

NEWS

Juul bought ads on Cartoon Network, Nickelodeon to target kids, lawsuit claims

By Adam Schrader

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Juul products at a smoke shop in New York City

AP

Electronic cigarette maker Juul intentionally advertised its nicotine products on kid-friendly websites, including Nickelodeon and Cartoon Network, internal documents obtained by the Massachusetts attorney general show.

Attorney General Maura Healey filed a suit Wednesday against the e-cigarette maker, which has long claimed its products are meant for adults — despite executives knowing that young people were addicted to its products.

“JUUL explicitly identified its target audience as the ‘cool crowd,’ a demographic of young people who were ‘fashionable, urban with a vibrant life,’ and ‘enjoy[ed] going out to shows and events,’” the lawsuit reads.

Juul is accused of intentionally purchasing banner and video advertisements on Nickelodeon sites nick.com and nickjr.com and Cartoon Network’s website at cartoonnetwork.com.

The company also explicitly targeted younger girls on sites including dailydressupgames.com, didigames.com, forhergames.com, games2girls.com, girlgames.com, and girlsgogames.com, according to court papers.

The suit also says Juul purchased banner advertisements on teen magazine websites including teen.com, seventeen.com, justjaredjr.com, and hireteen.com.

Juul purchased ads with a potential audience in the "tens of thousands" on websites featuring educational resources and college readiness materials, including survivingcollege.com, the lawsuit revealed.

Juul has long claimed selling to kids was "antithetical to the company's mission," co-founder James Monsees told the New York Times in 2018.

In New York City, about 13,000 middle school students huffed on an e-cigarette in 2018, according to the city Health Department — as parents nationwide started to file their own lawsuits against the company after their children died from using the nicotine products.

Juul has also been sued by New York Attorney General Letitia James for allegedly selling the products to minors over the internet, it was revealed last November.

Last year, President Trump raised the legal smoking and vaping age to 21 nationwide amid an outbreak of vaping-related deaths. As of Feb. 4, e-cigs have caused 64 deaths, according to the Centers for Disease Control and Prevention.

Last month, the FDA announced it would begin banning flavored Juul pods — favorites for young vapers — just after Mayor Bill de Blasio signed a law prohibiting the sale of certain flavors in the city.

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Thank you for allowing me this opportunity to speak and I hope you will allow me to address all of the recent legislation re: vaping regulations – I will keep it short and hopefully, to the point

Let me begin by saying I am absolutely opposed to youth being able to purchase vaping product and I agree that suitable measures must be taken to ensure that vaping products are reasonably restricted

At our specialty vape shop, the first brick and mortar store in HRM - established in 2013 by my now deceased partner, Kyle Kurts – we have not only always complied with regulations, we started them by restricting store access to those

19 and over – and stand by the increase to age 21 if the province so chooses
We have come under fire by customers who get upset when we will not allow them to bring their children into the store even when accompanied.

That said, we have always considered ourselves an ADULT-ONLY shop and we believe that adults should be able to freely access products of their choosing

Vaping has been proven to assist adult smokers in moving into a less harmful manner of dealing with addiction – flavours are one of the enticements for steering away from tobacco while still providing the psychological crutch of hand to mouth smoking that is as much a

part of nicotine addiction as the nicotine itself.

Eliminating flavours will effectively close down our stores, but worse, will open up UNSAFE product in the black market. For those who think the black market and unsafe product doesn't exist, allow me to tell you that the founder of my company, Smoke-less, died as a result of an accidental overdose from depression. The overdose consisted of fentanyl and heroin – both of those being obtained from the internet black market and readily available – delivered to his door, in fact.

The black market exists and it will spawn unsafe product. We have recently been legitimized by Health Canada

insofar as regulations have been implemented and we stand by them.

Big tobacco, a co-owner of the Juul pod system – which we now refuse to carry – was partially responsible for making vaping so attractive to minors by advertising on TV networks such as Nickelodeon and The Cartoon Network – both of which obviously cater to youth.

We have agreed to remove “dessert flavour” names of juices. We agree to package design, health warnings and ingredients.

We do not agree with the removal of flavours – presently sitting at more than 70% of our sales to ADULT users – and we do not agree with unfair taxation.

I am here today to ask you to reconsider the >50 cents per ml tax to a percentage tax based on the retail selling price.

While we don't agree that a harm-reduction item should be taxed, we do agree that a percentage tax is more fair and the best way for the province to collect fair tax dollars to pursue further youth education into the risks associated with youth vaping. If the tax goes through as it is now tabled, it will make the cost of eliquids prohibitive to lower-income individuals. As addictions are an outlet for stress, and can we imagine a bigger stress than not having enough money to make ends meet? – we need to make this less harmful experience available to current smokers. Especially those who can barely afford it.

From my personal experience, I can tell you that I was a life-long smoker and now that I vape – a flavour and for the last 5 years – I feel better and truly believe it is the lesser of all the addiction evils.

Before I finish, can I also add that youth access is the biggest issue and I believe that all tobacco and vaping product should be removed from gas stations and convenience stores and only available in specialty shops where we ensure we are compliant.

Youth will always be rebellious so access should be the starting point, not the flavours.

The UK doesn't have the issue we have with youth uptake – we should be looking at them as a model.

As part of voluntary compliance issues, and as a head start on expected compliance, allow me to assure you that Smoke-less has done the following as it relates to youth vaping –

We took down all of our social media sites because youth could see us

We do not advertise – period – in any form – social media, print, radio, or TV

We made our website static with no online ordering available

We removed our discount program to comply with no Point Of Sale ads or promotions

We ID everyone who appears to be under the age of 30

We do not allow minors, even if accompanied, into our stores at any time

We have removed all product from the shelves that do not meet Health Canada standards

And we agree with nicotine cap limits on product

In short, we agree to every measure being taken with the exception of the

flavour ban and the unfair taxation of product.

Thank you