

NEW JERSEY 101.5

NJ Moves One Step Closer To Banning Menthol Cigarettes

By: Dino Flammia, June 18th, 2023

New Jersey may not wait around for the federal government to make a decision about putting out menthol cigarettes for good.

A panel of New Jersey lawmakers advanced a measure on Thursday that would prohibit the sale of minty smokes in the Garden State.

"Big tobacco companies have created a gateway to addiction for African American smokers and younger individuals who are hooked on flavors like menthol," said state Sen. Robert Singer, R-Ocean, a primary sponsor of the measure. "Banning the sale of menthol-flavored cigarettes will help prevent a significant amount of devastating health consequences that are associated with smoking."

Currently, menthol is exempted from New Jersey's prohibition on flavored cigarettes. The state also has a ban in place on flavored vaping products.

Singer's bill was merged with another piece of legislation to add menthol- and clove-flavored cigarettes to New Jersey's list of flavored nicotine products that are prohibited from sale and distribution by retailers.

The legislation cleared the Senate Health, Human Services, and Senior Citizens Committee by a vote of 6-2.

Will menthol users stop smoking?

Sen. Edward Durr, R-Gloucester, voted against the measure, suggesting that "bans do not work."

"I would like to see cigarettes kind of go away, but I don't think we should be doing it by force; we should be doing it by encouragement," Durr said.

Before voting on the measure, legislators heard from several individuals and groups who are against a prohibition on menthol cigarettes.

"If we ban menthol, what we expect to happen is that consumers will seek out these products in other states, online, and, unfortunately, the black market," Mary Ellen Peppard, vice president of the New Jersey Food Council, told the panel.

According to Eric Blomgren, who spoke on behalf of the New Jersey Gasoline, Convenience Store & Automotive Association, a ban in an individual state like New Jersey wouldn't hold much weight — a federal ban, he said, would have a more meaningful impact.

"If people are going to purchase menthol cigarettes either way, we should have them make their purchase in the state from small businesses, collect the tax revenue from it, and then use that tax revenue to fund our priorities, including anti-smoking initiatives," Blomgren said.

In the spring of 2022, the U.S. Food & Drug Administration announced a proposal to include menthol as one of the prohibited flavors of cigarettes.

Earlier this month, dozens of organizations in the U.S., including Blacks in Law Enforcement and the National Association of Criminal Defense Lawyers, sent a letter to President Joe Biden, blasting the FDA's proposed menthol ban.

A menthol ban in the Assembly has not yet received consideration by a committee.