

Massachusetts sues Juul over e-cigarette marketing tactics

12 February 2020, by Steve Leblanc

Massachusetts sued electronic cigarette giant Juul Labs Inc. on Wednesday, accusing the company of deliberately targeting young people through its marketing campaigns.

Attorney General Maura Healey's office said the nation's biggest e-cigarette maker is responsible for "creating a youth vaping epidemic" with deceptive advertising tactics designed to lure in teen users.

"Our message today is simple: Juul can't profit off the addiction of young people," Healey said.

Healey announced her investigation into Juul in July 2018 and asked the company to turn over documents to determine whether it was tracking underage use of its products and whether its marketing practices were intentionally driving its popularity among young people.

Similar lawsuits against Juul have been filed in states including Pennsylvania, New York and California.

Juul has said it's committed to combating underage e-cigarette use and has denied ever targeting teenagers.

"While we have not yet reviewed the complaint, we remain focused on resetting the vapor category in the U.S. and earning the trust of society by working cooperatively with attorneys general, regulators, public health officials, and other stakeholders to combat underage use and transition adult smokers from combustible cigarettes," Austin Finan, a spokesman for Juul, said in an email.

Juul bought advertisements on websites designed for teens and children, like seventeen.com, nickjr.com and the cartoonnetwork.com, as well as sites aimed at helping middle and high school students with math and social studies, according to the lawsuit.

Juul also tried to recruit celebrities and social media influencers who were popular among young people to tout their products, according to the lawsuit.

Healey said her investigation turned up evidence that Juul initially considered a marketing campaign aimed at adults hoping to quit cigarettes, but instead decided to appeal to younger people by using younger models in their ads.

"This isn't about getting adults to stop smoking cigarettes, it's about getting young people to start vaping," Healey said.

Healey said Juul didn't do enough to block young people from purchasing their products. She said 80% of their email list hadn't passed age verification. She said her office also turned up emails of a Juul representative coaching an individual on how to skirt local smoking age laws in Massachusetts.

Healey said there are real costs beyond just health issues. She pointed to schools that have spent \$50,000 to install anti-vaping devices in bathrooms.

Matthew Myers, president of the Campaign for Tobacco-Free Kids, said Juul targeted a generation of young people who otherwise never would have started using tobacco products.

"This company figured out how to deliver nicotine more intensely, more rapidly, more deceptively to our young people than any company has ever done in history," Myers said.

Emma Tigerman, a sophomore at Northeastern University, said she started using Juul products in her junior year of high school and has struggled to quit.

"I began using it religiously," said Tigerman. "It became my first act in the morning and my final thought each night."

Efforts to crack down on teen e-cigarette use ramped up amid a rash of deaths and illnesses linked to some vaping products. Most who got sick said they vaped products containing THC. Federal officials have identified a thickening agent added to illicit THC vaping liquids as the culprit behind the "vast majority" of the lung injuries.

As of January, four Massachusetts residents had died of vaping-related illnesses, officials said. The state had reported 36 confirmed cases to federal officials.

Nationally, more than 2,700 cases of vaping illness have been reported by all 50 states. There have been 64 deaths, according to the Centers for Disease Control and Prevention.

The U.S. government this month began enforcing restrictions on flavored e-cigarettes in an effort to curb use among teens. Menthol and tobacco-flavored e-cigarettes will be allowed to remain on the market.

Juul had already dropped its best-selling mint and most other flavors before the ban was announced in early January and only sells tobacco and menthol.

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