

### GENERAL TOBACCO FACTS

- The tobacco industry spends almost \$9.1 billion every year, an average of \$24 million per day, to advertise and promote their products in the retail environment. \$1 million per hour.<sup>1</sup>
- In Vermont, the tobacco industry spends an estimated \$17.7 million to market its products – with an estimated \$16.9 million spent on the retail environment. With roughly 1,000 tobacco retailers in Vermont, the industry spends approximately \$16,992 per store.”<sup>2</sup>
- 88% of adult smokers began smoking by the age of 18.<sup>3</sup> Every day in the United States, more than 2,500 youth under the age of 18 smoke their first cigarette – and over 200 Vermont youth become daily smokers every year.<sup>4</sup>
- Tobacco use places a massive burden on the Vermont economy, costing the state \$348 million in direct healthcare expenditures each year.<sup>5</sup>
- Overall, a quarter (25%) of all Vermont high school youth currently use some kind of tobacco (cigarettes, cigars, chew, or e-cigarettes).<sup>6</sup>
- 30% of Vermont high school students have ever used electronic vapor products.<sup>7</sup>
- Nationwide, current use of electronic cigarettes increased more than 400% among high school students from 2011 to 2015 (1.5% in 2011 vs. 16% in 2015).<sup>8</sup>
- 10% of Vermont high school students report smoking cigars, cigarillos, or little cigars<sup>9</sup> compared to 5% of Vermont adults.<sup>10</sup>

### NICOTINE & YOUTH

- Nicotine is a highly addictive neurotoxin that affects the cardiovascular and central nervous systems, causing blood vessel constriction and increasing blood pressure.<sup>11</sup>
- The American Academy of Pediatrics warns that nicotine is highly addictive and adversely affects brain development from the time a child is in utero into adolescence.<sup>12</sup>

# FLAVORED TOBACCO FACTS

## *FDA - Tobacco Control Act*

- The 2009 Family Smoking Prevention and Tobacco Control Act took a critical step in ending one of the tactics used to target and addict children by prohibiting candy and other fruit-flavored cigarettes. However, the prohibition did not extend to non-cigarette tobacco products such as little cigars, chew, and e-cigarettes.<sup>13</sup> That means little cigars and other non-cigarette tobacco products are still sold in flavors like strawberry, cotton candy, bubble gum, and chocolate.
- The law also currently permits menthol-flavored tobacco products – making menthol the sole remaining flavor allowed in cigarettes.<sup>14</sup>

## *Usage Rates & Youth Popularity*

- Nationwide, more than half (53.6%) of youth who smoke cigarettes report using menthol-flavored cigarettes – the only remaining flavor allowed.<sup>15</sup>
- Nearly a quarter (24%) of all Vermont high school students have tried a tobacco product flavored to taste like menthol (mint), clove, spice, alcohol (wine or cognac), candy, fruit, chocolate, or other sweets.<sup>16</sup>
- 32% of 12th grade students in Vermont have tried a flavored tobacco product.<sup>17</sup>
- 6% of Vermont high school students tried a flavored tobacco product before the age of 13.<sup>18</sup>
- Compared to the Vermont average (6%), 12 Supervisory Unions/School Districts have a higher percentage of high school students who have tried a flavor tobacco product before age 13.<sup>19</sup>

## *Flavored Products Are Attractive To Youth*

- According to the U.S. Surgeon General, youth are the industry's target consumer for flavored products.<sup>20</sup> The flavors in these products mask the tobacco flavor, and make the products appealing to youth.
- The same flavor chemicals used in flavored cigars and smokeless tobacco products are also used in popular candy and drink products such as LifeSavers, Jolly Ranchers, and Kool-Aid.<sup>21</sup>
- At least two-thirds of youth tobacco users report using non-cigarette tobacco products like e-cigarettes, cigars, and chew “because they come in flavors I like.”<sup>22</sup>
  - 81.5% said they use e-cigarettes “because they come in flavors I like.”
  - 73.8% said they use cigars “because they come in flavors I like.”
  - 69.3% said they use smokeless tobacco “because they come in flavors I like.”
- Youth consistently reported flavors as **the leading reason for using e-cigarettes and cigars** - outranking other reasons for use such as affordability and socializing while using them.<sup>23</sup>

## Leading Reasons for Non-Cigarette Tobacco Product Use Among Past 30-Day Tobacco Users, by Product

REASONS FOR USE	E-CIGARETTES	ANY CIGARS	SMOKELESS TOBACCO
I use [product] because they come in flavors I like	81.50%	73.80%	69.30%
I use [product] because they are affordable	47.80%	58.20%	60.60%
I use [product] because I can smoke/use them at times when or in places where smoking cigarettes isn't allowed	58.90%	10.90%	69.70%
I use [product] because I like socializing while using them	40.30%	57.80%	N/A
I use [product] because it doesn't bother non-tobacco users	53.90%	N/A	47.70%
I use [product] because they might be less harmful to me than cigarettes	79.10%	29.90%	51.40%
I use [product] because they might be less harmful to people around me than cigarettes	78.10%	N/A	68.30%
I use [product] because they don't smell	58.70%	N/A	33.30%
I use [product] because they help people to quit smoking cigarettes	59.50%	9.90%	26.80%
I use [product] because people who are important to me use them	34.90%	28.40%	40.70%
I use [product] because people in the media or other public figures use them	36.10%	30.70%	24.40%

*Population Assessment of Tobacco and Health (PATH) Study Youth Respondents Aged 12-17 Years, 2013-2014*

## FLAVORED TOBACCO FACTS (CONTINUED)

### *Flavored Products Are Attractive To Youth (continued)*

- According to the national PATH survey, the majority of youth (ages 12-17) who reported ever trying tobacco **started with a flavored product**.<sup>24</sup>
  - o 81% of youth who have ever used an e-cigarette reported using a flavored e-cigarette the very first time they tried the product.
  - o 68.9% of youth who have ever used smokeless tobacco reported using flavored smokeless tobacco the first time they tried a smokeless product.
  - o 65.4% of youth who have ever smoked cigars used a flavored cigar the very first time they tried a cigar product.
- Research shows that many youth and young adults incorrectly perceive flavored tobacco products to be less harmful.<sup>25, 26</sup> Additionally, many youth also believe that non-cigarette tobacco products – such as little cigars and smokeless tobacco – are less addictive, more “natural,” or less harmful compared to cigarettes.<sup>27, 28, 29</sup>
- Menthol flavoring helps mask the harshness and the taste. A 2013 FDA report found that menthol cigarettes likely lead to increased smoking initiation among youth and young adults, greater addiction, and decreased success in quitting smoking.<sup>30</sup>

## *Flavored Products Are Accessible & Affordable For Youth*

- To evade the federal flavored cigarette ban, cigarette makers have manipulated their products to become “little” or “filtered” cigars.<sup>31</sup> For example, Sweet Dreams (flavored cigarettes) re-emerged as Sweet Dreams flavored cigars after the federal restriction on flavored cigarettes went into effect.<sup>32</sup>
- Tobacco companies add “fillers” like the clay found in cat litter to small flavored cigars, making cigars weigh more, and allowing them to be categorized as big cigars. This evades the taxes and regulations associated with smaller cigars and cigarettes.<sup>33, 34</sup>
- 85% of Vermont tobacco retailers sell at least one kind of flavored tobacco product.<sup>35</sup>
- Unlike cigarettes, non-cigarette tobacco products like chew, cigars, and e-cigarettes can be purchased individually – making them cheaper for kids to buy. 39% of retail stores selling single cigarillos advertise them for less than \$1.00, when the average price of a pack of cigarettes in Vermont is \$8.12.<sup>36</sup>
- Single cigarillos are widely available, frequently advertised, often discounted, and more likely to be sold in stores near schools in Vermont.<sup>37</sup>
  - 65% of Vermont tobacco retail stores (nearly 2 in 3) sold single cigarillos.
  - 72% of Vermont tobacco retail stores sold flavored cigarillos.

## *In Their Own Words: Tobacco Industry Strategies to Recruit Youth*

- “New users of smokeless tobacco -- attracted to the product for a variety of reasons -- are most likely to begin with products that are milder tasting, more flavored, and/or easier to control in the mouth. After a period of time, there is a natural progression of product switching to brands that are more full-bodied, less flavored, have more concentrated ‘tobacco taste’ than the entry brand.” - US Tobacco, “The Graduation Theory” (1984)<sup>38</sup>
- “Apples connote goodness and freshness and we see many possibilities for our youth-oriented cigarette with this flavor. ... It’s a well known fact that teenagers like sweet products. Honey might be considered.” - Brown & Williamson, “Youth Cigarette - New concepts” Project Report (1972)<sup>39</sup>
- “While different cigars target a variety of markets, all flavored tobacco products tend to appeal primarily to younger consumers.” - Tobacco Retailer, April 2007 <sup>40</sup>

- <sup>1</sup> U.S. Federal Trade Commission (FTC), Cigarette Report for 2013, 2016, <https://www.ftc.gov/system/files/documents/reports/federal-tradecommission-cigarette-report-2013/2013cigaretterpt.pdf>; FTC, Smokeless Tobacco Report for 2013, 2016, <https://www.ftc.gov/system/files/documents/reports/federal-trade-commission-smokeless-tobacco-report-2013/2013tobaccorpt.pdf> [Data for top 5 manufacturers only].
- <sup>2</sup> Estimate calculated by Campaign for Tobacco-Free Kids: U.S. Federal Trade Commission (FTC), Federal Trade Commission (FTC). Cigarette Report for 2013, 2016, See also, FTC, Smokeless Tobacco Report for 2013, 2016, State total is a prorated estimate based on cigarette pack sales in the state. For tobacco marketing influence on youth, see Pollay, R., et al., “The Last Straw? Cigarette Advertising and Realized Market Shares Among Youths and Adults,” *Journal of Marketing* 60(2):1-16, April 1996; Evans, N., et al., “Influence of Tobacco Marketing and Exposure to Smokers on Adolescent Susceptibility to Smoking,” *Journal of the National Cancer Institute* 87(20): 1538-45, October 1995; Pierce, J.P., et al., “Tobacco Industry Promotion of Cigarettes and Adolescent Smoking,” *Journal of the American Medical Association (JAMA)* 279(7): 511-505, February 1998 [with erratum in *JAMA* 280(5): 422, August 1998].
- <sup>3</sup> United States Department of Health and Human Services. Substance Abuse and Mental Health Services Administration. Center for Behavioral Health Statistics and Quality. National Survey on Drug Use and Health, 2014. <http://doi.org/10.3886/ICPSR36361.v1>.
- <sup>4</sup> Campaign for Tobacco-Free Kids, [http://www.tobaccofreekids.org/facts\\_issues/toll\\_us/vermont](http://www.tobaccofreekids.org/facts_issues/toll_us/vermont)
- <sup>5</sup> Calculated by the Campaign for Tobacco-Free Kids: CDC, Best Practices for Comprehensive Tobacco Control Programs, 2014. See also, CDC, Data Highlights 2006; CDC’s Smoking Attributable Mortality, Morbidity and Economic Costs, SAMMEC, average annual smoking attributable productivity losses from 2000-2004 (updated to 2009 dollars). State Medicaid program expenditures are before any federal reimbursement. State and federal tax burden equals state residents’ federal & state tax payments necessary to cover all state government tobacco-caused costs plus the residents’ pro-rata share, based on state populations, of all federal tobacco-caused costs. See Xu, X et al., “Annual Healthcare Spending Attributable to Cigarette Smoking: An Update,” *Am J Prev Med*, 2014, with other state government tobacco costs taken to be 3% of all state smoking-caused health costs, as in CDC, “Medical Care Expenditures Attributable to Smoking—United States, 1993,” *MMWR* 43(26):1-4, July 8, 1994. To make all of the cost data more comparable, they have been adjusted for inflation and updated to 2009 dollars.
- <sup>6</sup> 2015 Vermont Youth Risk Behavior Survey (YRBS), <http://healthvermont.gov/research/yrbs/2015/>
- <sup>7</sup> 2015 Vermont Youth Risk Behavior Survey
- <sup>8</sup> Singh T, Arrazola RA, Corey CG, et al. Tobacco Use Among Middle and High School Students — United States, 2011–2015. *MMWR Morb Mortal Wkly Rep* 2016;65:361–367. DOI: <http://dx.doi.org/10.15585/mmwr.mm6514a1>
- <sup>9</sup> 2015 Vermont Youth Risk Behavior Survey
- <sup>10</sup> 2014 Vermont Adult Tobacco Survey, <http://healthvermont.gov/research/#ats>
- <sup>11</sup> C Everett Koop, M. D. (1988). *Health Consequences of Smoking: Nicotine Addiction a Report of the Surgeon General 1988*. DIANE Publishing.
- <sup>12</sup> American Academy of Pediatrics. (2015). *State Advocacy Focus E-Cigarettes*. Retrieved from: <https://www.aap.org/en-us/advocacy-and-policy/state-advocacy/documents/e-cigarettes.pdf>
- <sup>13</sup> Family Smoking Prevention and Tobacco Control Act Section 907(a)(1)(A).
- <sup>14</sup> Family Smoking Prevention and Tobacco Control Act Section 907(a)(1)(A).
- <sup>15</sup> “Flavored Tobacco Product Use Among Middle and High School Students – United States, 2014” *MMWR* 64(38);1066-1070. Catherine G. Corey, MSPH; Bridget K. Ambrose, PhD; Benjamin J. Apelberg, PhD; Brian A. King. <https://www.cdc.gov/mmwr/preview/mmwrhtml/mm6438a2.htm>
- <sup>16</sup> 2015 Vermont Youth Risk Behavior Survey
- <sup>17</sup> 2015 Vermont Youth Risk Behavior Survey
- <sup>18</sup> 2015 Vermont Youth Risk Behavior Survey
- <sup>19</sup> 2015 Vermont Youth Risk Behavior Survey
- <sup>20</sup> *The Health Consequences of Smoking<sup>2</sup> 50 Years of Progress: A Report of the Surgeon General 2014*
- <sup>21</sup> Brown, JE, et al., “Candy Flavorings in Tobacco,” *New England Journal of Medicine*, DOI: 10.1056/NEJMc1403015, May 7, 2014, <http://www.nejm.org/doi/full/10.1056/NEJMc1403015>.
- <sup>22</sup> Ambrose, BK, et al., “Flavored Tobacco Product Use Among US Youth Aged 12-17 Years, 2013-2014,” *Journal of the American Medical Association*, published online October 26, 2015.
- <sup>23</sup> Ambrose, BK, et al., 2015.
- <sup>24</sup> Ambrose, BK, et al., 2015.
- <sup>25</sup> Pepper, J. K., Ribisl K.M., Brewer, N.T., Adolescents’ interest in trying flavoured e-cigarettes. *Tobacco Control*, Published Online <http://tobaccocontrol.bmj.com/content/early/2016/09/15/tobaccocontrol-2016-053174.full>
- <sup>26</sup> Ambrose, BK, et al., 2015.
- <sup>27</sup> Cullen J et al., “Seven-year patterns in US cigar use epidemiology among young adults aged 18-25 years: A focus on race ethnicity and brand,” *American Journal of Public Health*. October 2011;101(10):1955-62.

- <sup>28</sup> Sterling, K., Berg, C. J., Thomas, A. N., Glantz, S. A., & Ahluwalia, J. S. (2013). Factors Associated With Small Cigar Use Among College Students. *American Journal of Health Behavior*, 37(3), 325–333. <http://doi.org/10.5993/AJHB.37.3.5>
- <sup>29</sup> Liu, S. T., Nemeth, J. M., Klein, E. G., Ferketich, A. K., Kwan, M.-P., & Wewers, M. E. (2015). Risk perceptions of smokeless tobacco among adolescents and adult users and nonusers. *Journal of Health Communication*, 20(5), 599–606. <http://doi.org/10.1080/10810730.2015.1012237>
- <sup>30</sup> FDA, “Preliminary Scientific Evaluation of the Possible Public Health Effects of Menthol Versus Nonmenthol Cigarettes,” <http://www.fda.gov/downloads/ScienceResearch/SpecialTopics/PeerReviewofScientificInformationandAssessments/UCM361598.pdf>, 2013.
- <sup>31</sup> Delnevo, CD, et al., “Close, but no cigar: certain cigars are pseudo-cigarettes designed to evade regulation,” *Tobacco Control*, Online first, doi:10.1136/tobaccocontrol-2016-052935, May 24, 2016.
- <sup>32</sup> HHS, Preventing Tobacco Use Among Youth and Young Adults, A Report of the Surgeon General, 2012
- <sup>33</sup> Edney, Anna, “Tobacco Firms Save \$1 Billion With Kitty Litter in Cigars,” *Bloomberg*, 1 Mar. 2013. Web, 8 July 2013. <http://www.bloomberg.com/news/2013-03-01/tobacco-firms-save-1-billion-with-kitty-litter-in-cigars.html>.
- <sup>34</sup> Myers, Matthew L., “Talk about a Scoop: Tobacco Company Puts Kitty Litter in Its Cigars,” *Campaign for Tobacco Free Kids*, 1 Mar. 2013. Web, 08 July 2013. [http://www.tobaccofreekids.org/press\\_releases/post/2013\\_03\\_01\\_kittylitter](http://www.tobaccofreekids.org/press_releases/post/2013_03_01_kittylitter)
- <sup>35</sup> 2015 Counter Tools Store Audit Report, [http://healthvermont.gov/prevent/tobacco/documents/counter\\_tools\\_store\\_audit\\_report\\_2014.pdf](http://healthvermont.gov/prevent/tobacco/documents/counter_tools_store_audit_report_2014.pdf)
- <sup>36</sup> 2015 Counter Tools Store Audit Report
- <sup>37</sup> 2015 Counter Tools Store Audit Report
- <sup>38</sup> David Weiss Associates, The “Graduation Theory”, November 1984, US Tobacco Records on Smokeless Tobacco, <https://www.industrydocumentslibrary.ucsf.edu/tobacco/docs/llnh0037>
- <sup>39</sup> Innovations, Marketing, Youth Cigarette - New Concepts, September 1972, Ness Motley Law Firm Litigation Documents, <https://www.industrydocumentslibrary.ucsf.edu/tobacco/docs/hzpd0040>
- <sup>40</sup> Niksic, M, “Flavored Smokes: Mmmmm...More Profits?” *Tobacco Retailer*, April 2007. Referenced/indexed by Campaign for Tobacco-Free Kids: <https://www.tobaccofreekids.org/research/factsheets/pdf/0383.pdf>