

# Tobacco Product Advertising and Availability at the Point of Sale in New Jersey

A joint effort between the New Jersey Department of Health Office of Tobacco Control and Prevention (OTCP) and Rutgers Center for Tobacco Studies (CTS). OTCP is administratively located in the Community Health and Wellness Unit in the Division of Community Health Services. This report was prepared by CTS through funding from the New Jersey Department of Health (NJDOH). Interpretations of data, conclusions, and recommendations expressed in this report are those of the authors and may not represent the views of the NJDOH.

April 2023

## Background

Several studies have documented a consistent relationship between tobacco advertising near schools and cigarette smoking among students.<sup>1,2</sup> The promotion of non-cigarette tobacco products such as e-cigarettes, cigars/cigarillos and tobacco-free nicotine pouches in retail settings is understudied, but emerging evidence suggests that these products are advertised in much the same way as cigarettes.<sup>3</sup>

New Jersey (NJ) became the first state to ban the sale of all types of flavored e-cigarette products, including menthol and mint, effective April 2020. This report provides data on flavored e-cigarette availability in New Jersey licensed tobacco retail stores following the implementation of the state's ban on such products.

## Store Type

Non-chain convenience stores comprised of almost half of stores (48.1%) in our sample, followed by chain convenience stores (16.7%) and liquor stores (15.8%). Drug stores, gas station kiosks, dollar stores and other store types each comprised of less than 10% of our sample. Almost three quarters of chain convenience stores were located in non-urban districts, while over 80% of non-chain convenience stores were located in urban districts. Chain convenience stores, by far, had the highest availability of tobacco products and displayed the most tobacco advertisements (Table 1).

## Combustible Tobacco Products

### (Cigarettes, Cigars/Cigarillos, Hookah)

Cigarettes and cigars/cigarillos were widely available and were the most advertised tobacco products. Most stores that sold cigars/cigarillos offered flavored varieties. The availability of both flavored and non-flavored cigars was higher in stores located in urban districts. More non-chain convenience stores displayed exterior cigarette ads than chain convenience stores. Hookah tobacco availability was low (7.1%) and was not advertised in any store.

**Table 1. Percent of tobacco product availability, exterior advertising and interior advertising, by store type, 2022 (n=156)**

	Non-chain Convenience (n=75)	Chain Convenience (n=26)	Overall (n=156)
<b>Cigarettes</b>			
Availability	96.0	100.0	<b>92.3</b>
Exterior ads	42.7	34.6	<b>30.1</b>
Interior ads	50.7	84.6	<b>51.9</b>
<b>Cigars/cigarillos</b>			
Availability	88.0	96.2	<b>80.1</b>
Availability, flavored	88.0	96.2	<b>80.1</b>
Exterior ads	28.0	30.8	<b>20.5</b>
Exterior ads, flavored	20.0	23.1	<b>14.1</b>
Interior ads	28.0	46.2	<b>29.5</b>
Interior ads, flavored	24.0	30.8	<b>21.8</b>
<b>Smokeless tobacco</b>			
Availability	10.7	80.8	<b>23.1</b>
Exterior ads	2.7	7.7	<b>2.6</b>
Interior ads	2.7	69.2	<b>14.1</b>
<b>E-cigarettes</b>			
Availability	48.0	80.8	<b>46.2</b>
Availability, flavored	38.7	50.0	<b>35.3</b>
Availability, flavored disposable	36.0	50.0	<b>34.0</b>
Exterior ads	14.7	26.9	<b>12.2</b>
Exterior ads, flavored	4.0	3.8	<b>3.2</b>
Interior ads	16.0	53.8	<b>17.9</b>
Interior ads, flavored	4.0	11.5	<b>3.8</b>
<b>Tobacco-free nicotine pouches</b>			
Availability	8.0	73.1	<b>19.2</b>
Exterior ads	2.7	26.9	<b>5.8</b>
Interior ads	2.7	57.7	<b>12.8</b>

## Non-combustible Tobacco Products

### (E-cigarettes, Smokeless Tobacco, Tobacco-free Nicotine Pouches)

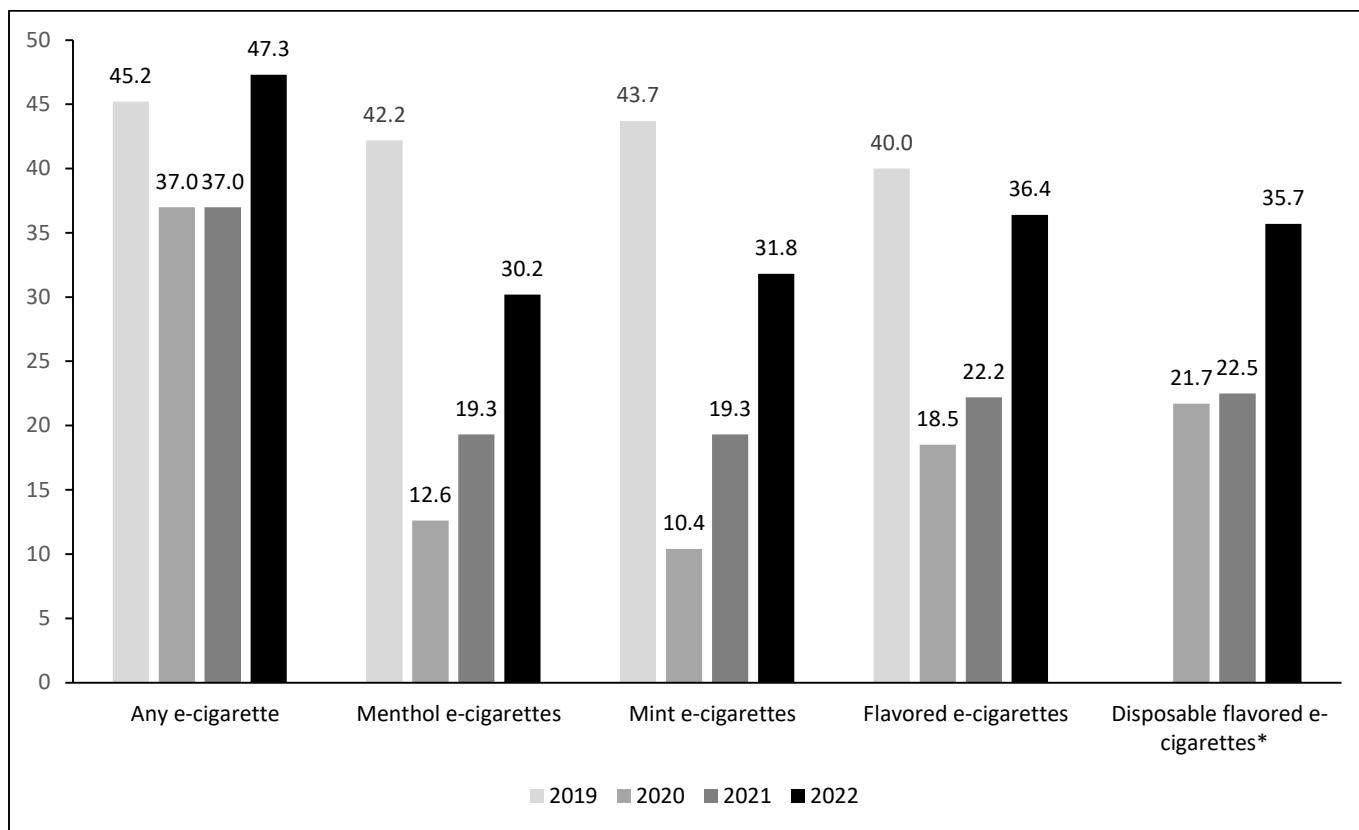
Flavored e-cigarettes were sold in 35.3% of all stores, despite the fact they were advertised in less than five percent of stores. Smokeless tobacco and tobacco-free nicotine pouches were most available and advertised in chain convenience stores. A stark contrast can be made between the prevalence of chain and non-chain convenience store advertising and availability of non-combustible tobacco products.

## Changes In Tobacco Product Availability 2019-2022

We successfully audited the same 129 stores from 2019 to 2022 to compare changes in tobacco product availability over time. Combustible products, excluding hookah, were the most available tobacco products over the three years and rates of availability remained consistently high. Non-combustible tobacco products

saw the most fluctuation in availability over the years. The availability of e-cigarette products decreased after the ban in 2020 including menthol, mint, and other flavored e-cigarettes. However, in 2022 the availability of any e-cigarette products eclipsed 2020 rates, with the most notable increases observed in the availability of disposable flavored e-cigarettes. The availability of menthol, mint and other flavored e-cigarettes all saw substantial increases between 2021 and 2022 (+10.9, +12.5 and +14.2 percentage points respectively).

**Figure 1. Percent of stores with e-cigarette availability, 2019-2022, % (n=129)**



\*Disposable flavored e-cigarette data was not recorded prior to 2020

## CONCLUSIONS AND RECOMMENDATIONS

### CONCLUSIONS

- Combustible products, cigarettes and cigars/cigarillos were more the most available and advertised product in stores.
- Less-harmful non-combustible tobacco products were more available and advertised in chain convenience stores, mostly found in non-urban districts.
- Although availability of menthol, mint, and other flavored e-cigarettes declined since 2019, these products remained available in over 30% of stores in 2022.

### RECOMMENDATIONS

New Jersey led the nation by enacting several tobacco control policies well ahead of other states and localities but it must also ensure uniform compliance with such policies. Despite the state's e-cigarette flavor ban, the availability of flavored e-cigarettes, while initially reduced, has returned to nearly pre-ban levels. For such laws to effectively deter tobacco distributors and retailers, they must know the laws exist and believe these laws are enforced. Retailer education as well as strong and consistent enforcement of the law is necessary. If we hope to make further reductions in youth and adult tobacco use, we must work to change the tobacco retail environment

with a focus on the most dangerous products, cigarettes and cigars. Availability and advertising of cigars/cigarillos is especially concerning because cigars or cigarillos provide a cheaper alternative to cigarettes making them potentially more appealing to price-sensitive buyers such as youth. Various place and product-based strategies have shown to be effective in reducing youth access including reducing tobacco retailer density (e.g., by volume or proximity to schools), store-type sales restrictions (i.e., selling only in adult-only facilities, banning sales in pharmacies, etc.), restrictions on cigar flavors and packaging, and increased tobacco taxes. The industry continues to innovate and offer a variety of flavors, packaging, and product types, particularly in the cigar market.

## References

1. Robertson L, McGee R, Marsh L, Hoek J. A systematic review on the impact of point-of-sale tobacco promotion on smoking. *Nicotine & Tobacco Research*. 2015;17(1):2-17.
2. Paynter J, Edwards R. The impact of tobacco promotion at the point of sale: A systematic review. *Nicotine & Tobacco Research*. 2009;11(1):25-35.
3. Richardson A, Ganz O, Stalgaitis C, Abrams DB, Vallone DM. Noncombustible tobacco product advertising: How companies are selling the new face of tobacco. *Nicotine & Tobacco Research*. 2014;16(5):606-614.

## Methodology

This project collected repeated tobacco point-of-sale data from stores surrounding a representative sample of New Jersey high schools (n=41) between 2015 and 2022. Using a Qualtrics survey on a smartphone device, trained auditors collected detailed information (n=156) on the prevalence of advertisements and availability for each of the tobacco products studied in this project (e.g., cigarettes, cigars/cigarillos, smokeless tobacco, e-cigarettes, tobacco-free nicotine pouches and hookah tobacco). Additionally, we describe differences by store type (i.e., chain and non-chain convenience stores, liquor stores, drug stores, gas station kiosks, dollar stores, “other” types of stores) and district type (urban vs. non-urban school districts). Urban districts were defined as municipalities with more than 10,000 residents per square mile (US Census, 2010) and with schools that had greater than 50% non-white enrollment.

*For more information, please contact: Dr. Mary Hrywna,  
mary.hrywna@rutgers.edu*



### *Suggested Citation:*

Roberts K, Ackerman C, Hrywna M. 2022 New Jersey Tobacco Point-of-Sale Project. New Brunswick, NJ: Rutgers Center for Tobacco Studies; March 2023.