

Black and Milds in Baltimore



Background Document

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BACKGROUND

Recent evidence indicates rising consumption of the little cigar brand Black and Milds by John Middleton, Inc. among African-American young adults. Little cigars, also known as cigarillos or miniatures, are offered in a wide range of sizes, flavors and prices.

Black and Milds are long and slim like cigarettes, but are wrapped in tobacco leaf rather than paper, similar to cigars. This difference in wrapping allows little cigars to be viewed differently under the law than cigarettes, including exemption from cigarette taxation and restrictions on single sales. They typically sell for \$0.50-\$1.00 for a single cigar or around \$3.00 for a pack of five. They are sold individually and in small packs at store counters.

Packs and displays of Black and Milds are required to prominently display one of five Surgeon General Warnings per a consent agreement negotiated between the Federal Trade Commission and John Middleton, Inc., the manufacturer of Black and Mild.¹ There are no warnings of adverse health effects present on the individual cigar wrapping; thus, when sold singly, consumers are not exposed to these warnings.

Black and Milds are available in various flavors including apple, cream and wine. They are sold both in a standard little cigar size and in the smaller “Fast Break,” about half the length of a normal Black and Mild. The full-sized product is sold in a plastic tipped variety, called the FT (filter-tip), but is also available untipped. For the purpose of this report, a “Black and Mild” signifies a standard size, tipped little cigar of any flavor.

The average cigar smoker will consume less total product by quantity. However, little cigars have nicotine levels (100-200 mg nicotine) that are generally higher than cigarettes (~8.4 mg nicotine). In addition, cigars contain 5 to 17 g of tobacco on average while cigarettes usually contain less than 1 g; little cigars have an intermediate value between the two extremes.² Data from interview studies and observational studies also support that little cigars, such as Black and Milds, are often inhaled like a traditional cigarette, rather than smoked with minimal inhalation like a cigar.³

Black and Milds may be altered by users. One method, termed “hyping,” involves the removal of the tobacco to expose an inner paper that is thrown away. The tobacco is repacked into the cigar, and then smoked.⁴ Another method involves the addition of marijuana to the Black and Mild in a process known as “freaking.”⁵

DATA ON USE

The National Household Survey found that young adults 18-25 are more likely than other youth (less than age 18) to smoke cigars, with over 10% reporting use in the past month.⁶

Black and Mild is the most popular brand of cigar in smokers 12 and over.⁷ Their use is especially common among urban African Americans, and particularly favored by

young adolescents ages 12-17. Black and Milds are often preferred among female smokers. Although women are less likely than men to smoke cigars, among those who do, 38% reported Black and Mild use compared to 20% of men.⁸

In an interview study performed with local education and employment training programs in Baltimore, 23.9% of young adult (18-24) urban African Americans reported that they had smoked Black and Milds at least once in the past 30 days.⁹

Misperceptions. The differences between the Black and Mild little cigar and either cigarettes or traditional cigars create significant misconceptions. Teens who smoke them may believe that the products are totally different from cigarettes and contain no nicotine.¹⁰ Black and Milds are seen as different than cigarettes: to some young adults, they are cleaner, more culturally tied to hip hop and are felt to represent status.¹¹

As a result of this misperception, surveys may underestimate use of the products. Smoking of Black and Milds may be under-represented in tobacco statistics, as participants may not identify as a smoker if they exclusively smoke Black and Milds. Teens may respond affirmatively to surveys about cigar use only if the product is mentioned by name. This complicates the interpretation of the statistic from a national study that only 7.5% of Baltimore high school students report “cigar, cigarillo or little cigar” use.¹²

Product Switching. Former smokers may perceive that cigars are a safe alternative to cigarettes and may begin smoking cigars after successful cigarette cessation.¹³ In one study conducted in New Jersey, there was a trend among recent cigarette quitters to become cigar smokers. In the wake of a large increase in cigarette tax, the odds of a former smoker’s becoming a cigar smoker tripled. Trade magazines were quick to note the “boom” of small cigars in 2002 when a steep cigarette taxation was enacted in many states.¹⁴

It is not known to what extent young adults in Baltimore are switching from cigarettes to little cigars. Switching among tobacco products is due to multiple factors, including marketing (such as the development of candy-flavored tobacco products), cost, and the perception of harm. Understanding the relevant factors among African American young adults will help direct future interventions.

In the setting of increased taxation of cigarettes and a steady growth in cigar use, and given the availability of cheap, individually-sold little cigars, the environment is conducive to product substitution, especially among those most sensitive to price increases.¹⁵

HEALTH EFFECTS

The adverse health effects of all forms of tobacco usage, including cigarette, cigar and cigarillo use, are well documented.¹⁶ Regardless of the form of tobacco, increased consumption, early onset of smoking and duration of use equate to increased risk. By the age of 40, the average cigar smoker has lost 5 years of their life.¹⁷

Cancer. Cancer risk is markedly increased among smokers, including cancers of lung, head and neck, esophagus, and bladder. Cigars, little cigars, and cigarettes are

comparable in their risk of tobacco-related lung cancer, especially when cigars are inhaled like cigarettes.¹⁸ Cigar smokers are also ten times more likely than non-smokers to have cancer of the larynx and four times as likely to suffer from oral cancer.¹⁹

Cardiovascular disease. The adverse cardiovascular effects of cigarette smoking are well established, and smoking cessation is a key component of initiatives to lower death rates due to heart attacks.^{20,21} Both cigarette and cigar smokers are at increased risk for coronary heart disease. The risk of heart disease for cigar smokers is 30% greater compared to non-smokers; the risk doubles for those cigar smokers who inhale.²²

Respiratory disease. Smoking increases the risk of obstructive lung disease, including chronic bronchitis and emphysema. This type of lung disease, when severe, can cause a person to require supplemental oxygen. The risk of lung disease for smokers is double that for non-smokers.²³

Immediate Harms. While many tobacco related health problems require years to manifest themselves, such as heart disease and cancer, others such as bad breath, tooth decay and decreased sperm count among men are more immediate.²⁴ Pregnant women are at high risk, as tobacco use is directly linked to an increased incidence of fetal loss and low birth weight.²⁵

Second hand smoke. On a population scale level, exposure to second-hand smoke is associated with poor health outcomes. Cotinine, is a metabolite of nicotine and a biological indicator of secondhand smoke exposure, was found in high levels in Baltimore children exposed to smokers both in and outside the home environment.²⁶ This exposure to secondhand smoke, particularly for children, is directly linked to adverse health effects such as bronchitis, pneumonia, upper respiratory tract irritation, reduced lung function, and asthma.²⁷

LEGAL ISSUES

Selling to minors. Maryland law prohibits a person from purchasing tobacco products for or selling tobacco products to a minor (a person under 18 years of age, the legal age to purchase tobacco).²⁸ The law also prohibits a person from distributing tobacco paraphernalia to a minor. If a person violates the Maryland law, that person is subject to a fine of up to \$3000, depending on the whether the act is an initial or repeat violation.

Baltimore's Health Code is modeled after the Maryland law and similarly prohibits a person from distributing tobacco products or paraphernalia to a minor.²⁹ A person who violates this section of the Health Code is subject to a fine of not more than \$1000 per offense.³⁰ These provisions all apply to little cigars.

Sales of singles. Maryland law indicates that cigarettes may only be sold in packs of 20 or more.³¹ Currently, no federal or State law regulates the quantity in which retailers must sell little cigars; there is not a limitation on local jurisdictions to enact this legislation.

Taxation. Little cigars are taxed far less than cigarettes. The cigarette tax is \$1 per pack containing 20 cigarettes,³² with an additional tax of 43.9% of the manufacturer's price. Little cigars are taxed at 15% of wholesale price.³³

Baltimore City does not have the authority to regulate the cigar tax. The Comptroller of Maryland is responsible for administering laws that relate to the tobacco tax. From a national perspective, Iowa has proposed a bill that would give the State the authority to tax little cigars at the same rate it taxes cigarettes.³⁴

Labeling. Baltimore City cannot regulate tobacco product labeling. The Federal Trade Commission negotiated consent agreements with the seven largest cigar companies, including John Middleton, Inc., the manufacturer of Black and Mild, to implement health warnings on cigar labels and advertisements. These provisions disallow state and local laws requiring different health warnings on cigar products.³⁵

Product placement. Baltimore City has the authority to regulate where a retailer may display little cigars and other tobacco products; no federal or state law restricts product placement of little cigars and other tobacco products.

Advertising and media. The Federal Cigarette Labeling and Advertising Act,³⁶ pursuant to the Little Cigar Act of 1973, prohibits advertisements for little cigars on TV and radio.³⁷ However, the products may be featured in music videos and other avenues of popular culture. Baltimore City does not have the authority to regulate such content.

CONCLUSION

The wide availability, low price, and frequent use of little cigars, specifically Black and Milds, among young African American adults in Baltimore are a cause for concern. Little cigars harm personal and public health by the same mechanisms as cigarettes or cigars, and similarly restricting their use could do much to improve the health of young people in Baltimore. The cardiovascular disease, lung cancer, and other chronic respiratory diseases caused by smoking – in any form – are preventable causes of premature death. There are options for city and state action to reduce the harm caused by these products.

NOTES

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