

Attention: Retailers and Wholesalers

Potential New FDA Rule Could Hurt Local Businesses and Economies

The Food and Drug Administration (FDA) is considering a potential new rule that **would severely restrict or even ban all menthol cigarettes and flavored tobacco and e-vapor products**. If enacted, this potential rule would hurt local businesses—including tobacco and e-vapor wholesalers, suppliers, and retailers like convenience stores, gas stations, and grocery stores.

The FDA is currently accepting public comment on this potential rule. **If you are concerned about how this potential rule might impact you, submit comments to the FDA.**

Visit [TobaccoIssues.com/Flavors](https://www.tobaccoissues.com/Flavors) today to submit your comments and contact your Members of Congress!

Submitting Comments to the FDA:

Make sure the FDA knows:

- Imposing these restrictions on menthol cigarettes and flavored tobacco and e-vapor products would essentially take these products off the market, **making this proposed rule a de facto ban** on the products many adults prefer.
- Such a drastic regulatory change would raise **serious implementation concerns for retailers and wholesalers**, including how restrictions could be phased in, what to do with restricted products currently in stock, and other issues of practicality that affect their business.
- Menthol cigarettes and flavored tobacco and e-vapor products make up a significant percentage of retail and wholesale sales. Moreover, tobacco and e-vapor retailers and wholesalers help drive economic activity, provide jobs, and support local communities. **Banning these products could hurt these businesses and threaten our larger economy.**
- **Severely restricting or banning flavored tobacco and e-vapor products or menthol cigarettes could create new demand in the tobacco black market.** Rather than quitting or switching to different products, adult consumers might turn to the black market for their preferred products. Illegal tobacco sales support organized crime, and lead to an increase in trafficking and other black market activity.
- **The FDA should impose reasonable restrictions** that prevent kids from using tobacco products while still recognizing that many adults prefer flavored products.
- **There simply isn't enough science or research to support severe restrictions or bans on flavors or menthol cigarettes.** In fact, restricting or banning flavors in smokeless tobacco and e-vapor products could actually undermine the positive role flavors play in driving smokers to switch to less harmful products. The FDA should do more scientific research before moving forward with any rulemaking.
- **This rule is just another example of the government trying to regulate and dictate adult consumer behavior and choices.** Rather than reduce choice, the government should be expanding it, by focusing on giving adults access to a wider choice of less harmful tobacco products, including flavored products.

Contacting Your Members of Congress:

Let your Senators and Representative know:

- Members of Congress should encourage the Trump Administration not to move forward with this possible rule because it could have a serious negative economic impact on local businesses, industries, and economies.

For more information, go to www.tobaccoissues.com.