The Canada-Wide Menthol Cigarette Ban Did NOT Increase Illicit Purchases

Geoffrey T. Fong, Ph.D., FRSC, FCAHS (gfong@uwaterloo.ca)
ITC Project at the University of Waterloo and Ontario Institute for Cancer Research
April 5, 2021

Chung-Hall et al. (2021)\(^1\) conducted a pre-post evaluation of the Canadian menthol cigarette ban across 7 provinces (covering 83% of the Canadian population) that implemented the ban in 2016-17. The ITC Project evaluation study included a breakdown of how menthol smokers changed their behavior after the menthol ban.

Figure 2 from the article shows that among the pre-ban menthol smokers, after the ban, 21.5% were no longer smoking (compared to 14.0% of non-menthol smokers after the ban, \(p=0.06\)), 59.1% switched to non-menthol cigarettes, and 19.5% reported still smoking menthol cigarettes. However, not all smokers reporting still smoking menthols were really smoking menthol cigarettes—some were reporting a menthol ‘replacement’ brand (those for which the pack color or brand name have been used to convey menthol-like qualities, as reported by previous studies in Alberta\(^2\) and Ontario\(^3\)). Others who reported still smoking a menthol brand or one that was not clearly a menthol brand. Specific details are provided in the text of the article:

**“Post-ban purchase of menthol cigarettes**

Of the 38 pre-ban menthol smokers who said they still smoked menthol cigarettes at follow-up, 13 reported a menthol cigarette brand as their last purchase (36.1%, 95% CI 22.5 to 52.3), 5 reported a menthol ‘replacement’ brand (6.9%, 95% CI 2.7 to 16.8) and 20 reported a non-menthol brand or indeterminate brand (57.0%, 95% CI 41.4 to 71.4). Among the 13 post-ban menthol smokers who reported a menthol cigarette brand as their last purchase, 54.7% (95% CI 28.6 to 78.4) reported buying them from a First Nations reserve and 31.0% (95% CI 12.3 to 58.9) from convenience stores. Few smokers purchased menthol cigarettes from all other sources (range: 2.7% in bars/pubs (95% CI 0.2 to 26.5) to 7.5% by internet (95% CI 0.7 to 48.4)) (figure 2).”

It is important to note that the 19.5% of menthol smokers reporting still smoking menthols is close to the 22% reported by Chaiton et al. (2019).\(^4\) However, with additional questions about brand smoked, the ITC evaluation study was able to determine whether these reports were accurate. Many of them were not. After removing incorrect reporting of post-ban menthol cigarettes, **less than 10% of menthol smokers (13 of 138) were smoking illicit menthol cigarettes. And importantly, the percentage of pre-ban menthol smokers who purchased cigarettes from illegal sources after the ban was not higher than that of non-menthol smokers (12.2% vs. 9.0%).**

---