



Association of Directors of Public Health UK

Mr Anthony Betham-Rogers
Advertising Standards Authority
Mid City Place, 71 High Holborn
London WC1V 6QT

17th November 2014

Dear Mr Betham-Rogers

Complaint regarding advertisement for VIP electronic cigarette, broadcast on 10th November 2014

I am writing to complain about the advertisements for the VIP electronic cigarette, the first of which was broadcast on Monday 10th November.

The Association of Directors of Public Health responded to the public consultation on CAP's revised rules for the advertising of electronic cigarettes. In doing so, we welcomed the new rules which we believe provide a clear set of guidelines for advertisers.

We are therefore very concerned that an advertisement for the VIP electronic cigarette brand appears to breach at least two of the new rules, as follows:

- we believe the advertisement may be in breach of Rule 1: "*Marketing communications/advertisements for e-cigarettes must be socially responsible*". Whilst we understand that advertisers will wish to make their products appealing we believe this advertisement unnecessarily glamourises the product and goes beyond what we believe an average viewer would take to be "socially responsible". Furthermore, the fact that it was shown after the 9pm watershed does not guarantee that children would not see it. Particularly considering that nicotine is an addictive substance, we do not believe that its use should be glamourised in this way;
- we also believe the advertisement is in breach of Rule 8: "*Marketing communications must not encourage non-smokers or non-nicotine users to use cigarettes*". At no point does the advertisement make it clear that the product is intended for smokers or existing nicotine users. Given the way that the advertisement glamourises the product we believe it is just as likely to appeal to non-smokers as smokers, and in particular to young people who would be curious about such an advertisement.

Notwithstanding paragraph 7.5 of the key decisions supporting the new rules, we believe that the VIP advertisement is likely to be attractive to non-smokers or persons under the age of 18 and therefore should not be permitted to be screened in future.

In a recent survey of our membership across the UK, 84% of the Directors of Public Health who responded believed that the restrictions and regulations for the advertising and marketing of smoked tobacco products should also apply to electronic cigarettes.

ADPH is particularly concerned that marketing and widespread use of electronic cigarettes will undermine the successful efforts which have been made to de-normalise smoking behaviour.

I confirm that ADPH is willing to be named as a complainant with regard to this advertisement.

Yours sincerely,

JAtherton

**Dr. Janet Atherton
President, Association of Directors of Public Health**

The Association of Directors of Public Health (ADPH) is the representative body for Directors of Public Health (DsPH) in the UK. It seeks to improve and protect the health of the population through DPH development, sharing good practice, and policy and advocacy programmes. www.adph.org.uk

Directors of Public Health (DsPH) are the frontline leaders of public health working across health improvement, health protection, and health care service planning and commissioning.