



Ethics and E-Cigarette Advertising: Are Companies like Juul Blowing Smoke?



[Rist Art / Unsplash](#)

E-cigarettes are a growing fad, but they might present a host of potential health problems. In the wake of criticism from public health advocates, news networks including CNN, CBS, and Viacom completely removed advertising for e-cigarette companies like Juul. The ethicality of this move must be called into question when examining the relationship between public health measures and the media. The Centers for Disease Control and Prevention (CDC) announced that 2,172 cases of lung injury associated with e-cigarette

product use have been reported from 49 states and 42 deaths have been documented from 24 states as of November 13, 2019 (CDC, 2019). These numbers prompted the Trump administration to threaten a ban on flavored e-cigs, news outlets to remove e-cigarette advertising, and Juul's recent decision to stop all advertising in the United States.

On one hand, the removal of e-cigarette advertisements from networks could diminish potential vape related illnesses that have recently surfaced. Further, the disappearance of advertisements for e-cigarettes may decrease the number of users who pick one up for unintended reasons. Juul claims to provide their e-cigarette products as options for smokers working to quit. However, other audiences, especially young people, have picked up e-cigarettes as a new habit rather than as a way to give up an old one. Juul has been criticized for its use of bright colors and young models in its advertising, so preventing youths from identifying with the product could be fruitful in reducing nicotine use.

Exacerbating the problem is the lack of FDA approval of Juul products as a safer alternative to smoking, despite the company's consistent advertising of its e-cigarette as a better solution to nicotine addiction. As CNBC reported, "the Food and Drug Administration threatened to fine Juul and criticized its marketing and promotional activities, saying its claims that Juul was a safer alternative to cigarettes violated regulations that require the agency to review smoking cessation devices" (Graham, 2019). On top of this, at least four lawsuits were filed against Juul that included allegations that Juul "deceptively marketed its product as safe and targeted underage and nonsmokers" (Chaykowski, 2018). Removing Juul advertisements entirely could prevent this unverified claim from feeding e-cigarette addiction.

On the other hand, the removal of e-cigarette advertisements from networks limits exposure to this alternative for anyone with a genuine interest in using the products to quit smoking. Though FDA approval is still pending, e-cigarettes may be a beneficial option for people



attempting to ween off cigarettes and other addictive tobacco products. While eliminating advertisements may be beneficial for younger nonsmokers, it could prove detrimental for smokers looking for alternative avenues for smoking cessation.

It is unclear whether Juul and other e-cigarette companies will see a dramatic decrease in profit. Some sources say that it's "too late" to secure the health of young nonsmokers as many will continue to market the product through word of mouth, despite loss of e-cigarette advertisements in the media. Dr. Robert Jackler, cofounder of Stanford Research into the Impact of Tobacco Advertising (SRITA), said "while Juul has halted its own [social media] posts, the viral peer-to-peer spread among teens the company initiated will live on indefinitely, or at least until the teen craze for Juul abates" (Chaykowski, 2018). One could argue that the removal of advertising may not even have a significant effect on the rate of e-cigarette use, especially among younger audiences.

The rise in e-cigarette use is comparable to the heavy usage of tobacco in the 1950s. What remains to be seen is if we will follow the same path that was taken to address the initial cigarette surge: "under federal law, tobacco companies have been barred from advertising on television and radio since 1971" (Yaffe-Bellany, 2019). For public health reasons, it may be necessary for some sort of media control to be implemented, but other factors, including the health of current smokers attempting to find alternatives and the fairness of designating what is considered unsafe, should be weighed in this time of uncertainty.

Discussion Questions:

1. Whose health should take precedence, non-smokers who might fall victim to the e-cigarette trend or cigarette smokers looking to quit?
2. Are media companies who run advertisements responsible for the effects of the products they are paid to advertise?
3. What is the burden of proof when it comes to the potential harms and benefits of products and how they might be accounted for in ads?
4. Is there a greater ethical responsibility when selling a product that might be attractive to minors?

Further Information:

Centers for Disease Control and Prevention. "Outbreak of Lung Injury Associated with the Use of E-Cigarette, or Vaping, Products." Centers for Disease Control and Prevention, November 14, 2019 Available at:

https://www.cdc.gov/tobacco/basic_information/e-cigarettes/severe-lung-disease.html#what-we-know

Chaykowski, K., "The Disturbing Focus of Juul's Early Marketing Campaigns." *Forbes Magazine*. November 16, 2018. Available at:



<https://www.forbes.com/sites/kathleenchaykowski/2018/11/16/the-disturbing-focus-of-juuls-early-marketing-campaigns/>

Graham, M., "Juul suspends broadcast, print and digital product advertising in the US." CNBC, September 25, 2019. Available at:

<https://www.cnbc.com/2019/09/25/juul-suspends-broadcast-print-and-digital-product-ads-in-the-us.html>

Yaffe-Bellany, D., "TV Networks Take Down Juul and Other E-Cigarette Ads." *The New York Times*, September 18, 2019. Available at:

<https://www.nytimes.com/2019/09/18/business/juul-vaping-ads-cbs.html>

Authors:

Page Trotter and Dakota Park-Ozee
Media Ethics Initiative
Center for Media Engagement
University of Texas at Austin
January 20, 2020

www.mediaengagement.org