



Banning the Sale of Flavored Tobacco Products

A ban on flavored tobacco products prevents retailers from selling products that have a “characterizing flavor” which includes a taste or aroma of various flavors including a fruit, chocolate, vanilla, honey, wine, coffee, dessert, candy and other flavors. Some flavor bans exempt tobacco, menthol, mint or wintergreen flavors while other proposals also prohibit the sale of menthol cigarettes and mint and wintergreen smokeless tobacco products. Flavored tobacco bans are often suggested as a way to reduce illegal underage usage or access to products.

Consequences of Banning Flavored Tobacco Products

Addressing the youth vaping epidemic should not lead local governments to overextend to other tobacco products. Banning the sale of traditional flavored tobacco products, like menthol cigarettes and flavored smokeless tobacco, flavored cigars, and pipe tobacco only creates other problems.

Flavored tobacco products should not be banned for the following reasons:

- Traditional tobacco product youth use rates are at historic lows. Survey data from the latest National Institutes of Health (NIH) Monitoring the Future report shows that combined 8th, 10th, and 12th grade use in last 30 Days *for traditional tobacco products* are 3.7% for cigarettes, 3.1% for smokeless tobacco, 2.8% for large cigars, 3.0% for regular little cigars, 4.5% for flavored little cigars.
- Three recent scientific studies now conclude that banning flavored tobacco products leads to an increase in cigarette smoking by underage individuals and young adults. This creates a new health problem that needs to be avoided by local lawmakers.
- Banning the sale of flavored traditional tobacco products could shift sales of these products from law-abiding retailers to potentially illegal sources who do not check IDs.
- If traditional flavored tobacco products are not removed from proposed sales ban, adult customers will drive outside of town to buy their preferred products, and will also purchase gasoline, grocery items and beverages while there. The result would be losses far greater than the current and significant declines in gasoline and other product sales.
- The FDA has taken regulatory action and banned almost 7 million flavored electronic cigarette and flavored nicotine liquid products. In addition, the FDA announced that it will be publish a proposed regulation by April of this year banning the sale of menthol cigarettes and all flavored cigars. With the FDA taking these actions, the need for this state flavor ban bill is negated.