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THE AMERICAN CANCER SOCIETY (ACS) PUBLISHES MISLEADING REPORT

Engineered ACS findings ignore tax stamp sales data, which irrefutably demonstrate most menthol cigarette sales migrated to bordering states, to claim that the Massachusetts menthol ban led to a reduction in cigarette sales

STOUGHTON, Mass. (January 6, 2022) – The American Cancer Society (ACS) promoted findings yesterday in The Journal of the American Medical Association that Massachusetts’ ban on menthol cigarettes led to a sharp decline in cigarette sales in the Commonwealth, implying decreased in-state sales are equivalent to a decline in Massachusetts cigarette smoking rates. The findings, as asserted by ACS, completely ignore that an overwhelming majority of menthol cigarette sales immediately migrated to Rhode Island and New Hampshire where Massachusetts consumers made their purchases following implementation of the ban.

The New England Convenience Store and Energy Marketers Association (NECSEMA) previously published data unequivocally demonstrating the migration of sales from Massachusetts to surrounding New England states utilizing publicly available and easily verifiable state Department of Revenue tax stamp data. This data undermines the recent ACS report which attempts to paint a failed public health experiment as a success.

Since the implementation of the Massachusetts menthol ban, NECSEMA regularly released tax stamp data during the first year of the ban that demonstrated an overwhelming increase in the volume of menthol cigarette sales in Rhode Island and New Hampshire: Here are the facts:

- In the twelve months following the ban, menthol cigarettes sales skyrocketed by over 126% on average in the Rhode Island and New Hampshire counties bordering Massachusetts. These six counties saw an increase of over 23 million packs of menthol cigarettes.
- Statewide, Rhode Island saw an increase of over 43% in menthol cigarette sales and New Hampshire’s statewide increase was over 79%.
- Total cigarette tax stamp sales fell in Massachusetts by nearly 24%, during the same time period, and total cigarette tax stamp sales increased by over 22% in New Hampshire and 18% in Rhode Island.

To mislead the public about tobacco policy, especially in The Journal of the American Medical Association, does a grave disservice to public health and the credibility of the ACS.

“The report published by the ACS is absurd. It is not surprising that in-state menthol cigarette sales declined when the state banned the legal sale of those products. However, to promote misleading findings by omitting significant facts is both irresponsible and dangerous as other states and some cities consider a similar policy. Moreover, it undermines the Food and Drug Administration’s substantial investments in evidence-based research to determine the appropriate path forward for certain nicotine and tobacco products,” said Jonathan Shaer, Executive Director of the New England Convenience Store & Energy Marketers Association. “When organizations release findings about public policies that purport to provide improvements to public health while ignoring widely available government data, it undermines public trust and ignores the public health potential for evidence-based tobacco and nicotine policies that will actually improve health outcomes.”

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