



**NEW YORK STATE
PUBLIC HEALTH ASSOCIATION**

Envisioning Healthy People in Healthy Places

**MEMORANDUM IN SUPPORT
S.2441(Hoylman-Sigal) / A.3907 (Bichotte Hermelyn)
Prohibiting the retail sale of flavored tobacco products and accessories**

The New York State Public Health Association strongly supports S.2441(Hoylman-Sigal) / A.3907 (Bichotte Hermelyn) prohibiting the retail sale of flavored tobacco products and accessories. This proposals if enacted will make tobacco products less appealing for youth and will to prevent another generation falling victim to this deadly addiction.

Flavors are a marketing weapon used by tobacco manufacturers to target youth and young people to a lifetime of addiction. According to the 2022 National Youth Tobacco Survey, more than 2.5 million kids across the country are using tobacco products. Overall, 85% of high school and 81% of middle school students use flavored products with fruit, candy/desserts/other sweets, mint, and menthol reported as the most popular flavors. If New York is to ever succeed in ending the cycle of addiction to tobacco, it is imperative that we stop enabling the tobacco companies to take advantage of our children and end the sale of all flavored tobacco products including menthol cigarettes.

Tobacco manufacturers have aggressively targeted communities of color and LGBTQ+ communities with menthol products, leading to an unequal burden of death and disease. Internal tobacco industry documents show that these companies have intentionally targeted African Americans and other minorities through advertising in magazines with high readership by these populations, including youth, and targeting specific neighborhoods with higher Hispanic and African American populations with free product giveaways, advertising, and promotions to make products cheaper in those neighborhoods. In the absence of a comprehensive proposal that includes all flavors, all products, and all retailers, targeted communities and youth will continue to start tobacco use with flavored products. To respond to one criticism floated by Big Tobacco, the proposal does *not* make it illegal to possess, purchase, or use flavored tobacco products. The law would target the retailers who sell them and the police have no role in its enforcement. The bill has been amended to clarify these points.

NYSPPHA supports this bill, which take a huge step toward decreasing tobacco initiation and use by youth, saving lives across New York for generations to come. It is up to us to prevent our children and loved ones from being preyed upon by the tobacco industry and being exploited for profit. We respectfully urge your support for these lifesaving proposals.

New York State Public Health Association, 2/2024

Contact us at Advocacy@nyspha.org