



CITIZENS' COMMISSION TO PROTECT THE TRUTH

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May 26, 2011

Secretaries of Health, Education, and Welfare

Chairman

Joseph A. Califano, Jr.
1977-1979
David Mathews, Ph.D.
1975 - 1977

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Secretaries of Health and Human Services

Richard S. Schweiker
1981-1983
Margaret M. Heckler
1983-1985
Otis R. Bowen, M.D.
1985-1989
Louis W. Sullivan, M.D.
1989-1993
Donna E. Shalala, Ph.D.
1993-2001
Tommy G. Thompson
2001-2005

Dear Mr. President:

As you know, The Family Smoking Prevention and Tobacco Control Act (Tobacco Control Act) gave the Food and Drug Administration (FDA) the authority to regulate the manufacture, distribution, and marketing of tobacco products to protect public health. In particular, the Tobacco Control Act banned the use of all flavorings in cigarettes, except menthol which was to be the subject of study by the newly created Tobacco Products Scientific Advisory Committee, or TPSAC. The TPSAC recently completed its study and recommended to the FDA that menthol cigarettes be banned to "benefit public health in the United States."

Surgeons General

Jesse L. Steinfeld, M.D.
1969-1973
C. Everett Koop, M.D.
1982-1989
Antonia C. Novello, M.D.,
M.P.H., DrPH, 1990-1993
M. Joycelyn Elders, M.D.
1993-1994
David Satcher, M.D., Ph.D.
1998-2002
Richard H. Carmona, M.D.,
M.P.H., FACS, 2002-2006

It is imperative that big tobacco interests not be allowed to delay FDA action in furtherance of their economic interests and to the detriment of public health. The tobacco industry's continued delay tactic of dubious challenges to sound science—a strategy that has served them well over the decades since the first Surgeon General's report on tobacco was released—allows them to continue their profitable and shameless exploitation of children and minorities.

Directors of the Center for Disease Control

William H. Foege, M.D., M.P.H.
1977-1983
James O. Mason, M.D., DrPH
1983-1989

Because menthol reduces the harshness of smoke and the irritation from nicotine, tobacco industry marketing messages positioned menthol cigarettes as an attractive starter product for new smokers. It has been a very successful and cynical strategy: more than 80 percent of adolescent African American smokers use menthol cigarettes; more than half of adolescent Hispanic American smokers use menthol cigarettes; and more than half of Asian American middle school smokers use menthol cigarettes. Almost half of 12 to 17 year old smokers smoke menthol cigarettes and more than 90 percent of adult smokers are hooked as teens.

Directors of the Centers for Disease Control and Prevention

William L. Roper, M.D., M.P.H.
1990-1993
David Satcher, M.D., Ph.D.
1993-1998
Jeffrey P. Koplan, M.D., M.P.H.
1998-2002
Julie Louise Gerberding, M.D., M.P.H.
2002-2009



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Studies published this month in the *American Journal of Public Health* show that not only could a ban prevent up to 600,000 smoking-related premature deaths by 2050, a third of those from the African American community alone, but that a ban is supported by a majority of Americans (56 percent), particularly African Americans (76 percent), who were found to be disproportionately affected. For decades the tobacco industry has heavily marketed menthol cigarettes to minorities and, as a result, the menthol smoking rates among these communities are disproportionately high; 80 percent of African Americans who smoke, smoke menthol cigarettes. African Americans are further disadvantaged because though more menthol smokers try to quit, fewer are successful, especially African Americans. Menthol flavorings not only lure youth to start smoking, they then make it harder for menthol smokers to quit.

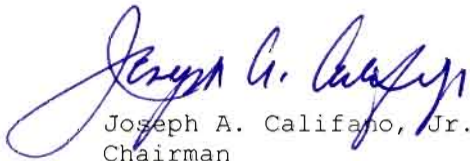
These new findings build on a recent National Cancer Institute study which found that, if menthol cigarettes were no longer sold, 39 percent of all menthol smokers, including nearly half of all African American menthol smokers (47 percent), said they would quit using tobacco completely rather than switch brands.

We believe, as the majority of Americans do, and as the TPSAC has advised the FDA, that menthol cigarettes pose a significant public health threat and should be removed from the market. The evidence backing a menthol ban is sound science and consistent with the language in the Tobacco Control Act. Now is the time for the leaders at the FDA to use the authority vested in them and take the bold steps necessary to protect the health and save the lives of more Americans.


We urge you to encourage the FDA to take action to ban menthol flavoring for cigarettes in order to protect the public health of our nation's teens and adults.

Sincerely,

For the Citizens' Commission to Protect the Truth



Joseph A. Califano, Jr.
Chairman



Louis W. Sullivan, M.D.
Vice-Chairman



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Julie Louise Gerberding, M.D., M.P.H.

Cc: Hon. Kathleen Sebelius, Secretary
Health and Human Services

Thomas R. Frieden, M.D., M.P.H.
Director
Centers for Disease Control and Prevention

Margaret Hamburg, M.D.
Commissioner
Food and Drug Administration