



# PREVALERT: Candy Tobacco

## The Bitter Truth about Candy Tobacco

By Nicole S. Smith, M.P.H.

Efforts of public health professionals and communities across the nation to stop youth access to tobacco are being undermined by manufacturers of candy and gum products. Prevention practitioners are trying diligently to combat the 10 billion dollars spent annually on tobacco marketing, only to find that the youngest smokers may have discovered the “fun” in tobacco use long before they began using. Candy tobacco products resemble tobacco in packaging, labeling and purpose, and candy stores in malls and neighborhoods continue to stock their shelves with these mirror-image candy cigarettes, snuff, chewing tobacco, pipes and cigars. These products are relatively inexpensive, costing between fifty cents to a dollar per box, and are usually displayed on the lowest shelves next to other bubble gum products. This makes candy tobacco more affordable to young consumers than other confections, and they often escape adults’ attention because of their placement within stores.

In the past, scientific studies focusing on how children are being targeted revealed that children as young as four years old knew where to find candy cigarettes and what they represented. After being shown a box of the candy, researchers asked a focus group of children ages four to eleven years what they thought of them. One child replied, “Oh, candy cigarettes, I love these.” Another responded, “Smoking...tastes good.” When asked when they would eat the candy, one youngster answered, “I eat them at night when everybody is asleep... [Why?]... because my Mom doesn’t like me eating candy cigarettes.” Today there are very few studies monitoring children’s use of candy tobacco and their attitudes towards tobacco use, their initiation of smoking, their recall of the product, accessibility, and general attitudes toward candy tobacco.

Candy tobacco first appeared in stores in 1915. By 1939, designs for the candy packaging highly resembled major tobacco brands. Documents from the tobacco industry made available in 1994 reveal that executives of the tobacco and candy industries regarded candy cigarettes as effective advertising for future smokers. Some tobacco companies allowed candy manufacturers to use their cigarette packaging designs and purposefully overlooked trademark infringement, and unfavorable research presented by the US candy cigarette industry was suppressed. Tobacco companies started to feel pressure to distance themselves from candy manufacturers beginning in 1964. At that time, the National Automatic



Rutgers (2005)



California Department of Health Services (2004)

Merchandising Association Special Committee on Cigarette Vending noticed the blatant similarities. The committee wrote to tobacco manufacturers, warning them to withdraw permission for using their brand names and package designs and to take bold steps in preventing their unauthorized use. However, these trends continued until 1997 when packs no longer exactly duplicated tobacco brand names, but still used their design features. Candy cigarettes are now called “candy sticks.” Legal efforts by tobacco companies to punish trademark infringements have remained minimal, with only one lawsuit filed by RJ Reynolds against World Candies for alleged 30 years of misuse of their product design. The case was settled before it was actually filed, with no payment required to the tobacco company.

International efforts to regulate candy tobacco products include reported restriction of sales in many countries, including Canada, the United Kingdom, Australia, Norway, Finland, Bahrain, Oman, Kuwait, Qatar, and Saudi Arabia. In 2003, the World Health Organization Tobacco Convention proposed article 16.1, stating that “protective measures may include prohibiting the manufacture and sale of sweets, snacks, toys or any other objects appealing to minors, in the form of tobacco products.” Legislation to ban candy tobacco in the United States has successfully been proposed at the federal level in 1970 and in 1990, in 11 states, and in the city of New York. However, North Dakota is the only U.S. jurisdiction to have successfully banned these products, passing legislation in 1953. Sadly, the ban was later repealed in 1967. Researchers and physicians are strongly advocating that legislative decision makers look at the desensitizing of children to an addictive carcinogen by having confectionery treats available that look like tobacco products.

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