



NATO is encouraging association member retailers, their employees, legal age adult consumers, and wholesalers to submit comments to the FDA's Center for Tobacco Products on the proposed product standard regulations that would ban menthol in cigarettes and prohibit characterizing flavors in cigars. Since the FDA issued one set of regulations for banning menthol in cigarettes and another set of regulations for prohibiting flavored cigars, separate comments will need to be submitted for each of the regulations.

Step 1: How to Submit Comments to the FDA

Comments can be submitted to the FDA's Center for Tobacco Products either by mail, hand delivery to the FDA office, or over the Internet on the www.regulations.gov website:

- A. By Mail/Hand Delivery To:** Division of Dockets Management (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Rm. 1061
Rockville, MD 20852

Note: At the top of the letter type in the following line:

RE: Docket No. FDA-2021-N-1349 (Tobacco Product Standard for Menthol in Cigarettes); or

RE: Docket No. FDA-2021-N-1309 (Tobacco Product Standard for Characterizing Flavors in Cigars).

B. On the Internet

1. Copy and paste into your computer's web browser program the respective link below for the proposed regulation banning menthol in cigarettes or the proposed regulation banning characterizing flavors in cigars. Then, push the "enter" or "return" key on your keyboard.

Menthol Ban: <https://www.regulations.gov/commenton/FDA-2021-N-1349-0001>

Flavored Cigar Ban: <https://www.regulations.gov/commenton/FDA-2021-N-1309-0001>

2. The webpage shown below will appear on your screen for the menthol ban or the flavored cigar ban depending on which link you select:

Regulations.gov
Your Voice in Federal Decision Making

SUPPORT

You are commenting on a Proposed Rule by the Food and Drug Administration
Tobacco Product Standard for Menthol in Cigarettes

Comment Period Ends: 60 Days

Write a Comment
Commenter's Checklist

Comment*
Start typing comment here...

What is your comment about?
Select a Comment Category

Select "Private Industry C0003"

At the top of this webpage, under the heading “Write a Comment,” you can manually type in your comment. In the “What is your comment about?” section, click on the small arrow on the right-hand side of the webpage and select “Private Industry C0003.”

(Note: Please use your own words in typing your comments and see the accompanying document referenced in Step 2 below for suggested talking points to make in your comments).

3. Or, instead of typing the comment, scroll down the webpage shown below until you see the heading which reads “Attach Files.” If you have already drafted your comments, click the “Browse” button, select your file, and attach it.

Attach Files
You can attach up to 20 files, but each file cannot exceed 10MB. Valid file types include: bmp, docx, gif, jpg, jpeg, pdf, png, pptx, rtf, sgm, tif, tiff, txt, wpd, xlsx, xml.

Drop files here or

Email Address
Email Address

Opt to receive email confirmation of submission and tracking number? (We will never post on Regulations.gov or share your email with anyone else.)

Tell us about yourself! I am...*
(Select an identity below)

An Individual
If you or another single person is the author

An Organization
A company, organization, or government agency

Anonymous
If you do not want an entity associated with the comment

Below the “Attach Files” box, you need to fill in your e-mail address. If you want to receive a confirmation that your comment has been submitted, click the small box in front of “Opt to receive email confirmation of submission and tracking number?”

Then, under the “Tell Us About Yourself” heading, click on the “An Individual” icon if you are personally submitting comments. You are required to fill in your first and last name. You are not required to provide your city, state, country or phone number.

If you are submitting comments on behalf of your company or organization, click on the “An Organization” icon and select the organization type and fill in the organization name.

Finally, check the “I am not a robot” box, and then click the “Submit Comments” button to file your comments.

Step 2: What Should You Say in Your Comments?

As indicated above, the FDA has proposed two separate regulations with one banning menthol in cigarettes and roll-your-own cigarette tobacco and the second one banning flavors, except tobacco flavor, in cigars. Accompanying this bulletin is a set of various talking points for you to use as a guide when drafting your own comments.

To assist NATO members in submitting comments, consider the following guidelines:

- A. Begin your letter or comments with:

“Dear FDA Staff:” or “Dear FDA Representative:”.

I am writing to submit comments on the proposed regulation that would ban menthol in cigarettes (or, the proposed regulation that would ban characterizing flavors in cigars).

- B. Provide background information such as your company’s name (unless you want to remain anonymous), number of stores or warehouses you operate, how long you have worked at the retail store or wholesale warehouse, and the number of people you employ.
- C. Retailers and their employees should include a statement that you and your employees responsibly sell tobacco products to adult customers and work diligently to comply with state and federal laws regarding the sale of tobacco. Wholesalers should include a statement that they responsibly sell tobacco products only to licensed retailers.
- D. Suggested Comments

The accompanying “Talking Points” sheet provides a variety of topics that you could include in your comments. While you can cut and paste specific comments from the “Talking Points” sheet into your comment, please remember that it is best to use your own wording.

- E. Closing Sentence

At the end of your comment, include a sentence such as:

I urge the FDA to not proceed with implementing the menthol cigarette ban (or flavored cigar ban) to avoid the significant economic impact and illicit market that the regulations will cause. Thank you for the opportunity to submit comments on the proposed menthol cigarette (or flavored cigar) regulation.