

June 5, 2020


Marikae Toye
Chairperson
Illegal Tobacco Task Force
Commonwealth of Massachusetts

Dear Marikae,

As you requested, following is the data I presented at the June 3, 2020 Task Force virtual meeting. I've also included (separately) a calculation originally presented to A&F at their request. This information, as well as that below, is compiled from Dept. of Revenue FY19 data and industry placement data from a STARS (Standardized Tobacco Assessment for Retail Settings).

- In FY 2019, almost 50,00,000 legal packs of menthol cigarettes were sold in MA
 - Mackinac Center reports 24.99% of MA cigarettes are consumed illegally.
 - There were over 145 million legal cigarettes sold in MA last fiscal year, which means approximately 36 million cigarettes were consumed illegally.
 - Menthol represents 34% of the market which puts the approximate illegal menthol market at over 12 million.
 - Therefore, the total menthol market (legal and illegal) is approximately **62 million packs.**
- By contrast, there are about 2,500,000 tins of flavored smokeless sold in the state legally. I don't know what the illegal market is. Even if the total market was 5 million tins, it would still only represent 8% of the menthol cigarette market in MA.
- According to the CDC there are 220,235 menthol smokers and 86,001 flavored smokeless consumers. Over 300,000 people looking for their products.
- Another good data point to review is the vape market which has been illegal in MA really since September 25, 2019. Since then, NH retailers have seen 400% increases on vape. This does not include CT or RI sales.
- Finally, recent wholesale data shows that for the 5 weeks ended 5/17, sales of menthol cigarettes in Hillsborough county NH (where Nashua is located) has increased almost 8% and in CT and RI sales have increased anywhere from 4-8%. This is before the ban went into effect. We will be reporting on this information as time marches on, but we expect this to grow exponentially.

Respectfully submitted,



Jonathan Shaer
Executive Director

1044 Central Street, Suite 203
Stoughton, MA 02072
(781) 297 - 9600