



November 22, 2013

Margaret A. Hamburg, M.D.
Commissioner of Food and Drugs
Division of Dockets Management (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Rm. 1061
Rockville, MD 20852

Re: Menthol in Cigarettes, Tobacco Products (Docket No. FDA-2013-N-0521)

Dear Commissioner Hamburg:

The Society for Public Health Education (SOPHE) welcomes the opportunity to comment on Menthol in Cigarettes, Tobacco Products.

SOPHE is a 501 (c)(3) professional organization founded in 1950 to provide global leadership to the profession of health education and health promotion. SOPHE contributes to the health of all people and the elimination of health disparities through advances in health education theory and research; excellence in professional preparation and practice; and advocacy for public policies conducive to health. SOPHE is the only independent professional organization devoted exclusively to health education and health promotion. Members include behavioral scientists, faculty, practitioners, and students engaged in disease prevention and health promotion in both the public and private sectors. Collectively, SOPHE's 4,000 national and chapter members work in universities, medical/health care settings, businesses, voluntary health agencies, international organizations, and all branches of federal/state/local government.

SOPHE urges the FDA to implement a ban on menthol cigarettes and tobacco products containing menthol, and work with health educators to implement tobacco prevention and cessation programs.

Harmful Effects of Menthol Products

FDA is well aware of numerous evidence-based studies that have documented the addictive qualities of menthol and its potential to establish lifelong tobacco patterns. Marketing for menthol products are often targeted to youth and particularly racial and ethnic minorities that favor mentholated products. A recent study from the *Journal of Adolescent Health* concluded that more than two fifths of U.S. middle and high school smokers report using flavored little cigars or flavored cigarettes, and disparities in the use of these products exist across subpopulations.¹

¹ King, Brian A., Tynan, Michael A., Dube, Shanta R., and Arrazola, Rene. Flavored-Little-Cigar and Flavored-Cigarette Use Among U.S. Middle and High School Students. Flavored-Little-Cigar and Flavored-Cigarette Use Among U.S. Middle and High School Students. *Journal of Adolescent Health*. 2013;

Tobacco companies employ innovative strategies to discourage current tobacco users from quitting and to entice new customers to purchase their products, such as coupons, multi-pack offers, and promotional payments to retailers and wholesalers.² And according to the most recent Federal Trade Commission (FTC) reports, major tobacco companies now spend \$8.8 billion per year—more than \$24 million every day—to promote their products and many of their marketing efforts directly reach kids.³ The majority of marketing expenditures are spent on price discounts, which make cigarettes affordable, therefore more appealing to youth. Tobacco companies continue to advertise heavily at retail outlets near schools and playgrounds, with large ads and signs clearly visible from outside the stores.⁴ FDA should exercise its authority to regulate tobacco products and marketing, which could have major implications of smoking cessation among adults and youth.

The Role of Health Education to Influence Tobacco Cessation

Health education specialists work to encourage healthy lifestyles and wellness through educating individuals and communities about behaviors that can prevent diseases, injuries, and other health problems. Health educators work in diverse settings and partner with appropriate providers to plan, conduct and evaluate programs designed to improve health outcomes, such as tobacco prevention and control. Health education specialists possess essential knowledge and skills for working in interdisciplinary teams, care coordination, quality improvement for strategic planning and systems redesign, community engagement, community needs assessment, and health coaching. Health education specialists also possess expertise in communicating with and understanding the needs of underserved and vulnerable populations, populations with limited English proficiency, and people with disabilities.

SOPHE has a vested interest in changing systems to support smoke-free policies and smoking cessation, which is why the Smoking Cessation and Reduction in Pregnancy Treatment (SCRIPT) program was created. SCRIPT is an award-winning, evidence-based smoking cessation program shown to be effective in helping thousands of pregnant women quit smoking. It is designed to be a component of a patient education program for prenatal care providers, and is cited by the Agency for Healthcare Research & Quality's Smoking Cessation Clinical Practice Guidelines (AHRQ, 2000 & 2008).

Recent opinion and polls and studies indicate that the public would support a ban on menthol products. In fact, support for a menthol ban is strongest among populations with the highest prevalence of menthol cigarette use. In a recent opinion poll, Hispanics (36.4%), African Americans (29.0%), non-smokers (26.8%), and participants with less than a high school education (28.8%) voiced support of a menthol ban.⁵

² Tobacco Control Legal Consortium. October 2013. Policy Approaches to Restricting Tobacco Product Coupons and Retail Value-Added Promotions. Available at: <http://publichealthlawcenter.org/sites/default/files/resources/tclc-guide-policy-approaches-pricing-cppw-2013.pdf>

³ Campaign for Tobacco Free Kids. June 2013. Tobacco Company Marketing to Kids. Available at: <http://www.tobaccofreekids.org/research/factsheets/pdf/0008.pdf>

⁴ Id.

⁵ Chicago Department of Health. Menthol-Flavored Cigarettes Policy Brief. Aug 2013. Available at: <http://www.cityofchicago.org/content/dam/city/depts/cdph/CDPH/HCPolicyBriefAug2013Menthol.pdf>

Supplementing a menthol ban with health tobacco education programs that convey the necessary health education to allow people to make the necessary changes in behavior will reduce tobacco use among youth and adults.

Thank you for consideration of our responses and we look forward to working with you further. Please contact Jerrica Mathis at (jmathis@sophe.org) or 202-408-9804 with any additional questions.

Sincerely,



Kelli McCormack Brown, PhD, CHES
President



Elaine Auld, MPH, MCHES
Chief Executive Officer