SPINNING A NEW TOBACCO INDUSTRY

HOW BIG TOBACCO IS TRYING TO SELL A DO-GOODER IMAGE AND WHAT AMERICANS THINK ABOUT IT

Despite dramatic declines in smoking, the **tobacco industry continues to innovate to rebrand its public image and maintain its bottom line**. Through a combination of strategies, including expanding its product portfolio, the industry is aggressively growing its market base among youth and young adults.

The tobacco industry has spent decades doggedly using its political influence to protect its business interests, support policy makers that do its bidding and block lawmakers and public health officials' efforts to seek an end to the tobacco epidemic. Faced with an ever-declining base for its core product — the cigarette — the tobacco industry has emerged from the shadows of these largely behind-the-scenes efforts and back-room dealings. **Big Tobacco is waging a campaign to try to transform itself into "New Tobacco,"** with offers of non-combustible tobacco product alternatives and claims that the industry can be part of the "public health solution" to end smoking.

The good news is that the public is as distrustful as ever of the tobacco and vaping industry, despite their extensive public relations and marketing strategies. For now. According to Truth Initiative® survey findings shared in this report, **the majority of Americans strongly distrust the tobacco industry**, with more than 70% viewing tobacco, vaping and e-cigarette companies unfavorably and many saying regulations on vaping and tobacco are too weak.

But public opinion hasn't yet led to changes in policy and regulation. And the tobacco industry continues to play the "long game" on public opinion and find innovative ways to maintain and expand their interests. **To shed light on how the tobacco industry wields their influence, this report details four primary industry strategies:**

1. **Expanding product portfolios** to attract new customers and retain existing ones

2. **Marketing new products to youth and young adults** who have rejected cigarettes

3. Working to **improve industry reputation** among influential audiences and the general public

4. Cultivating **influence with policy makers** and lobbying against policies that strengthen tobacco control efforts to improve health

This report also examines Americans' opinions of the tobacco industry and provides suggestions for lawmakers, public health leaders and everyday citizens to take action to curtail the industry's influence and prevent a new generation from becoming addicted to tobacco.

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EXPAND PRODUCT PORTFOLIOS TO ATTRACT NEW CUSTOMERS AND RETAIN EXISTING ONES

Nearly 43% of American adults smoked in 1965 — that number is now down to just 14%.[4] Thanks to years of successful tobacco control policies, including smoke-free air legislation, tobacco taxes, restrictions on youth marketing and access, and public health campaigns that denormalized smoking, the **dramatic decline in the prevalence of smoking is considered one of the most successful public health efforts of the last century**. Americans now understand that smoking is addictive, dangerous and costly to society.

In response to these dramatic declines in cigarette sales, the tobacco industry has introduced new products designed to protect and expand its shrinking customer base.[4,5] New products, particularly e-cigarettes, work both to entice customers who might not have used a combustible cigarette and re-engage/retain current or former users of traditional tobacco products.

Use of these new products have soared — almost exclusively by young people. In 2018, more than 20% of high schoolers had used an e-cigarette in the past month, prompting the surgeon general to declare an epidemic. The problem is only getting worse — preliminary data for 2019 show that number increasing to 27.5%.[13] Yet, use of such products by adults has remained at around 3% since 2013.[6]

Trends in youth and adult tobacco use over time
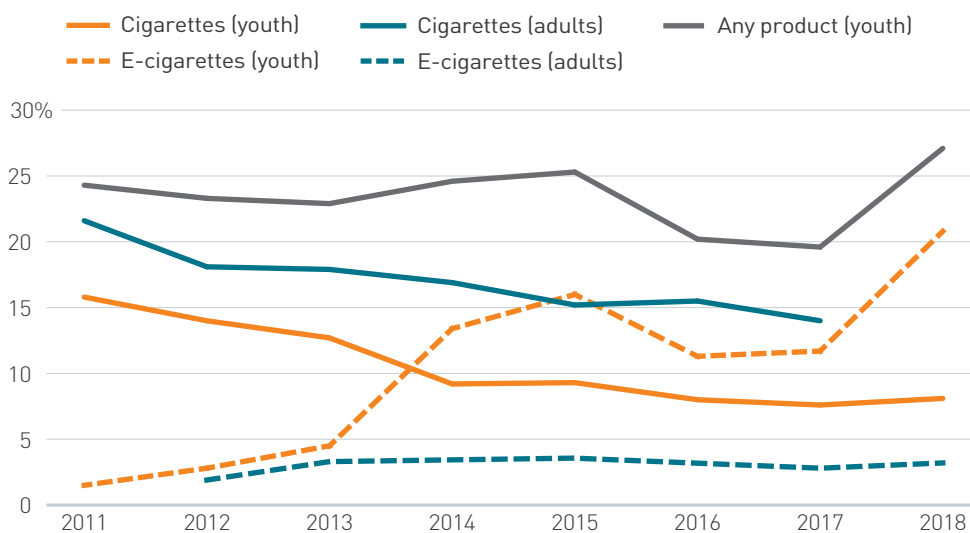
Source: NHIS (2011-2017), NATS (2012, 2013, 2015, 2017); YRBS (2011-2018); Adult e-cigarette use estimate for 2018 derived from Truth Initiative. Preliminary analysis of 2018 NHIS data.

Who are the tobacco and vaping industries in 2019?

Despite declines in cigarettes sales in the United States, the tobacco industry continues to maintain an upward trajectory in profit, generating $18.4 billion in 2016, compared to more than $10 billion in 2005. Two companies dominate the U.S. market, bringing in 80% of total sales — Altria, the parent company of Marlboro, and Reynolds American, which owns Newport. E-cigarette companies have enjoyed an even greater growth in recent years. In 2018 alone, the top 25 e-cigarette manufacturers brought in more than **$2.5 billion in sales**, according to Nielsen data, and 96% of these sales were from brands owned in whole or part by Big Tobacco. This includes JUUL — the leading e-cigarette manufacturer — which sold a 35% minority stake to Altria in December 2018. The only independent company of these six is NJOY, which is now reportedly seeking investments from Big Tobacco.

As the youth e-cigarette epidemic grew, Altria, maker of the best-selling cigarette brand Marlboro, announced it had invested a $12.8 billion stake in JUUL Labs, maker of the top-selling e-cigarette and, in September 2019, an Altria executive was announced as JUUL's new CEO. This investment and positioning give the tobacco industry direct access to a new pipeline of millions of youth e-cigarette users, most of whom were not smokers in the first place. Equally important, these new products provide a platform from which the industry can position themselves as trying to help people quit.

These products have also achieved something the tobacco industry has attempted for years: a consumer-acceptable product that they could position as less harmful than a traditional cigarette. While products such as British American Tobacco's Ariel cigarette, RJ Reynolds' Eclipse and Philip Morris' Accord were developed and marketed in the 1980s and '90s as "safer," these nicotine delivery products found little commercial success.[7]

These failures to gain traction in the market stand in stark contrast to the increasing sales of vape products like JUUL in the U.S. or Philip Morris International's heated tobacco product, IQOS, abroad.[8] While these products may theoretically provide a less dangerous alternative for smokers who switch completely from combustible tobacco, **recent vaping-related illnesses have raised concerns about their safety**.[9] Moreover, what we are seeing in the U.S. market is not a harm reduction strategy, as the industry claims, but rather an attempt to **grow a market for nicotine among a generation of young people who were rejecting traditional nicotine delivery products** like cigarettes.

Harm reduction

Harm reduction is a public health strategy to reduce the negative health effects of certain behaviors. These approaches do not aim to completely eliminate behaviors or solely emphasize abstinence, since doing so may be unrealistic or ineffective.

Harm reduction in the context of tobacco involves strategies to encourage those who will not quit smoking to less harmful forms of nicotine use (e.g., long term use of nicotine gum or patch). A public health analysis of harm reduction approaches must also take into account the impact on those who otherwise would have never used nicotine or would quit altogether without a harm reduction option. In this context, **the current U.S. approach where e-cigarettes are widely available without any sort of evaluation of their public health impact, let alone their effectiveness as a harm reduction tool, and little regulation, has been an abject failure**. To the extent delivery of nicotine via vaped aerosol may evolve into a valid harm reduction approach, it is clear it will only do so in a much more intentional regulatory framework.

MARKETING NEW PRODUCTS TO YOUTH AND YOUNG ADULTS WHO HAVE REJECTED CIGARETTES

Since the 1960s, the tobacco industry has deliberately targeted young people through strategic marketing campaigns.[10] The 1998 Master Settlement Agreement recognized this fact, and included provisions to restrict youth marketing. Likewise, Congress has given the Food and Drug Administration the power to place restrictions on tobacco marketing to youth. These actions have helped to accelerate smoking declines among youth: 28% of high schoolers smoked cigarettes in 2000, compared to just 5.8% in 2019, according to preliminary data.[11-13]

These declines in youth smoking, coupled with the fact that 98% of tobacco users start before they're 26,[10] presented an existential threat to the U.S. tobacco industry — until a **product innovation emerged: a sleek device that re-branded tobacco as "cool" again, and delivered high levels of nicotine to keep users coming back**.

Cloaked in the public health rhetoric of harm reduction, this innovation provided a means for the industry to present a **new offering with the halo of "safety" to its core new user audience, while feigning to be a solution for long-term smokers unable to quit**. Yet, use of such products by adults has remained at around 3% since 2013, while youth use has grown at an epidemic rate.[6,10,14]

ESCALATING YOUTH E-CIGARETTE USE

In just one year, from 2017-2018, e-cigarette use among high schoolers increased an incredible 78%, the largest single year increase in the use of any substance by youth in the more than 40-year history of the National Institutes of Health-sponsored survey that collected these data. New research shows that these trends continue to worsen. Preliminary 2019 data indicate that 27.5% of high schoolers have used an e-cigarette in the last 30 days.[13] Much of the increase is due to JUUL, the wildly popular e-cigarette whose product accounts for approximately 70% of e-cigarette dollar sales. By 2018, roughly one out of five high schoolers (20.8%) had used an e-cigarette in the last 30 days.[15] Recent data show that teens are now also 16 times more likely to use e-cigarettes than 25-34 year-olds.[18]

The rise in e-cigarette use has been facilitated by limited federal regulation on e-cigarette sales. Restrictions have been slow to materialize due to the FDA's initial laxity in asserting its jurisdiction to regulate new tobacco products and its subsequent decision to delay fully regulating e-cigarettes until 2022.[2,19] And the industry has profited in this under-regulated climate, largely due to **massive use among youth**.

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Contrary to suggestions that youth use is simply experimental, data indicate that **among current 15-17-year-old users, 56% reported use on three or more days in the past month**, and more than a quarter reported use on 10–30 days.[18] Regardless of any potential benefit this technology may hold for adult smokers, most e-cigarettes contain nicotine, which is highly addictive, and we know young people have reported becoming addicted users and many are actively trying to quit vaping.[20]

What's more, young e-cigarette users may never have used a tobacco product had such devices not come into their lives. In fact, research suggests that **"low-risk" youth**, those who otherwise do not engage in risky behavior or show an interest in traditional cigarettes, **are more likely to smoke cigarettes if they first start with an e-cigarette**.[3] The fact that e-cigarettes are now more popular among teens than cigarettes have been in well over a decade definitively shows that the product is attracting new users and expanding the sales base for nicotine products. Industry analysts understand this, heralding products such as JUUL for "attracting new users into the category."[21]

SOCIAL MEDIA MARKETING REACHES ITS TARGET: YOUTH

Escalating youth use is no accident. **The tobacco industry has capitalized on the power of social media to reach a new generation of youth.** Advertisements depicting vibrant, "fun" young people relaxing with their favorite product may be similar to cigarette marketing from decades past, but online platforms enable their messages to spread further and more quickly. More than half of JUUL-related Instagram posts, for example, were found to be youth-related.[22]

While JUUL deleted its Instagram and Facebook accounts in November 2018, the way in which viral content spreads among teens ensures that JUUL videos will continue to circulate among young people — even if the company is no longer creating the content.[23] The company's **social media marketing efforts are part of a Federal Trade Commission investigation** launched in the fall of 2018 to determine if JUUL engaged in deceptive marketing practices.[24,25]

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Other examples of targeting young people with social media include:

› **Use of "influencers" and young people in advertisements**

At its launch, JUUL heavily promoted its product online, including using "influencers"— internet celebrities with large numbers of young followers. Celebrities such as **Awkwafina** (using her legal name, Nora) promoted the product through testimonial videos.[26] The company's efforts paid off: as of April 2018, the overwhelming **majority of JUUL Twitter followers — 80% — were aged 13-20**.[27] Other companies engaged in similar tactics:

» PMI was recently forced to discontinue its social media campaign when journalists discovered its use of young adults, including a **21-year-old influencer**, in its advertisements for heat-not-burn products.[28]

» Reynolds American recently began promoting its **Vuse e-cigarette** on **Instagram** and **Facebook** after more than a year of losing market share to JUUL.[29]

» E-cigarette brands Kandypens, Vuse and blu also presented teenagers with brightly colored images with young attractive **models that mirrored teen and young adult culture**.[30]

› **Using social media to collect information**

blu e-cigarettes introduced **"Pledge World" on Twitter** and **Instagram**, inviting users to join "the beginning of a potentially life-changing journey" and asked them to post "life-affirming" experiences. The advertisements did not identify themselves as blu marketing. blu then used the campaign to collect personal information.[30]

› **Targeting kids at school, camp and church**

Recent congressional testimony revealed that **JUUL targeted children as young as third grade by funding summer camps, visiting schools and paying community and church groups to distribute their materials**. While admitting, under oath to Congress, to making marketing and education program "mistakes" and "missteps" in the U.S., JUUL is expanding its reach outside the U.S.[31] JUUL is now available in countries around the world and preliminary data from Canada show a sharp increase in teenage vaping.[31,32]

Under oath to Congress, JUUL admitted to making marketing and education program "mistakes" and "missteps" in the U.S.

MR. MONSEES

FLAVORS HOOK YOUNG USERS

Flavors — prominent characteristics of e-cigarettes — have been proven to **attract young people to tobacco products**. Flavored tobacco products also make it easier to start and some, like menthol, make it harder to quit.[2]

While federal regulations banned the sale of flavored cigarettes (other than menthol) in 2009, many e-cigarette companies offer candy-like flavors such as mango, crème brulee and even "unicorn vomit." More than 80% of youth aged 12-17 say flavoring is the primary reason for using an e-cigarette[33] and, among youth e-cigarette users, **more than 96% of youth started with a flavored product**.[34] A Truth Initiative survey found that fruit, mango and mint are the most popular flavors among 12- to 24-year-olds. Most **young users, however, don't realize flavored tobacco products, like JUUL, contain nicotine**, which is addictive and can be harmful to developing brains.[2,35]

The popularity of flavored products also underscores the importance of federal regulations. Flavored little cigars sales, for example, increased by nearly 50% after they were excluded from 2009 regulations.[36]

EVENTS AND PROMOTIONS PROVIDE PRODUCT SAMPLES TO YOUNG PEOPLE

In promoting e-cigarettes and other new products, the industry continues to use its traditional cigarette advertising themes, including pleasure, relaxation, romance and identity.[23] JUUL took these marketing tactics offline by hosting lounges, exclusive events and parties with free "tastings." Events also featured appearances by young influencers, cultivated through a "JUUL launch influencer seeding program."[37] JUUL also engaged celebrities by offering a VIP portal on its website for exclusive discounts, reserved access to limited edition colors and early access to future product launches."[37]

Similarly, PMI advertised its IQOS product at select international locations, including pop-up boutique stores in exclusive urban centers, to create the illusion of a high-end product.[8] The intended effect, presumably, was to shift the popular idea of a tobacco product away from smoke-emitting cigarettes and toward something cleaner, shinier and more socially acceptable.

More than 80% of youth aged 12-17 say flavoring is the primary reason for using an e-cigarette.

WORK TO IMPROVE INDUSTRY REPUTATION AMONG INFLUENTIAL AUDIENCES AND THE GENERAL PUBLIC

In addition to offering and marketing new products, the industry is working hard to improve its reputation among influential audiences and the general public. **Big Tobacco is trying to reposition itself as an innovative, tech-savvy champion of quitting and youth tobacco prevention**, often appropriating the language of public health to change its image. To further its messages and ingratiate itself to key audiences, it has employed a sophisticated combination of tactics, including:

> **Tobacco company sponsorships and appearances**
  Companies have infiltrated the **World Economic Forum** in Davos, Switzerland, hosted an event at the **Cannes** Lions Festival, sponsored an event at the **Sundance** Film Festival and supported both conservative Washington, D.C. **think tanks** (R-Street and the Heritage Foundation) as well as the **California Democratic Convention**.[38-42]

> **Community and media events**
  The industry has also attempted to reposition itself with the general public by **hosting community events** and enlisting allies in media and communications. As part of their extensive "Unsmoke the World" marketing campaign, **PMI called on media and communication executives worldwide to spread their message of switching to "less-harmful alternatives."**[42] PMI, along with JUUL, have already found success:

>> **Vice**, the youth-focused media channel, struck a deal with **PMI** to **promote vaping products** through sponsored content posts.[43]

>> **JUUL** recently sponsored an edition of **Politico Playbook**, the popular political insider newsletter read by D.C. policymakers.[44]

>> **Euromonitor International** recently accepted funding from **PMI** to create a **"Smoke-free Index"** — a self-serving analysis tool that evaluates tobacco companies to "provide quantifiable evidence over time of what steps the companies are taking toward achieving a smoke-free world and any actions they take to undermine that progress."

>> A **senior BBC journalist** was the **keynote speaker** at a private **PMI** event where music superstar **Wyclef Jean** debuted PMI's "#unsmoke" song to complement their "unsmoke" campaign.[45]

Big Tobacco is trying to improve its reputation among influential audiences and the general public.

OUTREACH TO MARGINALIZED COMMUNITIES

The tobacco industry has a noxious history of **targeting its products to marginalized communities**, most notoriously **African American** communities throughout the past few decades.[10] Sadly, JUUL is continuing these targeting practices:

> **JUUL donated $7.5 million to Meharry Medical College, a historically black college**, to fund a public health center.[46] JUUL additionally spent millions to curry favor with the Congressional Black Caucus and has hired lobbyists with close ties to the African American community.[47] One of JUUL's consultants, a Maryland politician, is also a candidate for mayor of Balitmore.[48]

> **JUUL has recently targeted tribal communities as well by sending their representatives to tribal health committees**, where they distribute free samples. They also have plans for a "smoking cessation" program with free JUUL starter kits and a full-time program director "at no cost to the tribe." Not only could this put unprecedented data on tribal members in the hands of the industry, it has the potential to erode years of tobacco prevention progress on tribal lands.[43]

What Big Tobacco SAID

2017 **PMI creates the Foundation for Smoke-Free World to reduce deaths from smoking**: "I have been working with PMI to establish a foundation to accelerate the end of smoking," said Derek Yach, head of the foundation.[78]	**2017** More than **5.4 trillion cigarettes were sold to more than one billion smokers** worldwide. The leading world brand is Marlboro, made by PMI.[5]
Oct. 25, 2018 In a letter to the FDA, **Altria** says "... we are **alarmed about the reported rise in youth e-vapor use to epidemic levels** ... we believe underage use of e-vapor products is further compounded by flavors in these products that go beyond traditional tobacco flavors."[76]	**2011-present** Altria and other tobacco companies **systematically opposed policies that would protect youth and prevent youth use of e-cigarettes** and other tobacco produces, by investing in JUUL and funding the Citizens for Tobacco Rights to facilitate opposition to tobacco control policies like taxes and restrictions on flavored products that appeal to kids.[77]
April 8, 2019 PMI announced the **"Year of Unsmoke,"** encouraging people to quit or not start smoking. Jacek Olczak, the company's chief operating officer, said that "it is common sense to move away from ideology and take concrete steps forward together toward a common goal: remove smoke from our world and encourage 1.1 billion men and women to switch to better alternatives if they do not quit."[52]	**April 8, 2019** PMI **launches new cigarette brand**, "Bold."[75]

Meanwhile, what Big Tobacco DOES

UNAUTHORIZED E-CIGARETTE QUITTING CLAIMS

The tobacco industry is also trying to **convince the public that its newer products, such as e-cigarettes, are the solution to the world-wide tobacco epidemic**. Meanwhile, research about the effectiveness of e-cigarettes as a quitting aid is inconclusive,[2,44-48] and it remains unclear how many adult e-cigarette users are using the product to quit smoking.

While evidence suggests that some may be using them as quitting aids, more than half of adult e-cigarette users in 2015 (59%) were simultaneous current cigarette users and another 11% had never been regular smokers.[49] With adult e-cigarette use hovering around 3% since 2014,[14] it doesn't appear that many adults are using the product to quit. And one preliminary study questioned the net benefit of e-cigarettes to public health, projecting that for every adult who used e-cigarettes to quit smoking in 2015, another 81 youth and young adult e-cigarette users who never used combustible cigarettes would eventually become daily cigarette smokers by ages 35-39.[50]

But these facts haven't stopped the tobacco industry from hailing e-cigarettes and other new products as a positive health development. Despite not having FDA approval, e-cigarette companies are aggressively pushing the idea that e-cigarettes are a helpful tool to quit smoking. JUUL has actively tried to get around FDA marketing restrictions that prevent companies from making unauthorized quitting claims by carefully omitting the word "quit" in its ads and instead inviting smokers to "make the switch" to JUUL.[51] In recent congressional testimony, JUUL officials attempted to have it both ways by claiming it was "intended to help smokers stop smoking" and that it was not a "cessation product."[37]

The industry also implies that its smoke-free products are preferable to the public health strategies that we know to be effective. For example, PMI claims it is "producing smoke-free products that are a better choice for smokers than continued cigarette smoking and can benefit public health."[52] This framing ignores decades of successful tobacco control policies, such as taxation, marketing restrictions and smoke-free laws, that have helped millions quit smoking.[53]

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The science of e-cigarettes

> According to the Centers for Disease Control and Prevention, **e-cigarettes are not safe for youth, young adults**, pregnant women or adults who do not currently use tobacco products.[1]

> **Most e-cigarettes contain nicotine**, a highly addictive chemical which can harm adolescent brain development.[2]

> Young people who use e-cigarettes are as much as **four times more likely to smoke cigarettes** in the future compared to their peers who do not use e-cigarettes.[3]

> E-cigarettes contain fewer of the toxins found in cigarettes, but still contain toxins. Research is also beginning to show that they present their own unique respiratory and cardiovascular health risks.[81]

Other examples of the industry positioning its products as quitting tools include:

> **JUUL-influenced health plan**
JUUL has pitched their product to employers and has hired an entire "enterprise markets team" to make deals on health plans to providers and the public.[54]

> **PMI's quit smoking services**
The company announced it would offer quit smoking services to the United Kingdom's National Health Service employees, prompting Member of Parliament Bob Blackman to remark: "They have the cheek to say they want to support the 70th anniversary of the NHS, but it's clearly just a commercial opportunity to use the NHS to promote their heated tobacco products."[55]

> **Life insurance from tobacco industry for quitters**
PMI is offering life insurance in the UK with discounts for those who "stop, quit, or switch," effectively **incentivizing people to use their alternative tobacco products**.[56]

While pushing its cessation narrative, the industry simultaneously continued to heavily promote cigarettes around the world. In 2018, **PMI alone sold more than 700 billion cigarettes** and, worldwide, the industry sold 5.4 trillion cigarettes to more than one billion smokers.[5,57,58] Collectively, **cigarette companies spent $8.6 billion on cigarette advertising** and promotion in 2017 in the U.S. — that's nearly **a million dollars every hour**.[59]

The tobacco industry sold 5.4 trillion cigarettes to more than one billion smokers in 2018.
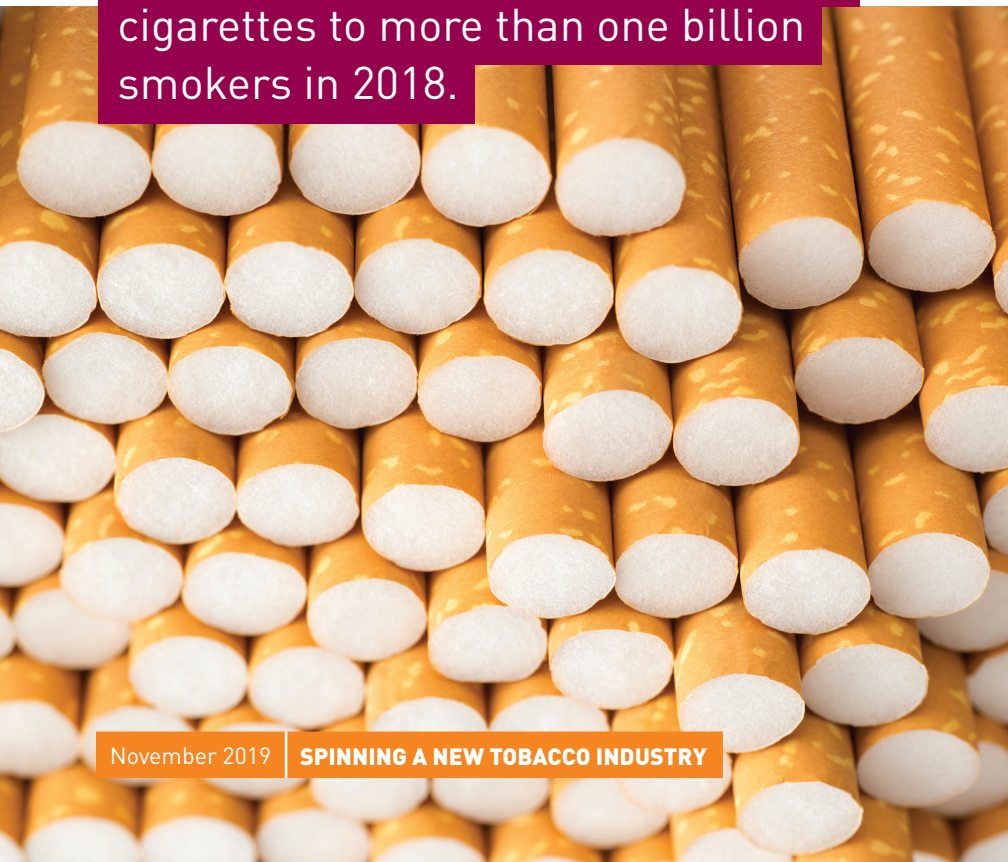
INDUSTRY INVOLVEMENT IN SCIENCE AND ATTEMPTS TO DISCREDIT PUBLIC HEALTH STRATEGIES

The tobacco industry has tried to discredit public health as ineffective in helping people quit and preventing youth from becoming addicted. The industry promoted this narrative despite remarkable reductions in tobacco use due to proven public health strategies. And these gains would have been even bigger if the industry had not blocked progress at every turn using its political influence.

The tobacco industry has **used the language of science to create confusion about the health impact of cigarettes and addiction** for decades.[60] The industry is once again attempting to engage in scientific discussion around smoke-free products in an effort to portray itself as an expert in solutions to tobacco addiction.

For example, **JUUL has actively recruited public health scientists to conduct research** on its behalf and has presented its findings at **scientific conferences**.[61,62] While many established tobacco control researchers have declined recruitment attempts, JUUL has successfully hired **notable scientists**, including **Dr. Mark Rubinstein, a pediatrician and prominent former tobacco researcher**, as the executive medical officer at JUUL.[62,63] PMI also launched the **Foundation for a Smoke-Free World (FSFW)**, a new institute to advance **industry-funded research**. Because of the industry's interest and past behavior, the World Health Organization and others see this as another attempt to minimize the harms of tobacco by an entity whose profits depend on the sale of the product it claims to seek to end.[64] Despite its stated intent to fund research, **FSFW spent more on public relations and communications than research grants in 2018**.[65,66] FSFW also sought to influence young people by partnering with the Conrad Foundation, which sponsors high school programs.

Additionally, **PMI recently released a white paper about reducing smoking that minimized the effectiveness of proven public health strategies** and proposed that the industry can offer better solutions. The document suggests that, just as consumers continue to engage in unhealthy acts like eating large amounts of sugar and drinking alcohol, so too will they continue to smoke despite risks to their health. This argument **willfully ignores the vast progress public health efforts have made in reducing tobacco use and other risky behaviors, as well as the industry's own role in blocking such efforts**. The document also emphasizes individual choice as a driver of continued use, rather than addiction.[67]

The tobacco industry is attempting to engage in scientific discussion around smoke-free products to portray itself as an expert in solutions to tobacco addiction.

CULTIVATE INFLUENCE WITH POLICY MAKERS AND LOBBY AGAINST POLICIES THAT STRENGTHEN TOBACCO CONTROL EFFORTS TO IMPROVE HEALTH

The industry's ability to implement the previous strategies is due, in large part, to its **political influence**. In federal and state legislatures across the country, the tobacco industry has wielded this influence to undermine tobacco control policies. A few **examples of the industry exerting its influence** include:

› **Lobbying to erode policies**
While **JUUL** claimed to take steps to reduce youth use of its product, the company simultaneously **hired more than 80 lobbyists to undermine tobacco control policies at the state level**, including fighting bans on flavored e-cigarette pods, legislation that would provide greater regulation of vaping and undercutting laws to prevent youth use.[68] On the federal level, **JUUL spent almost $2 million in the first half of 2019** alone on lobbying Congress and the federal government.[69] **Altria and Reynolds American spent $4.8 million and $1.6 million** during the same time period, respectively.[70]

› **Undermining tax increases**
Tobacco taxes are one of the most effective methods to reduce use — particularly youth use. And the tobacco industry knows it. A new report found that the **industry consistently offers promotions to offset tax increases** and urges their customers to purchase tobacco in areas with lower taxes.[71]

› **Creating a ballot initiative to undercut stricter regulation**
Facing stricter vaping regulations in San Francisco, **JUUL** opted for a vintage Big Tobacco maneuver: creating a **ballot measure to confuse voters and undercut regulations**.[72]

› **Killing bills behind the scenes**
A Colorado bill that would have increased taxes on cigarettes and created a tax on vaping products was **undermined by the lobbying efforts of Altria**, which hired lobbyists and spent thousands on Facebook ads alone as part of a social media campaign against the bill.[73]

› **Recruiting former lawmakers and political insiders**
JUUL has staffed its lobbying office with former **high-level officials from both the Trump and Obama administrations** and recently successfully recruited former **Massachusetts Attorney General Martha Coakley** to join its government affairs team to do its bidding with state officials, regulators and organizations.[74]

Feigning policy support for cynical reasons

› Tobacco 21 laws, which forbid the sale of tobacco to anyone under age 21, have gained in popularity in recent years.

› Tobacco companies have increasingly indicated their support for such laws, but they often simultaneously support and help to develop policies that weaken the impact of other effective tobacco control laws.

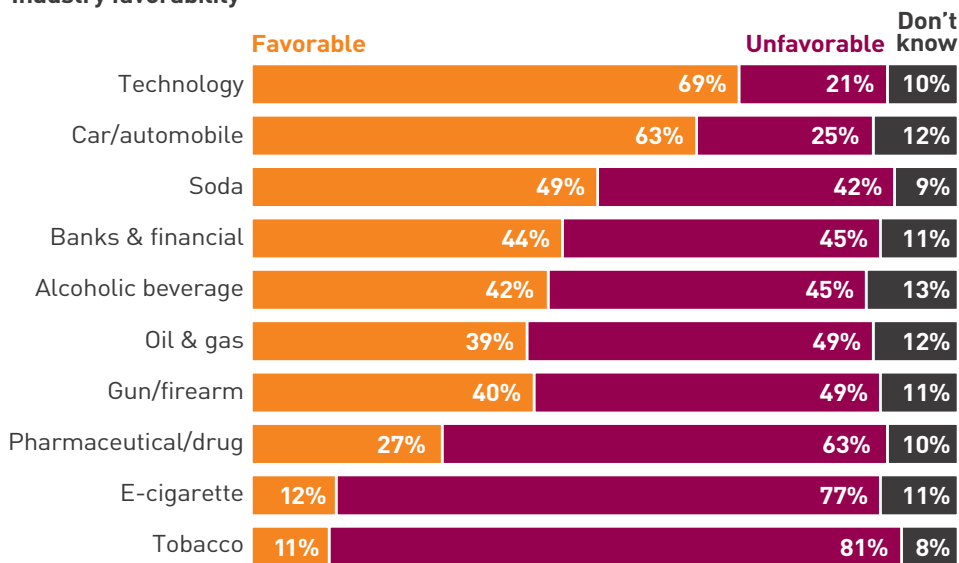See Action needed: Strong Tobacco 21 policies for more.

AMERICANS WANT MORE REGULATION

Despite extensive efforts and spending millions to improve its image, the tobacco industry hasn't yet succeeded in persuading most Americans. According to a **national online survey of 1,200 adults conducted in April 2019** by Truth Initiative,* **tobacco, e-cigarette and vaping companies are widely disliked and distrusted by Americans** and a clear majority expressed a desire for **more regulation of the vaping industry**.

The survey found that more than **70% of Americans viewed tobacco, vaping and e-cigarette companies unfavorably**. This is in stark contrast to how Americans viewed other industries, including the alcoholic beverage industry (45% unfavorable), auto companies (25% unfavorable) and technology companies (21% unfavorable).

Tobacco, vaping and e-cigarette companies are among the least popular industries

Industry favorability

	Favorable	Unfavorable	Don't know
Technology	69%	21%	10%
Car/automobile	63%	25%	12%
Soda	49%	42%	9%
Banks & financial	44%	45%	11%
Alcoholic beverage	42%	45%	13%
Oil & gas	39%	49%	12%
Gun/firearm	40%	49%	11%
Pharmaceutical/drug	27%	63%	10%
E-cigarette	12%	77%	11%
Tobacco	11%	81%	8%

Source: The Mellman Group, 2019

Although most people have a negative view of both cigarette and e-cigarette companies, **most Americans (66%) didn't know that cigarette and vaping companies were largely the same**. When they found out, opinions were likely to worsen. Thirty-nine percent of respondents said that knowing Altria (maker of Marlboro) had a significant ownership stake in JUUL made them feel worse about JUUL as a company.

*Please see "survey methodology" section for full details.

Crucially, when it comes to regulating tobacco — specifically, **vaping products** — **Americans want more regulation**. A majority (55%) said **regulations on vaping were too weak** and that **vaping should be regulated like regular cigarettes** (66%) and other drugs (63%). Forty-six percent of respondents believed regulations on tobacco were too weak, while only 6% thought they were too tough. The public (66%) also believed that politicians who accept money from the tobacco industry were less likely to vote for laws that make it harder for youth to access and use tobacco.

Americans' support for more tobacco product regulation makes sense considering their concern about the harms of vaping: **72% of Americans believed e-cigarettes are a health hazard**.

The perceived risk from e-cigarettes is elevated when talking about teenagers and young adults

E-cigarettes
From what you know, do you feel that using e-cigarettes and vaping is a serious health hazard, a moderate health hazard, a minor health hazard, or not a health hazard at all?
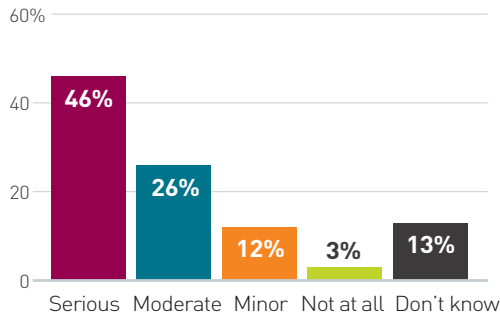
E-cigarettes & teens
From what you know, when it comes to **teenagers and young adults**, do you feel that using e-cigarettes and vaping is a serious health hazard, a moderate health hazard, a minor health hazard, or not a health hazard at all for **teenagers and young adults**?

	Serious	Moderate	Minor	Not at all	Don't know
E-cigarettes	46%	26%	12%	3%	13%
E-cigarettes & teens	59%	20%	8%	2%	11%
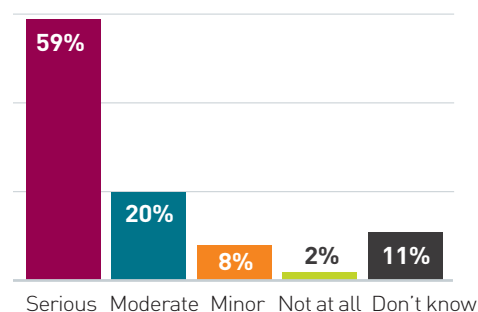
Source: The Mellman Group, 2019

Americans also widely rejected the industry's attempt to reposition itself as a public health "partner"
More than half of Americans believed the industry was not working to be a part of the solution to combustible tobacco use through products like e-cigarettes. Moreover, 63% of respondents felt that tobacco companies mislead the public about their products and **74% reported concern that e-cigarette companies use fruit and candy flavors to market their products to children**. Furthermore, slightly less than half (43%) believed that tobacco companies market cigarettes to children. Fewer than 15% reported that they trust what the industry says about smoking and tobacco issues.

Tobacco, vaping and e-cigarette companies have not improved their image with adults, regardless of region, age, income or political affiliation. However, a small but notable group of individuals responded "not sure" or "don't know" to several questions and may still be forming an opinion about e-cigarettes and whether more or less regulation is needed.

This uncertainty and lack of knowledge among some may create opportunities for tobacco companies to shape the public's perception. However, it is also an **opportunity for the public health community to shine a light on the industry's recent activities to target and put young people at risk for addiction** and work against tobacco control policies that save lives.

Despite rising e-cigarette use, JUUL's public opinion is falling

Outbreaks of vaping-related illnesses alongside near-daily reports of rising e-cigarette use among youth has led to an **increase in negative views of JUUL**.[79] In September 2019, a public opinion survey conducted by Morning Consult revealed that **JUUL is second only to Marlboro in unfavorability**.[80]

› More than **400 lung-related illnesses and six deaths** were attributed to vaping in the summer of 2019[79]

› Of 1,900 brands tracked in a recent survey, **JUUL had the second-lowest favorability score**. Marlboro had the lowest score.[80]

› **JUUL's unfavorability rose significantly** (30%) in the past year.[80]

› Trends suggest **news stories are impacting how the public views JUUL** as well as their potential purchasing behavior.[80]

› Many **more people reported that JUUL has a negative impact on their community in the past year**, with nearly 35% reporting negative impact in mid-September 2019 compared to little more than 10% six months prior.[80]

› **Despite rising negative opinions, 20% of Generation Z (today's teens through 23-year-olds) are considering purchasing JUUL** products, compared to 18% of millennials, 12% of Generation X and 7% of baby boomers.[80]

CALL TO ACTION

Despite the public health gains of the last 20 years, it's clear that we cannot lose sight of the danger posed by an active tobacco industry. Recent industry activity has highlighted the need to maintain and expand the policy guardrails that decrease tobacco use, and there is strong public support to do so. Health advocates and policy makers have Americans' support to not only **aggressively counter the industry's misinformation campaigns** but to **pass policies that eliminate nicotine addiction and protect youth**. Specific strategies include:

> **Restrict youth tobacco access and use**
Too many teens are using e-cigarettes and other tobacco products. The FDA must follow through on its authority to **fully regulate these products and enforce regulations** that prevent youth from using tobacco. State and local jurisdictions can also pass policies that reduce youth access.

> **Restrict flavored tobacco products**
Flavored products with names that explicitly appeal to youth have no place in a responsible marketplace and should be removed. The research is clear: flavored tobacco products appeal to and help facilitate addiction among young people and must be removed. The recent announcement by the Trump administration of its intention to remove flavored e-cigarettes is encouraging but must be met with real action by the FDA.

> **Leave science to the scientists**
Industry-funded research, along with unauthorized cessation claims, confuse the public and muddle the effect of evidence-proven strategies. **Journalists and public health officials must remain aware of the source of research and carefully explain new findings.** Scientists must reject industry funding and attempts to undermine their research. The philanthropic community must also resist industry efforts to garner positive publicity through favored donations. We must also remain vigilant against the industry's attempts to influence young people under the false pretense of "healthy lifestyle" programs.

> **Involve industries that shape culture**
Maintaining the guardrails of public health is not just a job for the tobacco control community. **Industries that shape popular culture, including the media, marketing and entertainment sectors, play a crucial role in preventing tobacco industry efforts to re-normalize tobacco use.** The Quit Big Tobacco campaign from Vital Strategies takes this approach by asking companies to pledge that they will not work with the tobacco industry or with any agencies that do. Responsible companies, like those involved in the Quit Big Tobacco campaign, are leading by example. Companies that work with the tobacco industry, such as Vice Media, which published sponsored content from Big Tobacco, are effectually supporting industry efforts to re-normalize tobacco use.

Flavored tobacco products appeal to and help facilitate addiction among young people and must be removed.

> **Act on laws that protect public health**
> Our survey research shows that lawmakers need not fear enacting real polices to combat tobacco use. The **public wants greater regulation of the tobacco industry and distrusts lawmakers who appear to be financially entangled with the industry**.

> **Amplify public involvement in local policies**
> The general public can play a role in curbing industry influence and ending the youth e-cigarette epidemic by **voicing support for flavor bans and other policies that can be implemented at the city and state level**. Initiatives like the Bloomberg Philanthropies' "Protect Kids: Fight Flavored E-Cigarettes" campaign can help connect local residents to public health partners who can help them make a difference in the fight.

CONCLUSIONS

We know the truth. The tobacco industry has **expanded its products**, continues to **market to youth**, is tenaciously trying to **improve its image**, and is spending millions to hang on to its vast **political influence** that makes **putting new generations of young people at risk for nicotine addiction** possible. The tobacco industry will not readily change its behavior because it will always be motivated to protect its bottom line. But Americans understand the tobacco companies' decades of deceit and want more restrictions on an industry that we know relies on hooking youth to addictive products to sustain its business model. **The dramatic progress in lowering smoking rates in the past several decades shows that there is a path forward if we — policy makers, public health officials, and the public — are willing to take it.** Together, we can create a future where all youth and young adults reject tobacco.

> The tobacco industry will not readily change its behavior because it will always be motivated to protect its bottom line.

SURVEY METHODOLOGY

This analysis represents the findings of a national online survey of 1,200 adults 18 years or older. An oversample of parents was conducted to obtain a total of 626 interviews with this audience. Interviews were conducted from April 9-16, 2019, using a mirrored sample, which reflects a probability sample by pulling a random sample from the census and then matching that random sample to the online panel. This yielded individuals that most closely matched the sample from the census geographically, as well as on a number of demographics, including age, race, gender, income and education. The online panel used for this study was actively managed to ensure it reflected the adult population, particularly those who are typically underrepresented in online interviewing such as lower income, less educated, minority and rural individuals. The panel is also managed to limit how many surveys a participant can take in a month. The overall margin of error is +/-2.8% at a 95% level of confidence, with higher margins of error for subgroups.

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