

## FDA Listening Session on Proposed Rules to Prohibit Menthol Cigarettes and Flavored Cigars

**Remarks of Catherine Beane, Sr. Vice President of Public Policy & Advocacy, YWCA USA  
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Good morning and thank you for the opportunity to speak today in support of the FDA's proposed rules to prohibit menthol cigarettes and flavored cigars. I am Catherine Beane, the Sr. Vice President for Public Policy & Advocacy at YWCA USA.

For over 160 years, YWCA has been on a mission to eliminate racism, empower women, and promote peace, justice, freedom, and dignity for all. YWCAs are located in more than 1,200 communities across the country, serving as many as 2.3 million women, girls and family members of all ages and backgrounds in a typical year. We have been at the forefront of the most pressing social movements throughout our history - from voting rights to civil rights, and violence prevention to health care reform. Notably and particularly relevant to the subject of today's listening session, the YWCA network provides an array of health and wellness programs and services, which reached 310,372 people in 2020 – 88.7% of whom were people of color, 65.9% of whom were women and girls, and 16.6% of whom had incomes at or below the federal poverty level. Smoking cessation classes, resources, and programs are offered in many local YWCAs—from right here in Washington, DC, all the way to Anchorage, AK.

In my time this morning, I will highlight 2 key areas that are among the issues we discuss further in written comments that we will submit through the notice and comment process:

First, the proposed rules to prohibit menthol cigarettes and flavored cigars are specifically tailored to block known pathways to tobacco addiction among youth and women. As clearly documented in the Campaign for Tobacco Free Kids report [A Lifetime of Damage](#), the tobacco industry's long history of predatory marketing has contributed to the addiction of millions of women and girls to tobacco products, with serious health consequences on such things as youth brain and lung development, reproductive and cardiovascular health, and the development of chronic and life-threatening disease. The report documents marketing practices that include explicitly linking tobacco products to perceptions of femininity and liberation; the proliferation of disinformation regarding "low tar" and "light" cigarettes as safer alternatives; and advertising targeted towards Black women and Latinas. In the digital age, the same kinds of predatory tactics are on full display, continuing to exploit "the aspirations, body image concerns, and perceived insecurities of women and girls to sell them an addictive and deadly product (p. 15). The proposed rules place responsibility precisely where it belongs: with a tobacco industry that has aggressively targeted women, girls, and people of color in its marketing, and that has knowingly and intentionally placed sales and profit over scientifically documented health risks.

Second, rather than prohibiting individual consumer possession or use, FDA's enforcement of the product standards will be limited to manufacturers, distributors, wholesalers, importers, and retailers. As designed, the proposed rules should not contribute to or escalate the criminalization of people of color, which is a long-standing focus of YWCA's racial justice work. YWCA urges the FDA to continue to make this clear, and to work with relevant agencies (including the Departments of Justice, Education, and Health and Human Services) to provide guidance, training, and technical assistance to local and state law enforcement entities (including school-based resource officers) so that youth and people of color are not criminalized for any individual possession or use of menthol cigarettes or flavored cigars.

Finally, in closing, I think it is incumbent upon us to recognize that blocking pathways to tobacco addiction is about more than statistics. It is about real lives, real families, and real impacts across generations. Like so many, I have seen first-hand the devastating health impacts of menthol products on women whom I loved and cared about: my grandmother, who died in her mid-50s from emphysema and lung cancer due to smoking; my mother-in-law and my childhood caretaker, both Black women who smoked menthol products for decades, which contributed to the high blood pressure, stroke, and Alzheimer's disease that took their lives; my 52-year-old neighbor and friend, who suffered with emphysema even as breast cancer took her life. I remember crying as a child, worried about my father's daily smoking habit that eventually contributed to his death from a stroke at the too-early age of 60. But despite this, I did not recognize the on-ramp to teen nicotine addiction posed by flavored tobacco products in time to intervene and prevent my own son's now daily habit, thus endangering the health and well-being of yet another generation in my own family.

The proposed rules are an important step toward creating a safer, healthier future for all of our children, and a world in which all women, girls, and people of color can thrive. Thank you.