

A BAN ON CLOVE CIGARETTES MISSES THE TARGET

(Research cites by paragraph are at end of document)

1. The goal of the proposed FDA bill as stated in the preamble is to “protect the public health by providing the FDA with certain authority to regulate tobacco products.” One of its specific goals is to curb youth smoking.
2. At least three on-going federally-funded national surveys exist on the prevalence of youth smoking in the United States: the National Survey on Drug Use and Health (NSDUH) funded by SAMHSA; Monitoring the Future (MTF) funded by NIH; and the National Youth Tobacco Survey (NYTS) funded by CDC.
3. NSDUH indicates that the percent of all youths (12-17 years old) that have tried clove cigarettes recently is miniscule (less than 1.0%), and a mere 3.0% have ever tried clove cigarettes at all in their lifetime. By comparison, 12.3% of youths have tried regular cigarettes recently and 31.2% have tried regular cigarettes in their lifetime.
4. The trend on youth smoking of clove cigarettes remained consistently miniscule over the time period studied: 2001-2003.
5. The University of Michigan said the following about clove cigarettes, based on the 2006 findings from the annual Monitoring the Future Survey that it conducts:

Relatively low prevalence rates were observed for [clove cigarettes] in the initial years of measurement, and since then use has declined substantially and fairly steadily in all grades.

Annual prevalence of [clove cigarette] use among 12th graders is down by about 40 percent since 2001, including further decline this year.

Therefore, the investigators conclude that [clove cigarette] constituted short-term fads that have not caught on with mainstream American youth, making it unlikely that they will become the health menace some had feared.

6. Clove cigarettes are far from being a fad in Southeast Asia where they are known as “kreteks.” They are a cultural icon and export from Indonesia where they have been manufactured and consumed for over 100 years. They have been exported to and consumed in the United States for over 30 years.
7. Compared to other types of risky behaviors (including smoking regular cigarettes), a youth is much more likely to engage in other risky behaviors than smoking clove cigarettes.
8. Even among youths who have tried tobacco in any form, clove cigarette usage is still miniscule (0.8%).
9. Clove cigarettes are **NOT** the cigarette of choice of America’s youth:
 - Based on NSDUH data, youths are over 35 times more likely to smoke menthol cigarettes than clove cigarettes; over 60 times more likely to

smoke non-menthol cigarettes; and over seven times more likely to use snuff or chewing tobacco.

- Based on NYTS 2004 data, the prevalence of “any” kretek usage is 1.5% for middle school students and 2.3% for high school students. Moreover, high school students are almost nine times more likely to smoke regular cigarettes than clove cigarettes; over five times more likely to smoke cigars; over two times more likely to ever have used snuff or chewing tobacco. Finally, usage of kretek amongst the youth is steeply declining -- e.g. 45% since the year 2000 among high school students.
 - Based on MTF data, 10th graders are 125 times more likely to smoke regular cigarettes than clove cigarettes; 12th graders are 146 times more likely to smoke regular cigarettes.
 - Cigars, pipes, and smokeless tobacco use among high school students was far more common than clove cigarette use – yet the bill does not address cigar, pipe, or smokeless tobacco use.
10. The average clove cigarette smoker is a middle-class American adult. Nearly 55% graduated high school compared to under 40% for regular cigarette smokers, and over 23% had an annual income above \$75,000 compared to 17% for regular cigarette smokers.
 11. Clove cigarettes are **NOT** marketed to youth and are less attractive and/or available to under-aged smokers because:
 - The price point on clove cigarettes makes them generally more expensive than the cigarette brands that NSDUH found to be the brands that are overwhelmingly preferred by under-aged smokers (i.e., Marlboro, Newport, etc.)
 - Clove cigarettes are generally sold in high-end tobacconist shops and tobacco outlets where age-restricted access is typically the policy
 - Clove cigarettes are packaged to appeal to adults
 12. Clove cigarettes are **NOT** a gateway or trainer cigarette on the way to regular cigarette usage by underage smokers. Research shows that 95% of youths who smoked regular cigarettes never tried cloves at all.
 13. There is no reasonable, scientific, or market practice rationale for targeting clove cigarettes for prohibition that would not also equally apply to menthol cigarettes which are specifically exempted from being prohibited under the legislation as proposed. The clove cigarette industry is more than willing to have its product subjected to the same rigorous scrutiny that is proposed by the FDA legislation for regulating the sale and usage of regular and menthol cigarettes.
 14. Simple *fairness* requires that clove cigarettes receive the same treatment regular and menthol cigarettes are given in the proposed legislation.

RESEARCH SOURCES

for

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3. Source: 2003 NSDUH data.
4. Source: Conclusion is drawn from the NSDUH study findings in 2001, 2002, and 2003. (See Chart on page 5 of the handout entitled “Essential Facts About Clove Cigarette Usage” and the explanation of the data breakdown on page 17.)
5. Source: Decline in daily smoking by teens has leveled-off. University of Michigan News Service, December 21, 2006.
6. Source: Kretek: The Culture and Heritage of Indonesia’s Clove Cigarettes, Ark Hanusz, Equinox Publishing, Jakarta, 2003.
7. Source: Conclusion is from the 2004 Monitoring the Future study findings. (See Charts on page 7, 8 and 9 of the Handout and the explanation of the data breakdown on pages 19 and 20.)
8. Source: The 0.8% figure is from the 2003 NSDUH study findings. (See Chart on page 6 of the Handout and the explanation of the data breakdown on page 18.)
9. Source: NSDUH statistics are from the 2003 study (See Chart on page 6 of the Handout); NYTS statistics are based on the 2004 study (See Charts on pages 7, 8 and 9.)
10. Source: 2003 NSDUH data.
12. Source: 2003 NSDUH data.