



January 28, 2021

**TO:**                   **The Honorable Delores G. Kelley, Chair**  
**The Honorable Brian J. Feldman, Vice Chair**  
**Members of the Senate Finance Committee**  
**3 East**  
**Miller Senate Office Building**  
**Annapolis, MD 21401**

**The Honorable Guy Guzzone, Chair**  
**The Honorable Jim Rosapepe, Vice Chair**  
**Members of the Senate Budget and Taxation Committee**  
**3 West**  
**Miller Senate Office Building**  
**Annapolis, MD 21401**

**FROM:**               **Jocelyn Collins, Maryland and DC Government Relations Director**  
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**SUBJECT:**           **SB 177 Business Regulation—Flavored Tobacco Products—Prohibition**

**POSITION:**         **SUPPORT**

The American Cancer Society Cancer Action Network (ACS CAN) is the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society. We support evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem. On behalf of our constituents, many of whom have been personally affected by cancer, we stand in support of **SB 177 Business Regulation—Flavored Tobacco Products—Prohibition**.

In Maryland, 27.4% of youth and 18.2% of adults use any tobacco product, including 12.7% who use cigarettes.<sup>1 2</sup> While 5.0% of Maryland high school students smoke cigarettes, 6.0% smoke cigars, 4.6% use smokeless tobacco, and 23% use electronic smoking devices.<sup>3</sup> We know that most people who currently smoke were enticed to begin this deadly addiction as youth, and most report beginning with a flavor tobacco product.

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<sup>1</sup> Nccd.cdc.gov. 2019. *Maryland, High School Youth Risk Behavior Survey, 2019*. [online] Available at: <<https://nccd.cdc.gov/Youthonline/App/Results.aspx?TT=A&OUT=0&SID=H&QID=QQ&LID=XX&YID=2017&LID2=&YID2=&COL=5&ROW1=N&ROW2=N&HT=QQ&LCT=LL&FS=S1&FR=R1&FG=G1&FA=A1&FI=I1&FP=P1&FSL=S1&FRL=R1&FGL=G1&FAL=A1&FIL=I1&FPL=P1&PV=&TST=False&C1=&C2=&QP=G&DP=1&VA=C1&CS=Y&SYID=&EYID=&SC=DEFAULT&SO=ASC>> [Accessed January 2021].

<sup>2</sup> Campaign for Tobacco Free Kids. The Toll of Tobacco in Maryland. Updated October 20, 2020. [http://www.tobaccofreekids.org/facts\\_issues/toll\\_us/maryland](http://www.tobaccofreekids.org/facts_issues/toll_us/maryland)

<sup>3</sup> Maryland Department of Health. YRBS/YTS 2019. Unpublished. Local Health Department Tobacco Control Meeting, November 21, 2019.

As a result of targeted marketing, while the use of traditional cigarettes has declined, the sale of menthol cigarettes has 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 who smoke use menthol cigarettes; among African Americans who smoke, 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 American, LatinX, and LGBTQ communities 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 communities 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 2020 Surgeon General *Smoking Cessation: A Report of the Surgeon General* released on January 23, 2020 noted that an “endgame” strategy that could further bolster tobacco cessation would be to end **the sale of flavored tobacco products, including menthol.**<sup>4</sup>

Cities across the country have already acted to end the sale of menthol cigarettes, flavored cigars and all other flavored tobacco products. Over 300 localities in California, Colorado, Minnesota, Massachusetts and New York, and the State of Massachusetts and California have done so. And many other communities and states are currently considering similar proposals. It’s now Maryland’s turn!

In 2021, it is estimated that approximately 34,590 Maryland residents will be diagnosed with cancer while 11,010 will die from the disease.<sup>5</sup> Moreover, 26.3% of cancer deaths in Maryland are attributable to smoking according to the American Cancer Society.<sup>6</sup>

ACS CAN urges you to end the sale of menthol cigarettes, flavored cigars and all other flavored tobacco products and vote “favorably” for this legislation.

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<sup>4</sup> U.S. Department of Health and Human Services (HHS). *Smoking Cessation: A Report of the Surgeon General- Executive Summary*. Rockville, MD. U. S. Department of Health and Human Services, Public Health Service, Office of the Surgeon General; 2020. Available at <https://www.hhs.gov/sites/default/files/2020-cessation-sgr-executive-summary.pdf>.

<sup>5</sup> American Cancer Society. *Maryland Cancer Facts and Figures 2021*. Atlanta: American Cancer Society; 2021.

<sup>6</sup> Analysis by ACS, 2020.