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ATTORNEY GENERAL RAOUL ANNOUNCES CONSENT DECREE WITH E-CIGARETTE MANUFACTURER JUICE MAN

Consent Decree Prohibits Juice Man from Distributing E-Cigarette Products in Illinois

Chicago — Attorney General Kwame Raoul today announced a consent decree with Juice Man, LLC, (Juice Man) that effectively prohibits the company from operating in the state of Illinois. The consent decree resolves allegations the company allegedly developed and marketed its products to attract minors. Juice Man manufactures and sells electronic cigarettes and accessories through its website.

Attorney General Raoul filed a lawsuit in 2020 against California-based Juice Man alleging the company intentionally developed nicotine products that appeal to minors and has marketed its harmful nicotine products to minors. The consent decree prohibits Juice Man from distributing its products in Illinois and requires the company to take action if it learns Juice Man products are available in Illinois.

"E-cigarette manufacturers know that addicting young users is essential to their long-term viability. With candy- and dessert-flavored products marketed by cartoon characters, it is no wonder they are succeeding," Raoul said. "I filed a lawsuit last year against Juice Man over its blatant efforts to direct advertising toward minors, and this consent decree essentially ends the company's ability to sell or distribute any Juice Man products in Illinois. I am pleased with this progress in my office's ongoing work to hold e-cigarette manufacturers accountable for their role in the epidemic levels of e-cigarette usage by minors. The work does not end here, I am committed to continuing to investigate the e-cigarette industry and protecting minors from the long-term dangers of using tobacco products."

Raoul's lawsuit alleged that Juice Man offered its products in a variety of flavors – such as pink lemonade, cotton candy, unicorn frappe and cherry blue cola – that are clearly developed and marketed to youth smokers. For example, unicorn frappe is described as an "explosion of tarts, fruits, and creams." A 2019 National Youth Tobacco Survey identified top flavor categories chosen by youth as being fruit; candy, desserts, or other sweets; and mint and menthol. Raoul noted that nearly all of Juice Man's flavored nicotine solutions fall into one of those flavor categories.

Additionally, Raoul's lawsuit alleged that Juice Man unfairly and deceptively marketed its products to minors. The company relies heavily on social media to advertise its products, using hashtags such as "#vapebabes," "#vapeporn" and "#vapelyfe." Raoul pointed out that prior to 2016, social media advertising featured images of Juice Man's products in front of a neutral background. In his lawsuit, Attorney General Raoul said Juice Man's advertisements used bright colors, cartoon characters and children's cereal. A number of flavored products distributed under Juice Man's "Zonk!" line relied on packaging that featured graphics similar to those in comic books. Juice Man also marketed variety packs of flavors including watermelon-strawberry and mixed berry as "Lunch Box" assortments. Furthermore, Raoul argued that Juice Man's age-verification system allows the company to easily interact with and promote products to minors.

The consent decree entered today prohibits Juice Man from selling or distributing e-cigarette products to retailers and consumers located in Illinois. The manufacturer is also prohibited from selling e-cigarette products to distributors or wholesalers that intend to sell or distribute those products to retailers or consumers in Illinois. The consent decree requires Juice Man to take actions – including permanently ceasing business with offending entities – if the manufacturer learns that a retailer, distributor or wholesaler provided its e-cigarette products to an Illinois retailer or consumer.

Attorney General Raoul has taken various actions to hold e-cigarette manufacturers accountable for epidemic usage levels among youth and teens. In 2019, Raoul's office filed a lawsuit against the nation's largest e-cigarette manufacturer, Juul Labs Inc., and the litigation is ongoing. The Attorney General's office is continuing to investigate other e-cigarette manufacturers as part of an ongoing investigation into the e-cigarette industry. Additionally, Raoul has urged the FDA to ban flavored tobacco products and to strengthen e-cigarette guidance by prioritizing enforcement actions against flavored e-cigarettes.

For more information and free resources to help quit tobacco, please visit the <u>Illinois Tobacco Quitline website</u> or call 1-866-QUIT-YES.