

Black Group Turns Away From Bill On Smoking

By STEPHANIE SAUL

A bill to regulate tobacco products has lost the support of a black antismoking group, which said Thursday that the legislation failed to adequately protect the health of African-Americans because it would not ban menthol flavorings from cigarettes.

The legislation, which has been cleared by crucial committees in both the Senate and the House of Representatives, would ban candy, fruit and spice flavorings in cigarettes, but specifically exempts menthol flavorings.

That special protection for menthol has been considered crucial to getting the nation's biggest cigarette maker, Philip Morris USA, to support the legislation. Menthol-flavored cigarettes account for more than 25 percent of the \$70 billion domestic cigarette market. Philip Morris's Marlboro Menthol is the second-largest menthol brand behind Newport, made by Lorillard.

Many antismoking groups have seen the menthol exemption as a necessary compromise in getting a tobacco bill through Congress. They have noted that the bill would empower the Food and Drug Administration eventually to limit or ban menthol and other tobacco additives if it found those products to be unhealthful.

Until Thursday, the groups going along with the menthol compromise had included the black antismoking organization, the National African American Tobacco Prevention Network. But the group has withdrawn its support, saying that recent publicity about the menthol exemption had created a backlash among its members. Menthol brands are chosen by about 75 percent of African-American smokers, a group with a disproportionate share of smoking-related cancers.

"Our constituents across the country are just livid," said William S. Robinson, executive director of the African American network, a nonprofit group based in Durham, N.C.

While the bill still has the support of most public health organizations, the withdrawal of support by Mr. Robinson's group underscores the delicate nature of the coalition endorsing it. Despite the support of Philip Morris, which is owned by Altria, most other cigarette companies oppose the bill.

And despite broad support in both the Senate and the House, the legislation faces formidable opposition from some senators from tobacco states and from the White House. Even some backers of the legislation have expressed concern that an abbreviated election-year legislative schedule might also mean the bill will not be voted on this year.

Research has been inconclusive on whether menthol contributes to cigarette addiction or otherwise plays a role in high cancer rates. But public health experts have long raised concerns about the additive, and about marketing of menthol brands specifically aimed at black smokers.

Mr. Robinson said he had been unable to find any reasonable explanation for menthol's exclusion from the legislation's ban on flavorings. Instead, he said, he had received "weak and flimsy" excuses for menthol's exemption from the Campaign for Tobacco-Free Kids, a leading antismoking organization that agreed to the legislation. The campaign did not return calls seeking comment.