In 2009, Congress included in the Family Smoking Prevention and Tobacco Control Act (TCA) a key provision that banned flavors in cigarettes to protect young people. Menthol, as a characterizing flavoring, was exempted, despite evidence at that time of its appeal to young people, including industry documents outlining how tobacco companies manipulated menthol in cigarettes to promote youth initiation. In one of the first studies of its kind, East et al examined menthol smoking in repeated cross-sectional surveys between 2018 to 2020 among young people, aged 16 to 19 years, who smoke cigarettes in 3 countries, including Canada, where a ban was put into place in 2017; England, where a ban was implemented during the study period; and the US, where there was no national ban. The research demonstrates that menthol smoking among young people who smoke declined considerably in England after the ban. Moreover, the authors highlight low stable prevalence of menthol smoking in Canada, demonstrating a clear association of the ban with reducing menthol smoking among young smokers. Finally, they found no evidence that those in Canada sought illicit menthol products.

The timing of these findings is important. Spurred on by a citizen’s petition, the US Food and Drug Administration (FDA) announced in April 2021 that it would issue a product standard banning menthol as a characterizing flavor in cigarettes within a year. The FDA indicated that nearly 1 million smokers will quit smoking within a year and half of the ban going into effect, and approximately 633,000 deaths would be averted, including 237,000 deaths averted for African American individuals. Although the impetus for the ban on characterizing flavors in cigarettes in the 2009 TCA in the US was to protect youth, much of the research exploring the hypothetical outcomes of a menthol ban or policy evaluations of an actual ban has focused on adults and cessation. Indeed, little is known with respect to the potential outcomes among young people who smoke menthol cigarettes. The data from East et al are promising but also raise some important considerations about a US ban on menthol cigarettes.

First, menthol cigarettes are more popular, with a growing market share, in the US, compared with Canada and England. This was evident in the study by East et al, with the highest rates of menthol smoking found in the US. As noted in that study, there is little known about menthol substitution among young people following menthol bans, and there is a growing market for flavor accessories, such as flavor cards or filter tips, that allow a consumer to add menthol to their cigarettes. Of note, one such brand, Rizla, is owned by Imperial Tobacco, which also makes Kool Menthol Cigarettes, a top 5 brand in the US. To what extent will such products, designed to circumvent flavor bans, be marketed in the US, where menthol has a greater market share? Moreover, how will the marketing and availability of these products appeal to young menthol smokers?

Second, the demographic profile of young smokers in these 3 countries varied: young people who smoked were more likely to be Black in the US sample than the other 2 countries. In addition, menthol smoking was twice as common among youth who identified as Black compared with those who identified as White in the US, but no such racial difference in menthol preference was observed in England or Canada. It is encouraging that the declines in menthol smoking similarly decreased in England after the ban among all young people, but whether this could be replicated in the US is not known. Previous research in the US using data from the National Youth Tobacco Survey found that although menthol use declined overall from 2011 to 2018, there was no decline in menthol cigarette smoking among Black and Hispanic students who smoke cigarettes, and despite population-level
declines in menthol smoking, menthol use persists among youth from minoritized racial and ethnic groups. Finally, much has changed in the US since the TCA was signed in 2009.1 Most notably, among young people, cigarette smoking has declined rapidly to historic lows, concomitantly with an increase in e-cigarette use.10 Given the high appeal of menthol cigarettes historically among young people, its removal from the market should facilitate sustained low cigarette prevalence, but tobacco use is associated with contextual factors that differ across countries. For example, the legal age of sale for cigarettes was increased to 21 years in 2019 in the US, whereas in Canada and England it is 18 years, and flavored e-cigarettes face numerous local and federal restrictions in the US to protect youth, in contrast to England and Canada.

Banning menthol as a characterizing flavor in cigarettes is long overdue in the US. We must keep a watchful eye on youth tobacco use behaviors (eg, polyuse and substitution) in the context of a menthol flavor ban and comprehensively evaluate the effects of such a ban on tobacco-related health inequities.

ARTICLE INFORMATION
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