



The African American Tobacco Control Leadership Council

390 Fourth Street, San Francisco, California 94107 Telephone: 1-888-881-6619

August 10, 2016

President Barack Obama
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Obama,

The African American Tobacco Control Leadership Council (AATCLC) is asking for your direct intercession to help prevent the deaths of the 45,000 Black people who die every year in this country from tobacco-related diseases. **Please direct the FDA to issue a proposed rule to remove *all* flavored tobacco products, including mentholated cigarettes, from the marketplace.** The FDA has already done its part by preparing the groundwork for issuing such a proposed rule. Flavored tobacco products (including e-cigarettes, little cigars, and cigarillos) are cheap, sold individually, and very popular especially among African American, Latino, Asian American, Native Hawaiian and other Pacific Islander youth. The Office of Management and Budget's (OMB) redlining of the menthol and flavors text in the new FDA deeming rule was ill-informed, at best. The FDA has collected and analyzed all the evidence related to flavored products, as reflected in the deleted deeming text. These deletions demonstrate that the FDA attempted to protect the public health as it was mandated to do by the 2009 Family Smoking Prevention and Tobacco Control Act (FSPTCA). Because this groundwork has already been completed, issuing a new rule can be accomplished quickly.

Unfortunately, the tragic heartbreaking deaths of Alton Sterling, Philando Castile, and the 5 Dallas police officers are the manifestations of the serious issues that constantly circumvent our efforts to implement strong public health policy that protects African Americans. As you stated in your speech at the memorial service for the slain officers, the deep rooted issues that feed into the violence, racism, and oppression that affect our nation require a long-term concerted effort on many fronts. Conversely, what we are asking of you, President Obama, can be accomplished rapidly with the stroke of a pen. Your strong and decisive leadership can give our community a fighting chance against the number one killer of Black people, **tobacco**.

It has been well documented that mentholated cigarettes and other flavored tobacco products are responsible for the initiation of smoking among our youth, as well as the difficulty in quitting among established smokers. Furthermore, tobacco companies have historically and effectively targeted Black communities with highly concentrated, specialized menthol cigarette marketing campaigns. These campaigns included manipulation of our leadership groups, targeted media advertising, and the free distribution of mentholated cigarettes to inner city children. To add insult to injury, numerous studies show that mentholated cigarettes are cheaper in poor, inner city Black communities.

The tobacco industry's focused marketing has successfully promoted the use of these products among African Americans and is a major driver of the present day tobacco-related disparities, where Black males have the highest rates of death from lung cancer compared to any other demographic group. It is by no accident that 88% of black adult smokers and 95% of black youth smokers report smoking menthol-flavored cigarettes.

This letter is not a citizen petition, but a personal plea from us to you to get your administration to provide substantive relief from the tobacco related suffering we are experiencing within our community. Though other pressing issues may be diverting our attention, our community's addiction to nicotine continues to kill more Black people than AIDS, violence, car accidents, and non-tobacco related cancers **combined**.

Our community was proud and hopeful when you signed the FSPTCA into law, even though the FSPTCA exempted menthol from the list of “characterizing flavors” prohibited in cigarettes. But, we hung in there because we were hopeful that the evidence would speak for itself and because the FDA still had the authority to act on menthol and mandated to do so, according to the **FSPTCA** authorizing language.

We know that you know that smoking is a critical public health issue and that it is the leading cause of preventable death in the United States. But for our community, it is equally an issue of social justice, one which we have been defenseless in adequately addressing to protect our people. Unlike the recent drop in the use of non-mentholated cigarettes, menthol cigarette use has not declined.

Since 2009, we along with others in the national tobacco control community have implored the FDA to exercise its authority and place a ban on the sale of menthol cigarettes, just as it did for the other flavored cigarettes. Research confirms that a menthol ban would not only save millions of lives (Black lives in particular) and reduce youth smoking initiation, but would be welcomed by the majority of African American smokers as well.

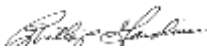
President Obama, as you wind down your historic tenure as president of the United States of America, we sincerely ask that you direct the FDA to issue the proposed rule. Let us, as we move forward, remember that U.S. tobacco companies are “federally adjudicated racketeers.” U.S. District Judge Gladys Kessler put it bluntly in her 2006 - 1,700 page, landmark ruling: ***“Over the course of more than 50 years, defendants lied, misrepresented and deceived the American public, including smokers and the young people they avidly sought as replacement smokers, about the devastating health effects of smoking.”*** Our people have been irreparably harmed by these industry behaviors.

While our communities are besieged by the more immediate problems of police violence, racism, and unemployment, you can quickly direct the FDA to issue a new proposed rule. Your strong and decisive leadership on this crucial issue will alleviate countless pain and suffering, creating a stronger, healthier community more able to address its other needs. The rule will protect us from our most serious silent predator, the tobacco industry, an industry relentlessly working to seduce and addict another generation of our young people.


As a first step toward redressing the ill-informed actions of the OMB, we are requesting that you convene a meeting with tobacco control leaders to address the oversight of the FDA to regulate menthol cigarettes and other flavored tobacco products. Help us to understand why it appears to us that our own government is continuing the legacy of inequitable creation and implementation of public health policy – public health policy that has not only ignored the unique tobacco control needs of African Americans, but in many instances appears to use the needs of our community as a bargaining chip with the tobacco industry.

Respectfully,

African American Tobacco Control Leadership Council



Phillip Gardiner, DrPH, Co-Chair



Carol McGruder, Co-Chair



Valerie B. Yerger, ND, Founding Member

cc: Sylvia Mathews Burwell, Secretary of Health and Human Services
Dr. Robert Califf, Commissioner, Food and Drug Administration
Shaun Donovan, Director, Office of Management and Budget
Cecilia Muñoz, Director, White House Domestic Policy Council
Mitch Zeller, Director, Center for Tobacco Products, FDA
Michelle Obama, First Lady

These are some of the individuals and organizations that are with us.



Regina Benjamin, MD, MBA
18th U.S. Surgeon General

Jodi Broadwell
Jodi Broadwell, MA, CPP, CTTS
Executive Director



Amber Bullock
Amber E. Bullock, MPH
Former Executive Vice President,
Community Engagement
Truth Initiative

Joseph A. Califano Jr.
Joseph A. Califano, Jr.
Former Secretary of Health, Education &
Welfare founder and chairman of
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Joel Dunnington
Joel Dunnington, MD, FACR
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Edward P. Ehlinger
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Commissioner of Health,
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Sharon Y. Eubanks
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Former Department of Justice Prosecutor,
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Stanton Glantz
Stanton Glantz, Professor of Medicine
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Bob Gordon
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Pastor Raymond E. Lankford, MSW
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Tana Lepule

Tana Lepule, Executive Director
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Rod Lew, MPH Executive Director



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Ruth E. Malone, RN, PhD, FAAN
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Louis W. Sullivan

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Stella Whitney-West

Stella Whitney-West, CEO
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Jonathan P. Winickoff, MD, MPH

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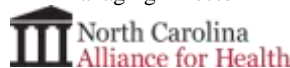
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Jessica Yamauchi

Jessica Yamauchi, MA
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