



Testimony regarding Ordinance No. 240897

On behalf of the American Cancer Society Cancer Action Network (ACS CAN) and those we serve, I want to submit testimony regarding Ordinance No. 240897.

ACS CAN advocates for public policies that will help prevent cancer at all levels of government. Tobacco use remains the nation's number one cause of preventable death.

ACS CAN supports ending the sale of menthol cigarettes and all other flavored tobacco products.

Ending the sale of menthol cigarettes and all other flavored tobacco products would be a significant step in reducing tobacco use and improving health equity in Kansas City. Removing these flavored tobacco products from the market is a critical component to a comprehensive strategy to reduce initiation and lifelong addiction. Laws aimed at ending the sale of menthol cigarettes and all other flavored tobacco products are most effective when they include all products, all flavors, and all retailers.

Flavors are a marketing weapon used by tobacco manufacturers to target youth and young people to a lifetime of addiction. Altering tobacco products' ingredients and design, like adding flavors, can mask the harsh effects, facilitate nicotine uptake, and increase a product's overall appeal.ⁱ Candy, fruit, mint and menthol flavorings in tobacco products are a promotional tool to lure new, young users, and are aggressively marketed with creative campaigns by tobacco companies.ⁱⁱ Products with flavors like cherry, grape, cotton candy, and gummy bear are clearly not aimed at established, adult tobacco users and years of tobacco industry documents confirm the intended use of flavors is to target youth.ⁱⁱⁱ Furthermore, youth report flavors as a leading reason they use tobacco products and perceive flavored products as less harmful.^{iv,v}

These laws are most effective when retailers are educated on the law and held accountable after implementation if they continue to sell flavored tobacco products. ACS CAN opposes penalizing individuals, especially kids, for the purchase, use and possession of these products.

As of October 3, 2024, two states and nearly 200 localities have ended the sale of menthol cigarettes and all other flavored tobacco products. It's time for Kansas City to join them.

Ending the sale of menthol cigarettes and all other flavored tobacco products will make it harder for the tobacco industry to target youth and young adults with their addictive and deadly products and make it easier for adults to quit. We urge the City Council to amend the ordinance with comprehensive definitions to ensure all menthol and other flavored products, including all electronic smoking devices and all components, are included. And to ensure it is retailers who are held accountable and not individuals who are using or possessing these products.

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ⁱ FDA Guidance for Industry and FDA Staff, "General Questions and Answers on the Ban of Cigarettes that Contain Certain Characterizing Flavors (Edition 2) ("FDA Guidance on Characterizing Flavors").

ⁱⁱ Delnevo, C, et al., "Preference for flavoured cigar brands among youth, young adults and adults in the USA," Tobacco Control, epub ahead of print, April 10, 2014. King, BA, et al., "Flavored-Little-Cigar and Flavored-Cigarette Use Among U.S. Middle and High School Students," Journal of Adolescent Health 54(1):40-6, January 2014.

ⁱⁱⁱ Carpenter CM, Wayne GF, Pauly JL, Koh HK, Connolly GN. New cigarette brands with flavors that appeal to youth: tobacco marketing strategies. Health Affairs. 2005; 24(6): 1601-1610.

^{iv} Ambrose et al. Flavored tobacco product use among U.S. youth aged 12-17 years, 2013-2014. JAMA, 2015; 314(17): 1871-3.

^v Huang L-L, Baker HM, Meernik C, Ranney LM, Richardson A, Goldstein AO. Impact of non-menthol flavours in tobacco products on perceptions and use among youth, young adults and adults: a systematic review. Tobacco Control 2016.