**Banning Sale of Flavored Tobacco Products**

**Background**

* 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.
* Violation of a flavor ban may result in fines assessed to retailers and, for subsequent violations, may also include the suspension or revocation of the retailer’s license to sell cigarettes and tobacco products.

**Traditional Flavored Tobacco Products Should be Removed from the Proposed Ban**

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.

Traditional flavored tobacco products should be removed from the proposed sales ban because:

* 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. However, for electronic cigarettes or “vaping nicotine,” the same survey shows the rate to be 18.1% for combined 8th, 10th, and 12th grade use in last 30 Days.
* Banning the sale of flavored traditional tobacco products could shift sales of these products from law-abiding retailers to potentially illegal sources who don’t check IDs. By potentially giving way to an illicit market, a menthol cigarette ban and ban on flavored traditional tobacco products like smokeless tobacco, cigars and pipe tobacco could have devastating effects in our community.
* 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.



Information Source: The National Association of Tobacco Outlets, Inc.