

E-CIGARETTES

INDUSTRY MARKETING AND YOUTH TARGETING

From introducing appealing flavors to offering college scholarships, manufacturers and sellers of e-cigarettes aggressively target young people. There are few federal restrictions on e-cigarette marketing, allowing companies to promote their products through traditional outlets — such as TV and radio — despite a ban in 1971 on cigarette advertising in both outlets to reduce cigarette marketing to children. E-cigarette companies also take advantage of other marketing outlets, including the internet, retail environments, and recreational venues and events.

E-cigarettes are the most popular tobacco product among youth, with about one in five high school students using e-cigarettes in 2020.¹ Youth and young adults are widely exposed to e-cigarette marketing and have high awareness of the products. Among middle and high school students who reported contact with a potential source of tobacco advertising in 2019, such as going to a convenience store or gas station, watching television, or reading magazines, nearly 70% (69.3%) were exposed to e-cigarette marketing.²²

In January 2020, the FDA prioritized enforcement against the sale of most candy or fruit flavors in “closed pod” refillable e-cigarettes, like the popular brand JUUL, but exempted disposable flavored e-cigarettes including newer products like Puff Bar. The e-cigarette industry has responded by offering newer products that aren’t covered by existing enforcement guidelines. In July 2020, the FDA issued warnings to e-cigarette retailers and manufacturers, including Puff Bar, to remove their flavored disposable e-cigarettes and youth appealing e-liquid products from the market.²



Photo: U.S. Food and Drug Administration

E-cigarettes capitalize on offering many kid-friendly food flavors, such as mint, cotton candy and gummy bear.

MARKETING TACTICS

- People most often heard about e-cigarettes through in-person communications, by seeing them for sale and through **online and television advertisements**, in which some **celebrities** endorsed the products.³⁻⁷
- E-cigarettes are **promoted heavily online**⁸ through e-cigarette company-sponsored advertisements,⁹ and on **YouTube**⁹⁻¹² and **Twitter**.¹³
- **Mobile ads** are a popular place to advertise e-cigarettes since they have the potential to **reach millions of young people**.¹⁴

> **Some e-liquids have been marketed to look like common food items — many of which appeal to kids.** Early examples included marketing e-liquids as “**Thin Mints,**” after the Girl Scouts’ cookie and “**Tootsie Roll**” after the iconic candy. Those were removed, or at least renamed, after the companies owning those copyrights took action to protect their intellectual property. Other food and candy flavors remained on the market.

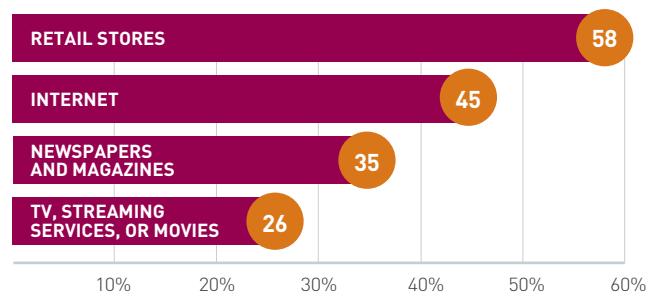
» Since May 2018, the FDA, often in conjunction with the FTC, has taken action against several **e-liquid companies that marketed their products to look like candy or other kid-friendly food items, such as Reddi-wip, Nilla wafers and Warheads candy.**¹⁵ For more, see “Policy Environment”.

> The Tobacco Industry has a long history of targeting vulnerable communities, and the trend continues with e-cigarettes. In their 2019 campaign, JUUL advertised its products to military personnel by providing personal testimonials from veterans, discounts, and claiming that their products offer servicemen and first responders the tools to succeed at switching.¹⁶

YOUTH MARKETING TACTICS

> **Youth may be exposed to pro-tobacco content and advertising on social media** through various sources, including commercial brands as well as their own peers or influential accounts they follow. The nature of social sharing allows branded or promotional content to virally spread across platforms, which can increase youth exposure to overt marketing and pro-tobacco content posted by influential peer network members.¹⁷⁻²⁰

Where young people are most likely to see e-cigarette ads



> Since e-cigarettes were introduced around 2007, marketing efforts have increasingly shifted to young audiences. Between 2014 and 2016, exposure to retail e-cigarette advertising among young people jumped nearly 20%.²¹ By 2016, nearly **4 out of 5 middle and high school students**, or more than 20 million youth, **saw at least one e-cigarette advertisement.**

> Young people were most likely to see ads at **retail stores** (58.4%), followed by the **internet** (44.6%), **newspapers** and **magazines** (34.8%), and **TV, streaming services, or movies** (26.2%).²²

> A 2019 study conducted by Stanford University School of Medicine found **JUUL advertisements strikingly similar to traditional tobacco advertising** in tone and imagery (smoking as pleasurable, relaxing, stylish, or romantic).¹⁷

> **JUUL has also targeted children as young as third grade by funding summer camps, visiting schools and paying community and church groups to distribute their materials,** according to recent **congressional testimony.**

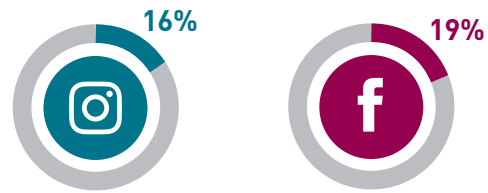
> On Oct. 17, 2019, JUUL announced that it would “suspend all broadcast, print and digital advertising in the U.S.” It was not clear from the announcement how long that suspension would last.²³

- > Tobacco company Reynolds American Inc. attempted to expand their share in the e-cigarette market by **using price promotions, TV spots, billboards, and social media posts** to advertise their e-cigarette device Vuse. Using models as young as 25, the brand hired musicians and artists and used music and images **aimed at younger adults** to advertise their product on social media.²⁴
- > As of July 22, 2020, there were **758 JUUL civil lawsuits** across the U.S. brought forward by e-cigarette users or their parents, with many lawsuits claiming **JUUL marketing targets minors**.²⁵ Separately, as of April 2021, there were 15 lawsuits brought by state attorneys general that allege, among other things, that JUUL targeted youth. A group of 39 state attorneys general launched investigations into JUUL's marketing practices, specifically focusing on whether JUUL targeted underage users, and its claims about nicotine content and safety.²⁶

E-CIGARETTES ON SOCIAL MEDIA

- > A 2018 study found that exposure to e-cigarette advertisements on social media among young adults was strongly associated with positive expectations of e-cigarette use — like the idea that using e-cigarettes would provide a pleasurable taste and smell and that it was safe and socially acceptable. These outcomes were also found to be directly correlated with current use.¹⁸
- > Even among non-smokers, exposure and **marketing through social media** linked e-cigarettes with increased **perceptions of stylishness and popularity**.¹⁸ Of the study participants, 19% regularly saw e-cigarette ads on Facebook and 16% on Instagram, and even more participants reported having seen e-cigarette related posts on Facebook (24%) and Instagram (20%).¹⁸
- > The **largest e-cigarette forum** (/r/ electronic_cigarette) on **reddit** had over 203,000 subscribers as of April 2021.²⁷ Another subreddit, titled /r/UnderageJUUL, at one point contained 844 members before it was shut down by reddit. Posts included discussions of flavors as well as methods of obtaining JUULs or pods. Most posts in this thread did not reference age, but those that did, mentioned ages from 13 to over 21.²⁸
- > A 2018 study found that e-cigarette users who are **male and younger** were the **most likely to participate in online discussion forums** related to e-cigarettes.²⁹
- > Additional research has shown that **celebrity endorsements** of e-cigarettes on social media can have an **impact on young adults**. A study of college undergraduates found that the appearance of celebrities on an e-cigarette social media brand page significantly **increased intentions to use e-cigarettes** and positive attitudes towards the devices. This effect was not seen in those who saw non-celebrity endorsers or pages displaying only the product.³⁰
- > A September 2020 study found that the top 10 videos featuring **Puff Bars** on the social media app **Tik Tok** received between 2.8 and 42.4 million views. The three most popular videos featured individuals pushing large amounts of used Puff Bars over the edge of a desk with the audio “nicotine addiction check,” suggesting using the product was addictive. While none of these videos were confirmed to be ads or sponsored by Puff Bar, the study suggests further research is needed to assess how the presence of these products on social media impacts exposure youth initiation of vaping products and harm perception.³¹

Non-smokers regularly saw e-cigarette ads on social media



Source: Lin X, Spence PR, Lachlan KAJCiHB. Social media and credibility indicators: The effect of influence cues. 2016;63:264-271.

JUUL LEADS SOCIAL MEDIA MARKETING

- > The makers of the popular e-cigarette JUUL have been at the forefront in marketing to young people on social media, on platforms like Facebook, Instagram, Twitter and Youtube.
- > In 2015, JUUL spent more than \$1 million to market its products on the internet and has paid for campaigns on Twitter, Instagram and YouTube.³²
- > Because JUUL relied heavily on social media advertising for its launch, unlike other e-cigarette brands who focused their marketing through traditional outlets (e.g., TV), teen and young adults made up a significant majority of JUUL's social media audience.³³
- > JUUL also hired social media influencers for product promotion.¹⁷ In an investigative report on vaping influencers, one individual reported receiving \$1,000 for a blog and Instagram post about JUUL.³⁴ They had an entire department dedicated to influencer marketing and specifically looked for influencers under 30 and created a "VIP Portal" for celebrities.³⁵ During congressional testimony in August 2019, JUUL repeatedly stated that it does not have a celebrity or influencer program that would appeal to younger users. Yet, contracts with multiple agencies from the company's own records show **JUUL enacted a massive influencer engagement campaign to coincide their launch in 2015.**
- > In November 2018, JUUL's Instagram account had 77,600 followers and #juul had 260,866 postings. By January 2019, JUUL's hashtag had 336,308 posts.¹⁷ In a report published in March 2020, researchers found more than 8,000 JUUL-related videos that received a total of 260 million views from 2016-2018.
- > On Nov. 13, 2018, JUUL Labs announced they would be shutting down their U.S.-based Facebook and Instagram accounts to curb youth e-cigarette interest and use. The official Twitter account has been inactive since August 2019.³⁶



- > There were 366,786 JUUL-related tweets in 2017, 17 times more than the previous year. A 2018 study found the surge of tweets mirrored JUUL's sizable growth in retail sales.³³
- > Another study analyzed all public active profiles following JUUL's official Twitter account in April 2018. Of the 9,077 active individual followers, researchers estimated that 80.6% were aged 13-20, despite the account stating that one must be 21+ to follow.³⁷

EXPERIENTIAL MARKETING

- > Some e-cigarette companies use experiential marketing to target public places — including busy street corners, shopping centers, parks and beaches — to interact directly with consumers.
- > In 2020, Rolling Stone magazine and Vuse, a fast-growing vaping brand owned by tobacco giant Reynolds American, promoted a rooftop concert series livestreamed from New York City that critics say is meant to make e-cigarettes look cool to kids.³⁸ Vuse promoted the series heavily on its Instagram page. It is important to note that the Tobacco Control Act prohibits similar activities for cigarettes and smokeless tobacco.
- > JUUL launch parties in New York City and the Hamptons in 2015 featured young celebrities like 17-year-old model Luka Sabat who promoted the event to young social media followers.³⁹ JUUL sponsored a "Music in Film Summit" at the 2018 Sundance Film Festival in Utah.⁴⁰

- > In 2013, blu eCigs® sponsored the Sasquatch! Music Festival in Washington, featuring a vapor lounge with surprise guest appearances from top performers, device charging stations, an interactive social media photo booth and samples of blu eCigs.⁴¹ It also sponsored a similar “Electric Lounge” the same year at the SXSW Music Festival in Austin, Texas.⁴²

WHERE E-CIGARETTES ARE SOLD

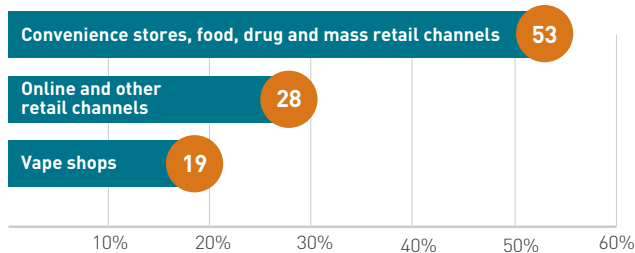
- > E-cigarettes are sold at conventional tobacco retailers, such as convenience stores, gas stations, pharmacies and tobacco shops. They are also sold at non-traditional retailers such as online retailers or vape shops. In December 2019, the federal minimum age for sale of tobacco products — including e-cigarettes — was raised from 18 to 21 years, known as Tobacco 21.
- > It is difficult to monitor and analyze the market due to differences in the tracking of e-cigarette sales. Common sales-tracking and retail measurement companies like Nielsen do not examine vape shop data, which may constitute as much as 20% of the market.

- > Recent sales data show that e-cigarette sales increased by 122.2% during September of 2014 to May of 2020. Disposable product sales nearly doubled from 10.3% to 19.8% from August 2019 to May 2020 alone.⁴³
- > In 2018, the FDA contacted eBay and raised concerns about the site’s continued sales of JUUL and other tobacco products — something that was against their company policy.⁴⁴ As a result, eBay agreed to work with the FDA and has tried to remove those listings from its website. It also published an explicit policy outlining the reasons why tobacco products cannot be sold on their site.⁴⁵
- > Because these non-traditional sources are not tracked by scanner data or other tracking, it is difficult to know how much of the market they represent. However, analysts have made some estimates. One paper noted that in 2014, traditional tobacco outlets accounted for less than one-third of the \$2.5 billion e-cigarette market. According to one recent estimate, the **breakdown of retail channels for the 2019 e-cigarette market** is:

- >> Vape shops: 19%⁴⁶
- >> Convenience stores, food, drug and mass retail channels: 53%⁴⁶
- >> Online and other retail channels: 28%⁴⁶

- > The Prevent All Cigarette Trafficking (PACT) Act – which prevents cigarettes, smokeless and roll-your-own tobacco products from being shipped via the U.S. Postal Service — was amended in December 2020 to include e-cigarettes. The PACT Act limits sales of e-cigarettes to 10 pounds or less and requires that sellers verify the purchaser is above 21.

Retail channels of the e-cigarettes market



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