

RESOLUTION NO. 094-11

RESOLUTION OF SUPPORT FOR FOOD AND DRUG ADMINISTRATION (FDA)  
BANNING MENTHOL IN CIGARETTES AND FLAVORING  
IN OTHER TOBACCO PRODUCTS

**WHEREAS**, mentholated and flavored tobacco products are shown to be "starter" products for youth who begin using tobacco; and

**WHEREAS**, youth who experiment with menthol cigarettes are at far greater risk of becoming regular smokers than those who experiment with non-menthol cigarettes; and

**WHEREAS**, the Tobacco Industry has been manipulating the dose of menthol in cigarettes to ensure the uptake and continued use, especially by young people and other vulnerable populations for many years; and

**WHEREAS**, the tobacco industry has a well-documented history of developing and marketing mentholated brands to racial and ethnic minorities and youth; and

**WHEREAS**, in cigarettes, menthol is the only additive that is actively marketed to consumers and virtually all cigarettes contain menthol to make cigarettes more palatable; and

**WHEREAS**, the Tobacco Industry has targeted African Americans with mentholated products and as a result nearly 83% of African American smokers smoke menthol cigarettes, compared with 24% of White smokers; and

**WHEREAS**, 71% of Lesbian, Gay, Bisexual, Transgender, Queer and Questioning (LGBTQ) smokers, particularly youth, smoke menthol cigarettes; and

**WHEREAS**, the availability of menthol cigarettes reduces cessation success, particularly among African Americans; and

**WHEREAS**, the Food and Drug Administration (FDA) has the authority to issue product standards to promote public health, which can include eliminating or reducing certain ingredients; and

**WHEREAS**, the FDA prohibits cigarettes from having candy, fruit and spice as their characterizing flavors because these flavors make tobacco products especially appealing to youth, and can lead to a lifetime of tobacco addiction; and

**WHEREAS**, menthol was exempted from this ban on candy, fruit and spice as characterizing flavors in cigarettes; and

**WHEREAS**, other tobacco products (smokeless, little cigars, hookah tobacco, dissolvable tobacco products) are exempted from this ban on candy, fruit and spice as characterizing flavors; and

**WHEREAS**, the Tobacco Products Scientific Advisory Committee (TPSAC) recommendations to the FDA state that, "Removal of menthol cigarettes from the marketplace would benefit public health in the United States;" and

**WHEREAS**, the American Cancer Society Cancer Action Network, American Heart Association, American Lung Association, American Public Health Association and American Academy of Pediatrics support a ban on menthol in tobacco products; and

**WHEREAS**, a ban on menthol could prevent as much as 600,000 smoking-related premature deaths by 2050, a third of those from the African-American community; and

**WHEREAS**, the City of Martinez is committed to the health and wellbeing of its residents and is particularly concerned about preventing tobacco use among youth.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Martinez hereby supports the U.S. Food and Drug Administration's exercise of its authority to ban the use of menthol in cigarettes and flavorings in other tobacco products in the United States.

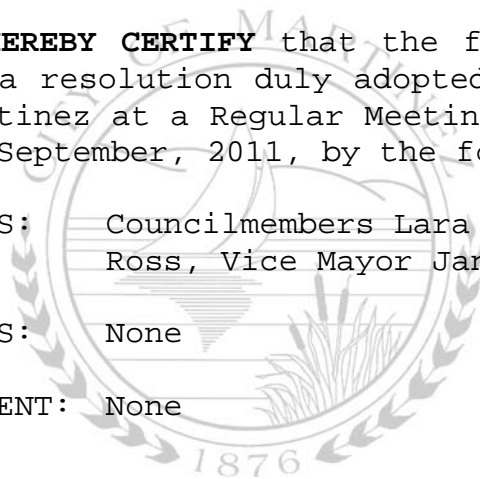
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**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 7<sup>th</sup> day of September, 2011, by the following vote:

AYES: Councilmembers Lara DeLaney, Michael Menesini, Mark Ross, Vice Mayor Janet Kennedy, and Mayor Rob Schroder

NOES: None

ABSENT: None



RICHARD G. HERNANDEZ, CITY CLERK  
CITY OF MARTINEZ