

Written Testimony of Kristina A. Hamilton of the American Lung Association
for the Cook County Legislation and Intergovernmental Relations Committee
RE: Ordinance 23-2311
May 24, 2023

Chairperson Britton and Members of the Legislation and Intergovernmental Relations Committee:

On behalf of the American Lung Association, thank you for the opportunity to submit written testimony to express our position on ordinance 23-2311. The Lung Association strongly supports ending the sale of ALL flavored tobacco products, including flavored e-cigarettes, menthol cigarettes and flavored cigars, and encourages a comprehensive evidenced-based approach to prevention and limiting access to all tobacco products.

The Lung Association works on behalf of the 34 million Americans, including 1.4 million Illinoisans, living with lung diseases like lung cancer and COPD—which are primarily caused by tobacco use and exposure to secondhand smoke.

When considering legislation to address flavored tobacco products, it is important that the proposal is comprehensive - addressing all flavors and all products. While most flavored cigarettes are prohibited, menthol is not. The Lung Association strongly supports menthol cigarettes being removed from the marketplace and has been calling for such action since 2011. In April 2013, the Lung Association and our partners submitted a formal citizen petition to the U.S. Food and Drug Administration (FDA) requesting that the Commissioner “prohibit menthol as a characterizing flavor of cigarettes.”¹ In April 2022, FDA issued two proposed rules to end the sale of menthol cigarettes and flavored cigars.

Exempting menthol cigarettes would create a two-tiered system of public health inequality, disproportionately protecting predominantly white communities where e-cigarettes are more popular while abandoning kids in predominantly Black, Latino and LGBTQ+ communities where menthols are more popular.

Menthol is not only a flavoring, but a chemical with complex, drug-like properties that can impact smoking initiation, addiction and cessation. Menthol has cooling and anesthetic properties which reduce the harshness of cigarette smoke for new smokers. Menthol also reduces airway pain and irritation and can suppress coughing, which can mask the early warning symptoms of smoking-induced respiratory problems. Use of menthol cigarettes by youth also makes it more likely that youth will go on to become regular smokers. While overall cigarette sales have been declining, the proportion of smokers using menthol cigarettes has been increasing, and over half of kids who smoke cigarettes use menthol cigarettes.

The health disparities the use of menthol cigarettes have caused are also very troubling. The sale and marketing of menthol cigarettes [disproportionately burdens the Black community](#) as a

¹ Citizens Petition to the Division of Dockets Management at the Food and Drug Administration re Menthol in Cigarettes. American Lung Association and other health groups. (2013). Retrieved from <http://www.lung.org/assets/documents/advocacy-archive/menthol-citizen-petition.pdf>

result of decades of targeted marketing by the tobacco industry². The use of menthol is more common among youth, female smokers, [LGBTQ+](#) smokers³, [those with mental illness](#) and [racial and ethnic minorities](#), especially Black people. More than 8 in 10 Black smokers (85%) aged 12 years old and older use menthol cigarettes⁴.

Recognizing that almost all tobacco users begin their use during their adolescence or young adulthood, tobacco companies have spent billions of dollars marketing their products and making them more attractive to young people. For decades, the tobacco industry has used flavors to attract youth. Indeed, the industry's decades-long conspiracy to deceive the public includes many documents that demonstrate the industry's understanding of the role flavors play in tobacco use initiation. We must counter their attempts to hook the next generation of nicotine addicted youth to their products.

We appreciate the opportunity to submit this testimony and your attention to addressing the crisis before us. With a vision of a world free of lung disease, the American Lung Association is working to eliminate the use of all tobacco products. We support strong tobacco prevention policies that are proven to reduce tobacco rates. A comprehensive approach that prohibits the sale of all flavored tobacco products is needed to realize this vision and prevent today's youth from being the next generation of kids addicted to tobacco products, including menthol cigarettes and e-cigarettes.

Thank you again for your consideration. For any questions, please contact me at Kristina.Hamilton@lung.org or 312-445-2507.

Sincerely,



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Advocacy Director, Illinois
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² Too Many Cases, Too Many Deaths: Lung Cancer in African Americans, American Lung Association. <https://www.lung.org/assets/documents/research/ala-lung-cancer-in-african.pdf>

³ Menthol cigarette smoking among lesbian, gay, bisexual, and transgender adults. Fallin A1, Goodin AJ2, King BA3. <https://www.ncbi.nlm.nih.gov/pubmed/25245795>

⁴ [Menthol Smoking and Related Disparities](#). CDC. 2019.