



# CIGAR ASSOCIATION OF AMERICA, INC.

Raised Bill 326 AAC Prohibiting THE SALE OF FLAVORED CIGARETTES, TOBACCO PRODUCTS, ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS.

We are providing this information in opposition to Raised Bill 326 AAC Prohibiting THE SALE OF FLAVORED CIGARETTES, TOBACCO PRODUCTS, ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS. The issue of flavors in tobacco products has been the subject of intense public health debate and increasing regulatory attention. As a result, there is interest – among legislators, regulators, and industry -- in gaining an in-depth understanding of flavored cigar smoking behaviors, prevalence, consumer perceptions, and sales/distribution trends, as they relate to questions of public health. In 2019, Consilium Sciences, an affiliate of Venebio Group LLC, undertook a science-based, data driven review of public data sources to address the following research question:

*Are flavored cigar products associated with different smoking behaviors, purchasing patterns, and consumer perceptions and preferences compared with unflavored cigar products?*

Founded in 2008, Venebio Group, LLC is an independent, internationally-recognized research company dedicating to addressing complex life sciences problems for a range of organizations, including pharmaceutical companies, biotechnology and medical device manufacturers, and law firms, among others. Venebio's clients range from multi-billion dollar global pharmaceutical companies and other Fortune 500 companies to smaller, privately owned biotechnology companies. The research here was funded by cigar manufacturers, but the analysis, conclusions, and the resulting report are the work of Consilium. Consilium is exploring options to present this work at scientific conferences and to potentially have the paper published in a peer-reviewed scientific journal. Pursuing such steps supports the sound scientific basis used in addressing the research question and in preparing the report.

Further evidence of the sound scientific basis of the report is the fact that all the information analyzed for the report is from publicly-available data and government surveys. The analyses includes updating and extending work previously conducted using National Youth Tobacco Survey (NYTS) and Population Assessment of Tobacco and Health Study (PATH) and conducting novel analyses of other relevant data resources. These additional data resources are the Health Information National Trends Survey (HINTS), Monitoring the Future (MTF), National Adult Tobacco Survey (NATS), the Tobacco Product and Risk Perception Survey (TPRPS), and the Tobacco Use Supplement to Current Population Survey (TUS-CPS). All seven publicly available data resources include multiple cross-sectional collections of survey data on cigar use. This ranges from the two relevant HINTS-FDA collections to annual collections of NYTS and MTF survey data. Trends in usage and public health-relevant behaviors (e.g., frequency of daily usage) within and between tobacco products were examined. Such contextual information can be critically useful in evaluating how the rate of use of one product changes over time, particularly in relation to changes in the use of other products during the same time period.

After assessing these current, publicly available US public health datasets on tobacco use, the report did not find any indication that flavored cigar use, in either youth or adult populations, raises different questions of public health, compared to non-flavored cigars. The proportion of current flavored cigar smokers remains low and stable or has declined over time, and the pattern of use (rarely every day, and most often on very few days per month) likewise remains low and stable in both youth and adult cigar using populations.

Specifically, three of the data resources (NYTS, MTF, and PATH) investigate tobacco use among the United States youth population. Youth cigar usage estimates are generally similar based on NYTS, MTF, and PATH data. Past 30 day estimates of cigar use overall tend to be approximately 2%-10% overall or for flavored cigar products specifically, slightly higher in high school relative to younger middle school subpopulations. These estimates have remained generally stable or declined across all survey years within the respective surveys. Consistent trends were likewise observed when looking at the frequency of use during the past 30 days. The majority of past 30 day youth users limit cigar use to 1-2 days per month with another approximately 20% of past 30 day youth users limiting cigar use to 3-5 days.

Further, five of the data resources (NATS, HINTS, PATH, TUS-CPS, and TPRPS) investigate tobacco use among the United States adult population. Similar to the findings for youth tobacco users, cigar usage estimates for the United States adult population are generally similar based on the five epidemiologic data sources analyzed. Despite slight differences in how current cigar use is defined across the respective surveys, all surveys indicate that less than 10% of adults currently use cigars. Flavored cigar use estimates are similarly consistent at less than 5% across all data sources examined. Further, while estimates vary somewhat between data collections within respective surveys, these overarching use estimates are essentially flat over time. Consistent trends were likewise observed when examining more closely the frequency of use among cigar users. A relatively small proportion are every day cigar users and the most commonly reported use pattern is 1-2 days per month. These trends have held stable across the examined data sources that collected such information and over time.

**In sum, no evidence was found of increased use or different usage patterns, either among youth or adults, of flavored relative to unflavored cigar products. The frequency of daily usage of cigars in general and flavored products specifically, has not increased during the study period, in either adults or youth. Further, no differences in prevalence of reported use were found specifically for flavored products. That is, neither adult nor youth users of any cigars, showed increases in use of flavored cigars concomitant with decreases in unflavored products. In addition, based on preliminary predictive modeling of PATH adult data, flavored cigar use was not found to be differentially associated with future use of traditional cigarettes or increased future use of cigars.**

The use of flavors in tobacco products is a complex issue, and decisions on the regulatory treatment of such products have huge ramifications, for public health, state budgets, local businesses, and industry, among others. Such decisions should be based on facts and science, rather than unfounded rhetoric. The Consilium report is the most comprehensive effort to provide such information. It should be considered as part of any discussion on flavored cigar regulation.