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May 2, 2022

Hon. Robert Califf  
Commissioner  
U.S. Food and Drug Administration  
Proposed Tobacco Product Standard for Characterizing Flavors in Cigars  
Docket No. FDA-2021-N-1309

Dear Commissioner Califf:

60 Plus Association, the American Association of Senior Citizens, is a 501c4 non-partisan, non-profit organization that advocates for seniors who believe in market-based solutions and limited but effective government. Very simply, we strongly oppose the proposed product standard banning flavored cigars.

Many of our members enjoy a good flavored cigar, and why not? The FDA knows full well the research tells you that nearly all of them have done so for much of their adult lives with very little effect on mortality and morbidity. Depriving them of this privilege on the thin reed of any scientific evidence of harm to the public health is the essence of bad and in fact, wasteful government.

Because as Hank Campbell of Science 2.0 wrote in his blog a decade ago when FDA first ventured down this ridiculous path: "You don't inhale (cigars.) They don't cause lung cancer and you have to consume so many to spike your chances of getting any mouth cancer that it is barely a statistical blip. Cigar medical issues are so infrequent they are in the 'cured by homeopathy' noise range. The FDA, lacking any sort of legitimate science or reason for health concerns, still wants to kill anything related to tobacco and it got that power under a new 2009 law.... So they have created some bizarre belief that cigars are being market(ed) to kids."

Campbell continued, "Basically, .025% of tobacco revenue is for a cigar. Is the FDA going to create a special bureau for local microbreweries too, so they will stop 'marketing to kids'? Hyper-regulating yet another segment of the American economy, and placing 85,000 small business jobs around the country at risk, is a dopey idea in the rational world."

In the "rational world." But this is not even a rational world. At-risk babies can't get formula because of FDA incompetence and heavy-handedness. The Agency fumbled COVID testing for the same reason and interfered in use of treatments that could have helped arrest the disease among senior populations. It has all but killed the vaping industry that was taking down the real risk to public health from tobacco via harm reduction, and inflation is ravaging the economy and households thanks to relentless overregulation government-wide. And now FDA is focusing on an industry that represents limited risk to the public health because flavored cigars are used by less than 1% of teenagers?

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In a rational world, FDA would give our members the information on risk they need to make their own informed decisions on cigar use and double down on enforcement of existing, effective Tobacco 21 laws.

Enough is enough of FDA overreach into our members' lives and underperformance at its real job. Stop this senseless rule-making and get back to the business of truly serving the public and protecting lives.

Sincerely,



James Martin  
Founder & Chairman



Saul Anuzis  
President