

CAMPAIGN For TOBACCO-FREE Kids®

TOBACCO PRODUCT MARKETING ON THE INTERNET

Tobacco advertising on the internet is much less visible than most other forms of tobacco marketing. Everybody can see cigarette ads at retail outlets or in magazines, for example, but internet communications can be targeted to websites that reach specific audiences (such as teenagers) without being seen by others (such as parents). Consequently, internet tobacco marketing may not face the same public scrutiny and public opposition as much more visible tobacco product ads, such as those near schools – even though they can reach the same vulnerable audiences.

So far, however, brand-name cigarette websites are virtually nonexistent, and the major tobacco companies are not running internet ads and are not using their own websites to market their cigarettes. But the RJ Reynolds cigarette company has created a special website to sell its so-called lower-risk Eclipse cigarettes. The Brown & Williamson cigarette company has announced that it will be directly selling some of its own brands over the internet. And the major U.S. cigarette companies' reported expenditures on internet marketing (which does not necessarily include internet product ads) has increased from \$125,000 in 1998 to \$841,000 in 2001 (the most recent year for which data is available).¹ In addition, a rapidly growing number of independent tobacco product internet retailers use websites to sell tobacco products that are delivered to customers homes, workplaces, or other addresses. While only a few of these websites use marketing techniques that appeal to children, such as enticing graphics or games, they are coming under increasing scrutiny for failing to block sales to kids and for enabling all smokers to evade state sales taxes and excise taxes on cigarettes.²

There are also large numbers of "smoking lifestyle" websites on the internet. While these websites usually do not run tobacco product ads paid for by cigarette manufacturers or retailers, they typically have high youth appeal and encourage smoking through their efforts to glamorize smoking. Among other things, these website often include photos of celebrities smoking (especially females), pro-smoking advice, and "smoking is cool" messages. Smoking accessory sites also frequently have high kid appeal through graphics and youth-oriented language.³

One reason for the relative scarcity of tobacco product advertising (as opposed to other forms of tobacco product marketing) on the internet is that federal law bars cigarette or smokeless tobacco ads on "any medium of electronic communication subject to the jurisdiction of the Federal Communications Commission," and the FCC has jurisdiction over the internet.⁴ There are currently no other federal or state laws that explicitly restrict tobacco product advertising on the internet; and the state tobacco settlement agreements did not put any additional restrictions on internet marketing by the participating tobacco companies. But some states do have laws that try to make it more difficult for kids to obtain cigarettes via the internet or for any smoker to use internet tobacco product sales as a way to avoid state taxes.

The Campaign for Tobacco-Free Kids, June 26, 2003 / Eric Lindblom

¹ U.S. Federal Trade Commission (FTC), *Cigarette Report for 2001*, June 12, 2003 [data for top six manufacturers only], <http://www.ftc.gov/os/2003/06/2001cigreport.pdf>.

² See, e.g., TFK website report on internet tobacco sales, <http://tobaccofreekids.org/reports/internet>, & TFK factsheet, *Internet Sales of Tobacco Products*, <http://tobaccofreekids.org/research/factsheets/index.php?CategoryID=23>.

³ Center for Media Education (CME), *Youth Access to Alcohol and Tobacco Web Marketing: The Filtering and Rating Debate*, October 1999, and prior CME reports, <http://www.cme.org/publications/reports.html>. Hong T & Cody MJ, "Presence of Pro-Tobacco Messages on the Web," *Jnl of Health Communication* 7(4):273-307, July-Sept., 2002.

⁴ 15 USC 1335 & 15 USC 4402(f), <http://uscode.house.gov/usc.htm>.