
Administrator, Office of Information and Regulatory Affairs
Office of Management and Budget
262 Old Executive Office Building
Washington, D.C. 20503

Re: Pending EO 12866 Regulatory Review, Tobacco Product Standard for Menthol in Cigarettes, RIN 0910-A160

Dear Director Young and Administrator Revesz:

National Hispanic Medical Association writes to urge the Office of Information and Management Affairs (OIRA) to complete its review of the Tobacco Product Standard for Menthol in Cigarettes (menthol cigarette rule) and to allow it to be issued in final form without delay. The proposed product standard prohibiting menthol as a characterizing flavor in cigarettes will reduce youth smoking, save lives, and advance health equity. The proposed rule will have an enormous public health impact both in the short and long term. It is imperative that the rule be finalized without delay.

NHMA represents the interests of 50,000 Hispanic physicians dedicated to improving the health of Hispanics and others who suffer from smoking as the leading cause of preventable death. We care about stopping menthol cigarettes to decrease mortality and improve quality of life in our communities.

Prohibiting menthol cigarettes will reduce youth smoking. Menthol cools and numbs the throat, reduces the harshness of tobacco smoke, and makes cigarettes more appealing to new smokers, particularly young people. As is well-documented in the proposed rule, menthol facilitates experimentation, progression to regular smoking of menthol cigarettes and contributes to greater nicotine dependence.¹ Half of youth who have ever tried smoking started with menthol cigarettes¹ and menthol cigarettes were responsible for 10.1 million additional new smokers between 1980 and 2018.¹

Prohibiting menthol cigarettes will increase smoking cessation and save lives. Smoking remains the leading cause of preventable disease and death in the United States.¹ Prohibiting menthol cigarettes, which are more difficult to quit than non-menthol cigarettes, will reduce this burden by increasing smoking cessation.¹ Research estimates that prohibiting menthol cigarettes would prevent 654,000 smoking attributable deaths, including 255,000 deaths in the Black community, by the year 2060.¹ That means that for every year menthol cigarettes remain on the market, there will be approximately 16,000 more smoking-caused premature deaths, including over 6,500 more deaths in the Black community.

Prohibiting menthol cigarettes would decrease tobacco-related health disparities and advance health equity, especially among Black Americans. Menthol cigarettes have caused substantial harm to public health, and particularly to Black Americans. For more than 60 years, the tobacco industry has targeted Black Americans with marketing and price promotions for menthol cigarettes,¹ and as a result, 85% of Black smokers smoke menthol cigarettes compared to 29% of White smokers.¹ Consequently, Black Americans are less likely to successfully quit smoking¹ and suffer disproportionately from tobacco-related disease and death.¹ Despite accounting for 12% of the population, Black Americans represented 41% of premature deaths caused by menthol cigarettes between 1980 and 2018.¹ In addition to youth and Black smokers, preference for menthol is also disproportionately high among Hispanic and Asian smokers, lesbian, gay, and bisexual smokers, smokers with mental health problems, socioeconomically disadvantaged populations, and pregnant women.¹ Importantly, the proposed product standard is expected to substantially decrease tobacco-related health disparities and to advance health equity across population groups. A recent analysis by researchers at the Council on Foreign Relations found that a ban on menthol cigarettes would eliminate the disparity in lung cancer death rates between Black Americans and other U.S. racial and ethnic groups within 5 years – 25 years sooner than it would otherwise happen.¹

On behalf of Hispanic communities, we urge this lifesaving rule be issued in final form.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elena Rios', is written over a light blue horizontal line.

Elena Rios, MD, MSPH, MACP
President & CEO