**All Flavors/All Products**

**Key Messages and Supporting Stats/Facts
HSTFNY**

Governor Hochul proposed two new tobacco control measures in her State of the State Address this year and included them in the budget bill released on 2/1/23. An excerpt from her **Lead the Way for a Tobacco-Free Generation** section of the[State of the State Book](https://www.governor.ny.gov/sites/default/files/2023-01/2023SOTSBook.pdf) reads:

***Lead the Way for a Tobacco-Free Generation***

*Solidifying New York’s leadership in ensuring a tobacco-free generation, Governor Hochul will introduce legislation to expand upon the State's ban on the sale of flavored vaping products by prohibiting the sale of all flavored tobacco products. In addition, Governor Hochul will propose to increase the cigarette tax from $4.35 to $5.35 per pack.*

Highlights from the *proposed* executive budget (specifically Part O): [Health and Mental Hygiene Article VII Bill | NYS FY 2024 Executive Budget](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.budget.ny.gov%2Fpubs%2Farchive%2Ffy24%2Fex%2Fartvii%2Fhmh-bill.pdf&data=05%7C01%7Clisa.kelly%40health.ny.gov%7C6ba8154615fc4a5a8cc708db05268038%7Cf46cb8ea79004d108ceb80e8c1c81ee7%7C0%7C0%7C638109435134344877%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=UF8W2ev0thceCoEj5VIsx1OjxV4F%2F7GG1PbMFSe31e0%3D&reserved=0) are listed below:

1. **Funding:** As you may know, the proposed Executive Budget for FY 23-24 was released yesterday, and the recommendation is for flat funding, with a slight increase to the state operations line (which covers State staff and administrative costs).
2. **Policy Proposals:** In addition to the funding recommendations, this year’s budget includes the following policy proposals–
	1. ***Increasing the state cigarette tax by $1.00 per pack*** (bringing the tax to $5.35), meaning that NYS would have the strongest state cigarette tax in the nation!
	2. ***Banning the sale of ALL flavored tobacco products including menthol cigarettes, flavored cigars and cigarillos, and flavored smokeless tobacco products*.** This proposal is an extension of the 2020 ban on flavored vapor products. The flavors proposal is quite comprehensive and meaningfully addresses enforcement in an equitable manner putting the onus of compliance on manufacturers, distributors, and retailers – not individuals; and seeks to close some loopholes created by the 2020 flavored e-cigarette legislation.
	3. ***IMPACT*:** Both proposals will have an enormous impact getting us closer to creating a tobacco-free generation***.*** Banning the sale of all flavored tobacco products and increasing the cigarette tax will save countless lives and improve health for generations to come. These two policy proposals are not only necessary for the protection of public health, but also to ***advance health equity and racial justice*** in NYS.

It's imperative grantees further educate lawmakers and the public about the tobacco industry’s aggressive marketing of menthol and other flavored tobacco products that attracts and addicts youth, Black Americans and the LGBTQIA+ community. Incorporating this into sustainability messaging is the perfect opportunity. Sustainability messaging focuses on the successes of the New York State Tobacco Control Program and the continued/unmet need in tobacco control. It is the CONTINUED/UNMET NEED portion of the sustainability messaging that will now focus on All Flavors All Products (AFAP), including menthol, pivoting from the original unmet need of reducing nicotine addiction among communities in New York for which smoking rates remain high.

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**Key Message #1**

* Menthol makes cigarettes easier to smoke and harder to quit.
Source: <https://truthinitiative.org/research-resources/traditional-tobacco-products/menthol-facts-stats-and-regulations>
* Menthol cigarettes also increase both the likelihood of becoming addicted and the severity of addiction. Source: <https://www.lung.org/quit-smoking/smoking-facts/health-effects/what-is-menthol>; citations 2,4
* Scientific evidence also indicates that people who smoke menthol are less likely than those who smoke non-menthol to successfully quit, even though menthol smokers have a higher urge to quit. Source: <https://www.lung.org/quit-smoking/smoking-facts/health-effects/what-is-menthol>, citation 5
* The tobacco industry designed menthol flavored cigarettes to be easy to smoke and harder to quit. Menthol masks the harshness of tobacco and reduces irritation from nicotine, which makes cigarettes easier to smoke and promotes initiation. The cool sensation of menthol causes smokers to hold their breath, enabling greater exposure to harmful substances in tobacco smoke resulting in increased addiction and tobacco-related diseases. Source: <https://tobaccotactics.org/wiki/addiction-manipulation/>

 **Key Message #2**

* The tobacco industry attracts and addicts youth with its aggressive marketing of menthol and other flavored tobacco products, leading to lifelong addiction and struggles to quit. It is time we make it clear that we won’t allow Big Tobacco to target young New Yorkers. It is no coincidence that 80% of youth who have ever tried tobacco started with a flavored product. (<https://www.tobaccofreekids.org/assets/factsheets/0399.pdf>)
* More than half (54%) of youth ages 12-17 years who smoke use menthol cigarettes. (<https://www.tobaccofreekids.org/assets/factsheets/0399.pdf>)

**Key Message #3**

The tobacco industry successfully created a narrative that communities of color CHOOSE menthol tobacco products and that taking them off the market would be an injustice. WRONG! The reality is that Big Tobacco PUSHED menthol into communities of color for decades, creating long-term nicotine addiction and devastating health consequences for huge profits.

* It is no coincidence that overall, 85% of African American smokers use menthol cigarettes, compared to 29% of White smokers. Source: <https://www.tobaccofreekids.org/assets/factsheets/0006.pdf> The tobacco industry’s targeting of the African American community with menthol products has contributed to health disparities. Source: <https://www.tobaccofreekids.org/assets/factsheets/0006.pdf>
* Smoking-related illnesses are the No. 1 cause of death among African Americans surpassing all other causes of death, including AIDS, homicide, diabetes and accidents. Source: <https://www.tobaccofreekids.org/assets/factsheets/0006.pdf>)