


BAT(NZ) draws on cigarette marketing tactics to launch Vype in New Zealand

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In 2018, a New Zealand district court decision opened the market to the overt sale of electronic nicotine delivery systems and e-liquids containing nicotine,¹ and permitted the introduction of other tobacco products, such as snus and devices that heat tobacco.² Since the judgement, British American Tobacco New Zealand (BAT(NZ)) has introduced its Vype ePen 3,³ described as being at the ‘leading edge of vaping technology’.⁴

Vype’s marketing focuses on young adults, long recognised as a crucial market for tobacco products and draws on the same tactics used to promote smoked tobacco to this demographic.⁵ Familiar promotional approaches include strategic alliances with youth-oriented brands, event sponsorship and using youth role models as brand endorsers, tactics designed to foster experimentation with Vype. Tobacco companies use new media to foster co-created material that locates promoted brands in settings with or even designed by the individuals featured.⁶ Subsequent sharing of this highly personal material on platforms, such as Twitter, Facebook, Instagram and YouTube, valorises both the brand and the individual, enables rapid diffusion to peers, and offers high reach among audiences no longer accessible via traditional media.^{7–9}

Launch activities included Instagram postings and Vype’s sponsorship of 2018 Christmas parties hosted by two media sites, Vice (~150 000 Facebook followers) and Remix (~50 000 Facebook followers).^{10–12} Vype devices were available for sampling at these parties and the Vype logo featured in event marketing and signage, on entry wrist bands, Santa hats and drink mats (online supplementary file 1). Vice acknowledged Vype’s sponsorship by noting; ‘Our VICE Does Christmas parties were made possible by our friends at Vype. Thanks Vype.’¹¹ Invitations to the Vice parties, which had no entry charge and reportedly sold discounted alcohol, were issued via the event app on the Vice Facebook page.¹³ Event promotions featured Vype’s logo and acknowledged Vype as an event supporter (online supplementary file 2). Over 1600 people expressed interest in attending the events and no proof of age was required to respond to the online invitation.¹³

Remix described Vype as ‘our new brand partner’ and images of the 2018 Remix ‘We Own the Night’ music showcase featured Vype branding (online supplementary file 3).¹² Marc Moore, a fashion designer who was a DJ at the event, posted photos on Instagram both during and before the event promoting the Vype pen.¹⁴ Moore’s posts were tagged as being part of a collaboration with Vype.¹⁴ Other high profile young New Zealand

creative arts figures including musician and fashion icon, Annabel Liddell, and graphical designers, Blink Boys, also posted images of themselves using Vype pens to their Instagram pages around the time of the product launch (Liddell has subsequently deleted these postings)^{15–17} (online supplementary file 4).

Vype also hosted a lounge at the 2018 Rhythm and Alps (R&A), a music festival held prior to New Year, and provided branded photos frames for festival goers’ social media posts^{15 18} (online supplementary file 5).

Vype’s marketing appears to contravene New Zealand’s tobacco advertising restrictions that prevent the use of tobacco product trade marks in sponsored activities.¹⁹ The Ministry of Health has publicly stated that these restrictions do apply to all heated tobacco and vaping products.²⁰ Further, Vype’s activities appear to breach BAT’s own vapour products marketing principles, which state that ‘vapour product marketing will be aimed at adults’ and ‘to smokers and consumers of vapour and nicotine products’, and that BAT will be ‘clear and factual’ about the potential risks of its vapour products.²¹ Given that the promotional events were public and the social media pages readily viewable by anyone, it seems impossible that only the small proportion of smokers attending these events saw Vype’s branding or used any of the branded paraphernalia available. The New Zealand Ministry of Health should investigate and prosecute these activities before widespread transgression of the Smoke-Free Environment Act’s 1990 marketing restrictions becomes the norm.

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