

Flavored Tobacco Restrictions

Flavored tobacco products – including flavored e-cigarettes and menthol cigarettes—endanger the health of our communities. The tobacco industry uses flavored tobacco products to lure new users, especially young people, into tobacco addiction. Prohibiting the sale of all flavored tobacco products can reduce the use of these dangerous and addictive products and supports the well-being of everyone – especially young people.

The Flavored Tobacco Problem

- Flavored tobacco products can mask the taste of tobacco and encourage smoking initiation among young people.¹ The CDC found that in 2022, 9.9 million adults in the U.S. smoked menthol cigarettes.² Of U.S. adults who smoked cigarettes, one in three used menthol cigarettes in 2022.² In young adults aged 18-24, analysis of the Population Assessment of Tobacco and Health study determined that 60% of those who used combustible tobacco and 90% of those who used electronic nicotine delivery systems were flavored tobacco users.³
- Tobacco products are associated with a myriad of health problems.⁴ Menthol cigarettes, a type of flavored tobacco product, are associated with increased smoking behavior^{5,6} and those who smoked them were less likely to have successful quit attempts, compared to non-menthol cigarette smokers.^{7,8}
- Flavored tobacco products are used by over 80% of youth and young adult tobacco users, and 75% of youth and young adults that used flavored tobacco products reported that they would not continue using the product if it was not flavored.⁹

A Healthy Solution: Flavored Tobacco Restriction Policies

- **Protect Youth**—Youth are the age group with the highest prevalence of flavored tobacco product usage.⁹⁻¹¹ Flavor restrictions can reduce youth usage of e-cigarettes¹² and reduce the probability of any tobacco use.¹³
- **Reduce Medical Costs**—Restricting flavored tobacco can lead to more smoking cessation, reducing medical costs associated with smoking. A model of a potential menthol ban in New York City projected that \$1.62 billion in health care costs could be saved over 20 years if a ban was implemented.¹⁴
- **Promote Equity**—Flavored tobacco products are disproportionately advertised in Black communities,^{15,16} and are often used in LGBTQ+ communities.¹⁷ Flavored Tobacco

Restriction policies can reduce the negative health outcomes in vulnerable communities by increasing smoking cessation.¹⁸

What is the Evidence that Flavored Tobacco Restriction Policies Can Improve Health?

Flavored Tobacco Restriction policies improve health by decreasing smoking initiation and encouraging smoking cessation, resulting in health benefits associated with not smoking.¹⁹ These policies are particularly impactful as flavored tobacco products mask the harsh taste of tobacco, making the product more appealing to consumers, and particularly youth consumers.¹⁹ A study projecting the impact of a nation-wide menthol ban on smoking prevalence and smoking-attributable deaths predicted that a menthol ban would result in 650,000 deaths averted by 2060.²⁰

- A study of San Francisco's comprehensive flavor ban in 2019 showed a 96% decrease in the sale of flavored tobacco products after implementation. Crucially, total tobacco sales also decreased over the same period, indicating that smokers did not simply turn from flavored to unflavored products.²¹
- In 2010, New York City restricted flavored tobacco products, with the exceptions of e-cigarettes and menthol cigarettes, and youth use of any tobacco product declined by 28% after the law was implemented.²² New York City strengthened their law to include e-cigarettes and menthol cigarettes in 2020 to address the changing flavored tobacco landscape.²³
- A 2025 study analyzed the effects of state and local restrictions on the sale of flavored electronic nicotine delivery system (ENDS) products on tobacco use in youth and young adults. Researchers identified robust evidence that ENDS flavor restrictions reduce ENDS use among youth, although there was evidence of a substitution effect.¹²

How Can Flavored Tobacco Restriction Policies Help Address Health Disparities?

Flavored tobacco usage is more prevalent in minority communities,^{17,24,25} which are disproportionately targeted by tobacco advertisers.^{15,16} Additionally, younger people, women, and racial minorities have a higher prevalence of smoking menthol cigarettes.²⁶ Flavored Tobacco Restriction policies can stem the flow of flavored tobacco products that encourage smoking initiation and hinder smoking cessation into vulnerable communities.

- A 2023 study assessing the impact of limiting flavors in tobacco products on the tobacco use of Black smokers who use menthol cigarettes (n=579) found that flavor bans led to increased intentions to quit cigarettes and tobacco products overall, suggesting that flavor restrictions could reduce tobacco use among Black smokers.¹⁸ Research indicates that flavored tobacco restrictions that include menthol cigarettes and non-cigarette products are more likely to have an equitable impact on health outcomes.²⁵

- A comparative effectiveness trial of 1,504 smokers in Wisconsin found that smoking menthol cigarettes was associated with a reduced likelihood of quit attempts being successful, with Black women at an increased risk of cessation failure compared to White women.⁸
- A 2014 study utilizing data from the National Adult Tobacco Survey revealed that LGBTQ+ smokers had greater odds of typically smoking menthol cigarettes compared to non-LGBTQ+ smokers, even after adjusting for potential confounders. Researchers believe that flavored tobacco restrictions that include menthol cigarettes could reduce tobacco use and tobacco-related disease and death among LGBTQ+ adults.²⁶
- Young people are the age group most likely to use flavored tobacco products.⁹⁻¹¹ A longitudinal study of the impact of the 2009 federal ban on flavored cigarettes on the tobacco use of middle and high schoolers (n=197,834) found that the ban was associated with reductions in both smoking participation and intensity of smoking in adolescents, although the effectiveness was undercut by the continued availability of menthol cigarettes.¹³

What Are Some Future Issues to Consider?

The FDA proposed a rule in 2022 to ban all menthol cigarettes and flavored cigars.²⁷ However, after delays from the Biden administration,²⁸ the proposed rule was formally withdrawn on the first day of the Trump administration in January 2025.²⁹ While there is potential for future federal preemption, the lack of federal action from both political parties highlights the importance of local ordinances to fill the gaps. Cities should be aware of any potential state or county preemption. Enforcement of Flavored Tobacco Restrictions can play a key role in compliance. Effectiveness can be undercut by lack of enforcement, leaving flavored tobacco products accessible to vulnerable communities.³⁰ However, it is important to consider equity in enforcement and target manufacturers, distributors and retailers rather than individuals.³¹

Resources for Cities

Campaign for Tobacco Free Kids: [Fact Sheets for Flavored Tobacco Products](#)

American Heart Association: [Fact Sheet](#) and [Tobacco Centers of Regulatory Science](#)

American Lung Association: [Flavored Tobacco Grades by State](#)

References

1. Centers for Disease Control and Prevention. Menthol Tobacco Products. Accessed August 22, 2025, <https://www-cdc-gov.ezproxy.bu.edu/tobacco/menthol-tobacco/index.html>.
2. Centers for Disease Control and Prevention. Tobacco Product Use Among Adults - United States, 2022. Accessed September 11, 2025, <https://www-cdc-gov.ezproxy.bu.edu/tobacco/media/pdfs/2024/09/cdc-osh-ncis-data-report-508.pdf>

3. Park H, Seo D-C. Flavored tobacco user characteristics in U.S. young adults: Wave 5 of the Population Assessment of Tobacco and Health Study. *Substance Use & Misuse*. 2025;60(1):148-154. doi:10.1080/10826084.2024.2409724.
4. Centers for Disease Control and Prevention. Tobacco. Accessed August 22, 2025, <https://www-cdc-gov.ezproxy.bu.edu/cdi/indicator-definitions/tobacco.html>.
5. Delnevo CD, Villanti AC, Wackowski OA, Gundersen DA, Giovenco DP. The influence of menthol, e-cigarettes and other tobacco products on young adults' self-reported changes in past year smoking. *Tob Control*. Sep 2016;25(5):571-4. doi:10.1136/tobaccocontrol-2015-052325.
6. Nonnemaker J, Hersey J, Homsy G, Busey A, Allen J, Vallone D. Initiation with menthol cigarettes and youth smoking uptake. *Addiction (Abingdon, England)*. Jan 2013;108(1):171-8. doi:10.1111/j.1360-0443.2012.04045.x.
7. Delnevo CD, Gundersen DA, Hrywna M, Echeverria SE, Steinberg MB. Smoking-cessation prevalence among U.S. smokers of menthol versus non-menthol cigarettes. *Am J Prev Med*. Oct 2011;41(4):357-65. doi:10.1016/j.amepre.2011.06.039.
8. Smith SS, Fiore MC, Baker TB. Smoking cessation in smokers who smoke menthol and non-menthol cigarettes. *Addiction (Abingdon, England)*. Dec 2014;109(12):2107-17. doi:10.1111/add.12661.
9. Harrell MB, Loukas A, Jackson CD, Marti CN, Perry CL. Flavored tobacco product use among youth and young adults: What if flavors didn't exist? *Tob Regul Sci*. Apr 2017;3(2):168-173. doi:10.18001/trs.3.2.4.
10. Giovino GA, Villanti AC, Mowery PD, et al. Differential trends in cigarette smoking in the USA: is menthol slowing progress? *Tob Control*. Jan 2015;24(1):28-37. doi:10.1136/tobaccocontrol-2013-051159.
11. Rock VJ, Davis SP, Thorne SL, Asman KJ, Caraballo RS. Menthol cigarette use among racial and ethnic groups in the United States, 2004-2008. *Nicotine Tob Res*. Dec 2010;12 Suppl 2:S117-24. doi:10.1093/ntr/ntq204.
12. Cotti C, Courtemanche C, Liang Y, Maclean JC, Nesson E, Sabia JJ. The effect of e-cigarette flavor bans on tobacco use. *Journal of Health Economics*. 2025/08/01/ 2025;102:103013. doi:<https://doi.org/10.1016/j.jhealeco.2025.103013>.
13. Courtemanche CJ, Palmer MK, Pesko MF. Influence of the flavored cigarette ban on adolescent tobacco use. *Am J Prev Med*. May 2017;52(5):e139-e146. doi:10.1016/j.amepre.2016.11.019.
14. Li Y, Sisti J, Flórez KR, et al. Assessing the health and economic impact of a potential menthol cigarette ban in New York City: a modeling study. *J Urban Health*. Dec 2021;98(6):742-751. doi:10.1007/s11524-021-00581-8.
15. Lee JG, Henriksen L, Rose SW, Moreland-Russell S, Ribisl KM. A systematic review of neighborhood disparities in point-of-sale tobacco marketing. *Am J Public Health*. Sep 2015;105(9):e8-18. doi:10.2105/ajph.2015.302777.
16. Henriksen L, Schleicher NC, Dauphinee AL, Fortmann SP. Targeted advertising, promotion, and price for menthol cigarettes in California high school neighborhoods. *Nicotine Tob Res*. Jan 2012;14(1):116-21. doi:10.1093/ntr/ntr122.

17. King BA, Babb SD, Tynan MA, Gerzoff RB. National and state estimates of secondhand smoke infiltration among U.S. multiunit housing residents. *Nicotine Tob Res.* Jul 2013;15(7):1316-21. doi:10.1093/ntr/nts254.
18. White AM, Goden AB, Rudy AK, et al. Responses of African American individuals who use menthol cigarettes to potential flavored tobacco bans. *Am J Prev Med.* Jun 2023;64(6):898-901. doi:10.1016/j.amepre.2022.12.005.
19. U.S. Department of Health and Human Services. Smoking Cessation: A Report of the Surgeon General. Accessed August 19, 2025, <https://www.hhs.gov/sites/default/files/2020-cessation-sgr-full-report.pdf>.
20. Levy DT, Meza R, Yuan Z, et al. Public health impact of a US ban on menthol in cigarettes and cigars: a simulation study. *Tobacco Control.* 2023;32(e1):e37. doi:10.1136/tobaccocontrol-2021-056604.
21. Gammon DG, Rogers T, Gaber J, et al. Implementation of a comprehensive flavoured tobacco product sales restriction and retail tobacco sales. *Tob Control.* Jun 4 2021;doi:10.1136/tobaccocontrol-2021-056494.
22. Farley SM, Johns M. New York City flavoured tobacco product sales ban evaluation. *Tob Control.* Jan 2017;26(1):78-84. doi:10.1136/tobaccocontrol-2015-052418
23. New York City Health. Flavored Tobacco and Recreational Nicotine Products. Accessed August 25, 2025, <https://www.nyc.gov/site/doh/health/health-topics/flavored-tobacco-and-vaping-products.page>.
24. Schroth KRJ, Kurti M, Delnevo CD. Flavored cigar availability in Oakland after a partial ban. *Addict Behav.* Feb 2022;125:107150. doi:10.1016/j.addbeh.2021.107150.
25. Watkins SL, Gerrish E. The relationship between urban forests and race: A meta-analysis. *Journal of Environmental Management.* 2018/03/01/ 2018;209:152-168. doi:<https://doi.org/10.1016/j.jenvman.2017.12.021>.
26. Fallin A, Goodin AJ, King BA. Menthol cigarette smoking among lesbian, gay, bisexual, and transgender adults. *Am J Prev Med.* Jan 2015;48(1):93-7. doi:10.1016/j.amepre.2014.07.044.
27. U.S. Food and Drug Administration. FDA Proposes Rules Prohibiting Menthol Cigarettes and Flavored Cigars to Prevent Youth Initiation, Significantly Reduce Tobacco-Related Disease and Death. Accessed August 25, 2025, <https://www.fda.gov/news-events/press-announcements/fda-proposes-rules-prohibiting-menthol-cigarettes-and-flavored-cigars-prevent-youth-initiation>.
28. Liptak K, Hassan C. Biden administration delays proposed ban on menthol cigarettes. CNN. Accessed August 25, 2025, <https://www.cnn.com/2024/04/26/health/fda-menthol-cigarettes>.
29. U.S. General Services Administration. OIRA Conclusion of EO 12866 Regulatory Review. Accessed August 25, 2025, <https://www.reginfo.gov/public/do/eoDetails?rrid=341411>
30. Yang Y, Lindblom EN, Salloum RG, Ward KD. The impact of a comprehensive tobacco product flavor ban in San Francisco among young adults. *Addict Behav Rep.* Jun 2020;11:100273. doi:10.1016/j.abrep.2020.100273.
31. Rose SW, Ickes M, Patel M, et al. Centering equity in flavored tobacco ban policies: Implications for tobacco control researchers. *Prev Med.* Dec 2022;165(Pt B):107173. doi:10.1016/j.ypmed.2022.107173.