

No loopholes in tobacco health risks

By ACSH Staff — November 22, 2011

New York City's roll-your-own (RYO) cigarette shops are getting [attention](#) ^[1] due to the city's attempt to end what they deem illicit tax avoidance by the RYO makers. At issue is the tax loophole that such businesses happily exploit: The loose tobacco they sell for their high-speed cigarette rolling machines is subject to only a fraction of the taxes that would be fixed on a commercially produced pack. Consequently, these RYO shops contribute almost nothing to either local taxes or the cigarette manufacturer trust fund, which is intended to reimburse government health programs that treat smoking-related illnesses.

The city's official complaint is that defendants not only interfere with the collection of city cigarette taxes, they also impair the city's smoking cessation programs and impair individual efforts at smoking reduction, thereby imposing higher health care costs on the city and injuring public health. All of these allegations may be true. But at ACSH, what raised our ire was Island Smokes' claim that its roll-your-own cigarettes are healthier than commercially produced packs, since they don't contain the same chemical additives. This claim, of course, is completely false, and we were glad to hear New York City Health Commissioner Dr. Thomas Farley call the company's bluff. As Dr. Farley pointed out, the health risks from cigarettes come from inhaling the carcinogenic stew generated by burning tobacco. Chemical additives have nothing to do with it.

Regardless of what the upshot of the lawsuit is, says ACSH's Dr. Gilbert Ross, the roll-your-own cigarette is as harmful as any commercially produced brand.

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[1] <http://www.nytimes.com/2011/11/22/nyregion/roll-your-own-cigarette-shops-sued-by-new-york-city-in-tax-dispute.html>