

1 [Urging the United States Food and Drug Administration to Ban Menthol in Tobacco Products]

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3 **Resolution urging the U.S. Food and Drug Administration (FDA) to ban menthol in**  
4 **cigarettes and other tobacco products.**

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6 WHEREAS, A high percentage of children aged 12-17 years, including Asian  
7 American, Latino/Hispanic, African American, and white high school-aged teens who smoke  
8 use menthol cigarettes; and

9 WHEREAS, A high percentage of Lesbian, Gay, Bisexual, Transgender and Queer  
10 (LGBTQ) smokers, particularly youth, smoke menthol cigarettes; and

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

13 WHEREAS, The tobacco industry manipulated the dose of menthol in cigarettes to  
14 ensure the uptake and continued use of tobacco, especially by young people and other  
15 vulnerable populations for many years; and

16 WHEREAS, Mentholated and flavored products have been proven to be a "starter"  
17 product for youth who begin smoking; and

18 WHEREAS, The U.S. Food and Drug Administration already prohibits cigarettes from  
19 having candy, fruit, and spice as characterizing flavors because these flavors make tobacco  
20 products especially appealing to children, and often lead to a lifetime of tobacco addiction;  
21 and

22 WHEREAS, Menthol was expressly exempted from the ban on characterizing flavors in  
23 cigarettes; and

1           WHEREAS, The tobacco industry has perniciously targeted African Americans with  
2 mentholated products and as a result many African American smokers smoke menthol  
3 cigarettes, as compared to white smokers; and

4           WHEREAS, The U.S. Food and Drug Administration has the authority to issue product  
5 standards to promote public health, which can include reducing or eliminating certain  
6 ingredients; and

7           WHEREAS, Other tobacco products (including but not limited to smokeless tobacco,  
8 cigarillos, little cigars, hookah tobacco, and dissolvable tobacco products) are not included in  
9 the ban on candy, fruit, spice or other characterizing flavors; and

10          WHEREAS, The City and County of San Francisco is committed to the health and well  
11 being of its residents and is particularly concerned about preventing tobacco use among  
12 youth; now, therefore, be it

13          RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
14 hereby urges the Food and Drug Administration to exercise its authority to ban the use of  
15 menthol in cigarettes and other tobacco products in the United States; and, be it

16          FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
17 Francisco urge the Food and Drug Administration to recognize the severity of the tobacco  
18 industry's pernicious targeting of marginalized communities and to create an entity within the  
19 FDA to address the special and disparate needs of these populations; and, be it

20          FURTHER RESOLVED, That the Clerk of the Board of Supervisors of the City and  
21 County of San Francisco shall send a copy of this resolution to U.S. Food and Drug  
22 Administration leadership as well as San Francisco's State and Federal representatives.  
23  
24  
25



**City and County of San Francisco**

**Tails  
Resolution**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 110740

**Date Passed:** July 26, 2011

Resolution urging the U.S. Food and Drug Administration to ban menthol in cigarettes and other tobacco products.

July 19, 2011 Board of Supervisors - CONTINUED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

July 26, 2011 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

Noes: 1 - Chu

File No. 110740

I hereby certify that the foregoing Resolution was ADOPTED on 7/26/2011 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

UNSIGNED

\_\_\_\_\_  
Mayor Edwin Lee

8/5/11

\_\_\_\_\_  
Date Approved

Date: August 5, 2011

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.  
110740