

Swisher Sweets 'Artist Project': using musical events to promote cigars

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In the United States (US), cigar products are disproportionately used by African-American (9.5%) and male (9.0%) high school students and young adults (3.1%).^{1,2} Swisher Sweets, the second top-selling cigar brand in the US^{3,4} accounting for nearly one-third of the cigar market share,^{1,2} is particularly popular among racial/ethnic minority and young cigar smokers.⁵ As a part of its web-based marketing efforts, Swisher Sweets promotes and supports musical artists, has a branded presence at concerts and holds pop-up music events in convenience stores that are promoted on its website and social media (figure 1).

Currently, there are no restrictions on the ability of manufacturers, distributors or retailers of cigars to engage in cigar-branded sponsorships. The Family Smoking Prevention and Tobacco Control Act (Tobacco Control Act), a federal law enacted in 2009, included a ban on branded sponsorships⁶ of 'athletic, musical, artistic, or other social or cultural events'⁶⁻⁹; however, this only applied to cigarettes and smokeless tobacco. Similar restrictions were included in the 1998 Master Settlement Agreement (MSA) and Smokeless Master Settlement Agreement.¹⁰ These sponsorship restrictions were implemented based on evidence of the relationship between exposure to tobacco brand names and imagery and uptake of tobacco use among youth.^{11,12} Although the US Food and Drug Administration extended comprehensive regulatory authority to all tobacco products through a final deeming regulation in 2016,^{7,13} the sponsorship ban has not been extended to include cigars at this time. At this time, there are many lawsuits challenging the deeming regulation¹⁴; therefore, the ultimate implementation of these regulations is not yet known.

The Swisher Sweets website currently features the 'Artist Project', which is 'an ongoing initiative to provide unique opportunities for artists to create, share and pursue their passion'.¹⁵ The project is promoted as allowing fans to be at the 'forefront of what's new and emerging in the world of music, arts and entertainment'.¹⁵ The 'Artist Project' includes 'Swisher Sweets Pack Nights'—events held

across the US where emerging artists are invited to perform for 'Swisher fans'. These 'Pack Nights' included five concerts from July through December 2017 in Los Angeles, Detroit, Houston, Atlanta and New Orleans. For certain 'Pack Nights' locations, such as Detroit and Los Angeles,^{16,17} the website where individuals could buy tickets to these events stated that a US\$2.00 payment for a voucher was included in the ticket price of US\$20. The voucher could be used for three 2-count pouches of Swisher Sweets Cigarillos, one 2-count pouch of Swisher Sweets BLK and two 3-count Swisher Sweets Outlaws.¹⁶ At other venues, tickets were either free¹⁸ or cost US\$10 but did not necessarily include a voucher for cigar products.^{17,19} Promotions for a prior 'Pack Nights' concert in St. Louis in 2016 stated that attendees would have access to special gear and giveaways at the event.²⁰

Many artists are featured on the company's Instagram account (@swishersweets), which has approximately 72 200 followers.²¹ Representatives from Swisher Sweets also attend the A3C music festival, a top hip-hop event,²² where they have a branded tent and interview artists.^{23,24} These interviews are recorded and can be viewed on the Swisher Sweets YouTube channel.²⁵

The use of entertainment events by Swisher Sweets to reach consumers is reminiscent of marketing strategies used by tobacco companies for decades to promote cigarettes, including efforts to reach young African Americans, starting in the 1960s.^{11,26-28} For example, in the 1980s, Brown & Williamson and Philip Morris both sponsored music festivals and events that brought leading African-American blues and jazz musical acts to promote primarily menthol cigarette brands to African-American audiences.²⁷ Later, Brown & Williamson launched the Kool Mixx hip-hop campaign, which included a four-city tour of hip-hop and soul artists as part of a multichannel marketing strategy to reach young African-American smokers.²⁸ Three states (Illinois, Maryland and New York) sued Brown & Williamson Tobacco Co. in 2004 in connection with the Kool Mixx hip-hop campaign, alleging violations of MSA prohibitions on youth targeting, brand name sponsorships, product placement in media and brand name merchandise. After a New York court issued a temporary restraining order against the promotion, R.J. Reynolds, which had acquired Brown & Williamson Tobacco Co., agreed to a nationwide settlement ending these aspects of the promotion.²⁹

The industry also has a history of using musical events to reach young adults specifically. One study found that Camel promoted music tours and events

ⁱSponsorship ban is defined as follows: "No manufacturer, distributor, or retailer may sponsor or cause to be sponsored any athletic, musical, artistic, or other social or cultural event, or any entry or team in any event, in the brand name (alone or in conjunction with any other word), logo, symbol, motto, selling message, recognisable colour or pattern of colours, or any other indicia of product identification identical or similar to, or identifiable with, those used for any brand of cigarettes or smokeless tobacco".



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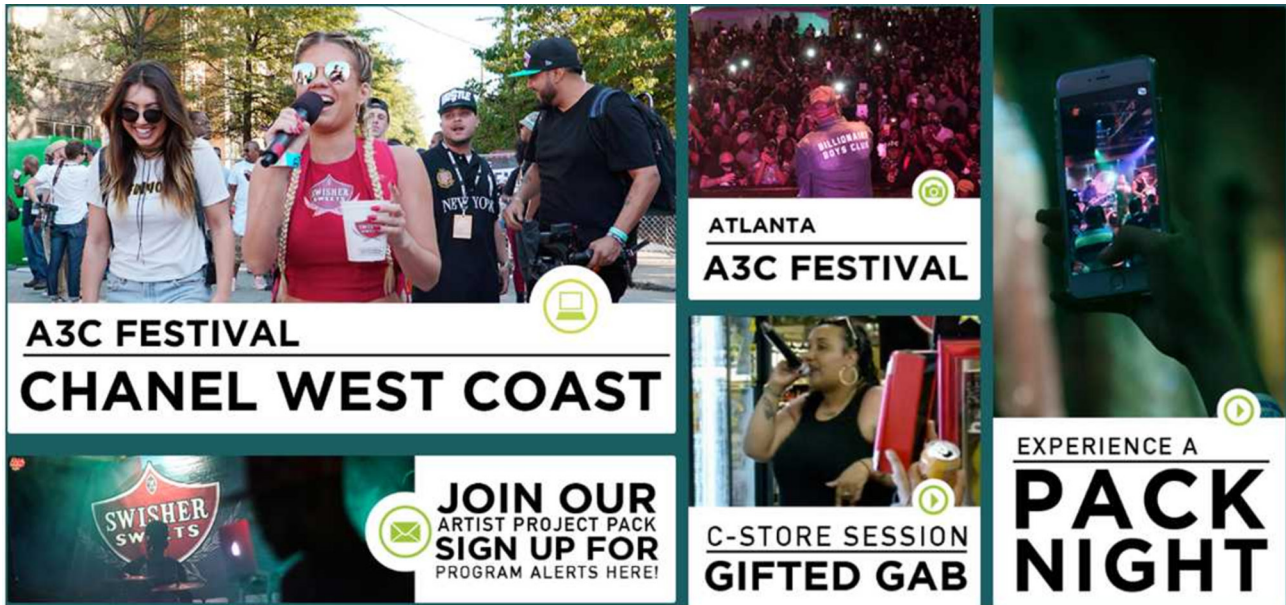


Figure 1 Swisher Sweets 'Artist Project' website source: ap.swishersweets.com (accessed 20 April 2017).

to appeal to trendsetting 'hipsters', an important and influential young adult demographic.³⁰ Swisher Sweets is not the first or only cigar brand to use music to promote products. One study found that Snoop Dogg, a popular hip-hop artist, was an 'Ambassador' for Executive Branch cigars, promoting the products on his various social media channels including Instagram and YouTube.³¹ Another study, which examined the relationship between a celebrity music artist's promotional efforts for cigars and cigar use from a sample of young adults attending the Coachella music festival, found that 14% of respondents reported having seen advertisements for Snoop Dogg's Executive Branch cigars.³²

The 'Artist Project' also encompasses new and innovative marketing strategies, including the 'Convenience Store Sessions' (figure 2). These sessions focus on the retail space, which is already heavily branded with tobacco advertising and is the



Figure 2 Footage from a Swisher Sweets Convenience Store Session. Source: <https://www.youtube.com/watch?v=4LbM55q3-i8> (accessed 28 August 2017).

tobacco industry's greatest investment in terms of advertising and promotional expenditures.^{11 33 34} Many of the 'Convenience Store Sessions' take place in stores that are heavily branded with Swisher Sweets advertisements and displays. These events are then recorded and posted on the brand's website and YouTube channel, where some videos have over 200 000 views.^{35 36} This marketing strategy elevates exposure to Swisher Sweets branding from the local retail space to the virtual space for broad exposure to a larger audience. The Swisher Sweets website asks visitors to indicate they are at least 18 years old but does not require rigorous age verification.ⁱⁱ Additionally, the Swisher Sweets YouTube channel requires no age verification.

While currently permissible for cigars, many of these promotional efforts using music sponsorship would be in violation of the Tobacco Control Act and the MSA's youth marketing restriction if they used a cigarette or smokeless tobacco brand, rather than a cigar brand. Accordingly, these promotions raise the same concerns that led to the banning of sponsorships for cigarette and smokeless brands.³⁷ For example, one study found that young adults who attend tobacco-industry-sponsored events (including bars, nightclubs and parties) smoke at higher rates compared with those who do not.³⁸ There is also some evidence that young adults who attend tobacco-industry-sponsored events at bars and nightclubs and report being exposed to tobacco marketing are more likely to progress to established smoking.³⁹ The integration of the Swisher Sweets brand into musical events makes the cigars appear glamorous, allows for prolonged exposure to brand imagery and may eventually lead to young people associating the positive image they have of the events with the promoted product.³⁷ Given the restrictions on this type of marketing for cigarettes and smokeless products and the high prevalence of cigar use among young people and African Americans,^{40 41} sponsorship restrictions for non-cigarette tobacco products are warranted.

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ⁱⁱAs of 24 August 2017.

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