

Speaker Adrienne Adams  
City Hall  
New York, NY 10007

Health Committee Chair Lynn Schulman  
250 Broadway Suite 1873  
New York, NY 10007

December 20, 2023

To Speaker Adams and Chair Schulman:

For nearly two years, we have waited patiently for the City Council to advance vital legislation protecting New Yorkers from dangerous menthol cigarettes. Yet despite the fact that the legislation is now supported by half of the Council, the Health Committee has declined to hold — or perhaps been prevented from holding — even a hearing on the bill.

We, leading health groups in New York, are extremely disappointed.

As we know you know, menthol cigarettes are a very addictive substance, used by Big Tobacco to target young people and people of color. Mentholated cigarettes are the most common product young people use to start smoking, and far more addictive than regular tobacco because it is easier to smoke. Menthol reduces the harshness of smoking, making menthol products more appealing to new and young users to experiment with cigarettes and progress to regular use. This leads to wildly disproportionate rates of death and illness for people of color in New York. In the 1950s, menthol smokers accounted for 5 percent of Black smokers; now, it's 85 percent. In New York City, 89 percent of Black adults who smoke and 68 percent Latino adults who smoke use menthol cigarettes – and that's compared to only 32% of white smokers.

We know you know this because of your past support for restricting the sale of menthol. In fact, Speaker Adams said before she was speaker:

*“Menthol cigarettes have impacted far too many of our children, particularly from Black and Brown communities. We must take the necessary steps to protect their health. I look forward to supporting this crucial legislation again in the next term.”*

And Chair Shulman is a sponsor of the proposed legislation.

So we are concerned that your lack of action to protect children and people of color from being targeted by Big Tobacco is due to increased pressure from special interests who profit from the sale of menthol, or perhaps partially due to concerns about details of the legislation that are, in fact, being addressed.

The main sponsors of this legislation have worked over the last two years to address the legitimate concerns of their colleagues in the Council and advocates on this issue. In particular, they have pledged to

make amendments that would prohibit police officers from enforcing restricted menthol sales. But these amendments cannot be made formally without a hearing—nor can a vote be held.

We ask that you schedule a hearing on this issue at the start of next session so that it can be debated and Council Members can vote. It is one thing if Council Members debate and actually decide to vote against restricting the sale of menthol cigarettes, but it is quite another if they are prohibited from discussing the legislation in a hearing or voting at all. Far too many New Yorkers are dying from preventable illness because of menthol cigarettes; we cannot let this legislation die as well.

Sincerely,

American Heart Association  
American Lung Association  
Campaign for Tobacco Free Kids  
American Cancer Society