



FOR IMMEDIATE RELEASE

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## WLF Opposes FDA's Misguided Proposal On Flavored Cigars and Menthol Cigarettes

*(In re Proposed Rules Banning Flavored Cigars and Menthol Cigarettes)*

**“The FDA’s Proposed Rules will harm consumers’ health while providing only nominal benefits.”**

—John Masslon, WLF Senior Litigation Counsel

WASHINGTON, DC—Washington Legal Foundation (WLF) today urged a federal health regulator to reconsider its misguided attempts at decreasing smoking. In formal comments filed with the Food and Drug Administration, WLF explains that the proposed rules would have devastating effects on Americans’ health while providing only nominal benefits.

After years of posturing, the FDA has proposed banning sales nationwide of both flavored cigars and menthol cigarettes. As WLF’s comment explains, these proposals would not have the desired results. Rather than produce a decrease in the number of youth smokers, the proposals would encourage those who currently use menthol cigarettes or flavored cigars to just transition to the black market or other alternatives. So States will see decreased tax revenues without a corresponding decrease in the number of smokers.

Unfortunately, the negative effects on consumers from the FDA’s proposed rules are not as minor. The black-market products that consumers will turn to are more dangerous than those regulated by the FDA. If smokers switch to other nicotine-delivery options, those options are generally more harmful than the cigars and cigarettes the FDA currently permits. Marginalized groups will bear the brunt of these negative effects because they constitute a disproportionate number of flavored cigar and menthol cigarette users. As the proposed rules do more harm than good, the FDA should reconsider and withdraw them.

*Celebrating its 45th year, WLF is America’s premier public-interest law firm and policy center advocating for free-market principles, limited government, individual liberty, and the rule of law.*

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