Adfree Cities complaint to the ASA re adverts for Alfabar vapes

Submitted by Adfree Cities, January 2024.



We are writing to submit a complaint regarding a billboard advert for vaping products sold by Alfabar, a trademark of Hing Fo International Ltd. The advert was seen on billboards in Bristol and promotes the 'Alfabar Alien', a disposable nicotine-containing vape with 'LED light effect eyes' embedded in the body of the product which are capable of lighting up.[1]

The advertisement was seen on a 48-sheet paper billboard near Parson Street train station in Bedminster, South Bristol, in December 2023. The location is 160 metres from a primary school.

We argue that the advert is in breach of CAP Codes 22.1 and 22.9.[2]

CAP Code 22.1 states that *"Marketing communications for e-cigarettes must be socially responsible."*

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[1] A version of the image can be downloaded here: https://drive.google.com/file/d/16S_MVWNRLr7piZad235ZBgIlh99rSITh/view?usp=drive_link

[2] https://www.asa.org.uk/type/non_broadcast/code_section/22.html

And CAP Code 22.9 states that: *"Marketing communications must not be likely to appeal particularly to people under 18, especially by reflecting or being associated with youth culture. They should not feature or portray real or fictitious characters who are likely to appeal particularly to people under 18. People shown using e-cigarettes or playing a significant role should not be shown behaving in an adolescent or juvenile manner."*

Social responsibility

This particular billboard is only 160 metres from a primary school and is frequently passed by young children. Advertising nicotine-containing vapes in this location exposes children to products which would be extremely harmful were they to use them and is therefore not socially responsible.

Youth vaping is a growing issue in the UK. In 2023, 20.5% of children had tried vaping, up from 15.8% in 2022 and 13.9% in 2020.[3] By far the most frequently used vaping product (69% of use) is a disposable vape, similar to the kind advertised by Alfabar.

In 2023 just one in five children (11-17-years-old) had never seen vaping products promoted, and one in seven had seen them promoted on billboards.[4] Given that 54% of respondents to the surveys reported their primary reason for vaping was "just to give it a try", we argue that this age bracket is highly susceptible to vape marketing, highlighting the need for responsible advertising.

Appeal to under-18s

Wording on the advert points out the 'LED light effect eyes' and encourages the viewer to 'Take your vape to another dimension with the all new Alfabar Alien'. We assert that the name 'alien' and inclusion of light up eyes in the product, and marketing that centres on this feature, are designed to appeal to children under the age of 18. We note the similarity between the eyes on this vape and those on genuine children's toys.[5]

We argue that an adult would not be convinced to purchase a product simply because of the inclusion of light-up eyes. This is a feature that would primary appeal to a youth (under-18) audience. Combined with the overall "youthful" style, colour and general design of the advert, we argue that it is intended to appeal to under-18s.

Recommendation

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[3] https://ash.org.uk/resources/view/use-of-e-cigarettes-among-young-people-in-great-britain
[4] Ibid.
[5] Compare the eyes to those on these examples: a soft toy alien from IKEA and this finger puppet from Amazon.

We hold that these adverts are a clear and unambiguous breach of CAP Codes 22.1 and 22.9 and therefore a matter of immediate compliance. We urge the ASA to ban them in their current form.