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January 28, 2021

Dear Chairwoman Kelley and members of the Senate Finance committee,

The Legislative Black Caucus of MD stands with Senator Mary Washington, and the public health community in supporting **SB 177 (HB 134) Business Regulation—Flavored Tobacco Products—Prohibition.**

This growing epidemic of e-cigarette use among our youth demands strong and immediate action. E-cigarette use soared by 78 percent among high school students and 48 percent among middle school students nationwide from 2017-2018. More than 5 million high-school and middle-school students used e-cigarettes last year – an increase of 1.5 million over the previous year – and public health authorities warn that these numbers likely have continued to rise. Research shows that 97 percent of current youth e-cigarette users used a flavored product in the past month, and 70 percent cite flavors as a key reason for their use.

95% of smokers begin before the age of 21. Right here in Maryland 18.2% of adults use any tobacco product, including 12.5% who use cigarettes.¹ Tobacco product use among youth is much too high, 5.0% of Maryland high school students smoke cigarettes, 6.0% smoke cigars, 4.6% use smokeless tobacco, and 23% use electronic smoking devices.² We know that most current smokers were enticed to begin this deadly addiction as youth, and most report beginning with a flavor.

As a result of targeted marketing, while the use of traditional cigarettes have declined, the sale of menthol cigarettes have steadily increased, especially among young people and new smokers. Menthol makes it easier to start smoking by masking the harshness of tobacco smoke. As a result, over half of youth smokers use menthol cigarettes; among African American youth smokers, seven out of ten use menthol cigarettes. In addition, there are now over 250 different cigar flavors, and cigars surpass cigarettes in popularity among high school boys nationwide.

In addition to youth, African Americans have been heavily targeted with menthol cigarette marketing. Quitting menthol cigarettes is particularly difficult, so those who initiate with menthol are more likely to become addicted and less likely to quit.

Leaving menthol cigarettes in our community is a matter of social justice and leaves those already most impacted by health disparities vulnerable to the aggressive marketing of the tobacco industry.

The African American community has historically been targeted by the tobacco

¹ Maryland Department of Health. BRFS 2018. Unpublished. Local Health Department Tobacco Control Meeting, November 21, 2019.

² Maryland Department of Health. YRBS/YTS 2019. Unpublished. Local Health Department Tobacco Control Meeting, November 21, 2019.

industry with advertising for menthol cigarettes, and a result, the vast majority of African Americans use menthol cigarettes, contributing to tobacco-related health disparities.³ Lung cancer is the second most common cancer in both African American men and women, but it kills more African Americans than any other type of cancer.⁴ According to the American Cancer Society, in 2020, it is projected that there will be 3,930 new cases of lung and bronchus cancer with 2,310 projected deaths of Maryland residents.⁵

Ending the sale of all flavored tobacco products, including but not limited to, menthol cigarettes and flavored cigar complements and builds on proven approaches such as fully funding tobacco prevention and cessation programs, regular and significant tobacco tax increases, and comprehensive smoke-free air laws. Ending the sale of all flavored tobacco products will have a substantial positive impact on public health and save lives.

Cities across the country have already acted to prohibit the sale of all flavored tobacco products. Over 50 localities in California, Colorado, Minnesota, Massachusetts and New York, and the State of Massachusetts have done so. And many other communities and states will likely follow in the coming months and years. Maryland has a long history of combatting tobacco use, and I am asking you to continue that tradition now by protecting our youth and the public health in our city.

It is Maryland's turn now to end the sale of all flavored tobacco products, including but not limited to, menthol cigarettes and flavored cigars. We humbly ask for the committee to vote favorably on this important public health legislation.

Sincerely,

Darryl Barnes

Delegate Darryl Barnes

Chairman, Legislative Black Caucus of Maryland, Inc.

³ Villanti, AC, et al. "Changes in the prevalence and correlates of menthol cigarette use in the USA, 2004-2014," *Tobacco Control*, published online October 20, 2016.

⁴ American Cancer Society, "Cancer Facts & Figures for African Americans, 2016-2018," 2016,

⁵ American Cancer Society, "Cancer Statistics Center—Maryland At a Glance 2020," 2020, https://cancerstatisticscenter.cancer.org/?_ga=2.228084189.1563839069.1580854904-199209832.1566400478#/state/Maryland