



CITIZENS' COMMISSION  
TO PROTECT THE TRUTH

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**Secretaries of Health,  
Education, and Welfare  
Chairman**

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

**Secretaries of Health  
and Human Services**

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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

**Surgeons General**

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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

**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

**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

**For Immediate Release**

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**FORMER HEW, HHS SECRETARIES, SURGEONS GENERAL AND  
CDC DIRECTORS URGE TRADE REPRESENTATIVE TO ACCEPT  
FINDING OF WTO PANEL AND ENCOURAGE FDA TO BAN  
MENTHOL FLAVORING IN CIGARETTES**

**December 8, 2011** - Former Secretaries of the U.S. Department of Health, Education, and Welfare and of Health and Human Services, U.S. Surgeons General, and Directors of the Centers for Disease Control and Prevention, back to the Johnson Administration, known as The Citizens' Commission to Protect the Truth, today urged the United States Trade Representative, Ambassador Ron Kirk, to accept the determination of a World Trade Organization (WTO) panel and ask the Food and Drug Administration (FDA) to ban menthol cigarettes in order to bring the United States into compliance with its international treaty obligations.

In a [letter](#), signed by the Citizens' Commission's Chairman, Joseph A. Califano, Jr., U.S. Secretary of Health, Education, and Welfare under President Carter who began the nation's first anti-smoking campaign in 1978 and Vice Chairman Louis Sullivan, M.D., president emeritus of the Morehouse School of Medicine and Secretary of Health and Human Services under President George H.W. Bush, the Citizens' Commission cited the WTO panel decision which found that by banning cigarette flavorings except menthol, the Family Smoking Prevention and Tobacco Control Act (the Act) discriminates against Indonesian clove cigarettes in violation of the Agreement on Technical Barriers to Trade. The panel recommended that the WTO Dispute Settlement Body ask the United States to conform the Act with its obligations under the Technical Barriers to Trade (TBT) Agreement and accord menthol and Indonesian clove cigarettes like treatment in recognition of their being like products.

In concluding that menthol and clove flavored cigarettes are like products the WTO panel's decision drew heavily on the FDA Tobacco Product Scientific Advisory Committee's March 11, 2011 *Report and Recommendations on the Impact of the Use of Menthol in Cigarettes on the Public Health*, which found that removal of menthol cigarettes from the marketplace would benefit public health in the United States.

The Citizens' Commission urged Ambassador Kirk to accept the panel's finding as supported by the FDA Advisory Committee's report and ask the FDA to ban menthol cigarettes. "Such action not only would benefit public health in the United States, it would bring the United States into conformity with its



international treaty obligations and avoid the imposition of retaliatory tariffs by Indonesia,” the letter concluded.

“It is time to remove the menthol exception from the ban on characterizing flavors. Not only the United States’ international commitments, but this nation’s public health demands such action,” said Joseph A. Califano, Jr., who is also founder and chairman of The National Center on Addiction and Substance Abuse at Columbia University.

Califano and Sullivan added, “No action the Food and Drug Administration and the Obama administration could take would do more to save lives, reduce health-care costs and curb the tobacco industry’s exploitation of children and minority teens than to [ban menthol flavoring in cigarettes.](#)”

The Citizens’ Commission to Protect the Truth, a group of former U.S. Secretaries of Health, Education, and Welfare and of Health and Human Services, former U.S. Surgeons General, and former Directors of the Centers for Disease Control and Prevention, Republican and Democrat, was formed in March 2004 to prevent youth from smoking. Among its efforts, the Commission shines a spotlight on the continued need to fund **truth**®, the only independent national youth counter-marketing campaign with demonstrated results in keeping children and teens from smoking. For more information on the Commission, visit its Web site at [www.ProtectTheTruth.org](http://www.ProtectTheTruth.org).

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