

Analysis of Tobacco Industry Marketing and Media Communication in Response to the Menthol Cigarette Ban in the Czech Republic in 2020

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BACKGROUND: Characterising flavours are an important marketing tool for the tobacco industry. Following the European Tobacco Products Directive, the sales of menthol cigarettes in all EU Member States, including the Czech Republic, were banned as of May 20, 2020. The aim of this study is to map and analyse the response of the tobacco industry to the menthol cigarette ban in its marketing campaigns and media communications in the Czech Republic. **METHODS:** We conducted a non-systematic online review of marketing campaigns and a search of media content. The research sample used in the analysis of the marketing campaigns consisted of a campaign website (N = 1), product websites (N = 3), online articles (N = 2), social media posts (N = 2), an online video (N = 1), a press release (N = 1), and leaflets (N = 2). Media content analysis was performed on 248 media articles. We analysed media content using qualitative discourse analysis and marketing communication using qualitative content

analysis. **RESULTS:** We identified marketing campaign forms used by the two dominant tobacco companies on the Czech market. We discovered product pages with an integrated campaign, a series of posts on social networks, and articles on the manufacturers' websites, as well as leaflets at points of sale. The aim of the communication was to inform the recipients of the upcoming change in the legislation and especially to promote menthol flavourings in alternative tobacco and nicotine products (HTP, ENDS, nicotine pouches). In the media content analysis, we categorised three frameworks which constitute the narrative structure of the media communication: (1) loss and gain, (2) repressing freedom, and (3) menthol flavor as a danger. **CONCLUSION:** This study brings evidence that the tobacco industry used the menthol ban as a communication opportunity, and therefore conducted a sophisticated communication campaign.

Keywords | Tobacco – Cigarettes – Characterising Flavours – Menthol – Advertisement – Marketing – HTP

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● 1 INTRODUCTION

Despite the clearly negative effects of tobacco use on human health, smoking is still among the main risk factors contributing to increased morbidity and premature death rates (Reitsma et al., 2017). More than one billion people worldwide are smokers, and up to seven million deaths are attributed to tobacco smoking annually (WHO, 2019). In the Czech Republic, the prevalence of smokers in the adult population reaches 25% (Csémy et al., 2020).

Characterising flavourings are created by adding chemical additives that give a tobacco product a specific aroma and taste. The flavouring categories include especially fruits, spices, herbs, vanilla, sweets, alcohol, and menthol. Out of these, menthol flavourings are the most popular flavouring type and represent a significant segment of the European cigarette market (Gretler, 2020). This is confirmed by the Eurobarometer study results (European Commission, 2017), according to which 8% of adult smokers in the European Union (EU) Member States use menthol cigarettes (i.e. the highest share of all characterising tobacco flavours). In 2017, the highest numbers of menthol cigarette smokers could be found in the Nordic countries (European Commission) (Finland 24%, Denmark 20%). According to a study by Zatoński et al. performed in eight EU countries (2018), the overall prevalence of menthol cigarette smoking was 7.4% (out of which there was significantly more among women). In the case of other flavours, the result was less than 3%. As regards user characteristics, menthol cigarettes are generally most popular among women and young and occasional smokers (Hersey et al., 2006; Smith et al., 2017).

Menthol flavouring makes tobacco products more harmful (WHO, 2016) for a number of reasons. When inhaled by the respiratory tract, menthol stimulates cold-sensitive thermoreceptors, which causes the sensation of cooling in the throat (Lawrence, Cadman, & Hoffman, 2011). Furthermore, menthol has mild analgesic and anaesthetic effects. The inhaled smoke is therefore less irritating to smokers, and can thus be inhaled in greater volumes and deeper into the lungs (Ahijevych & Garrett, 2004). At the same time, this effect is also a risk factor for children to start smoking (Tobaccofreekids, 2020). Tobacco products with characterising flavourings, including menthol, are, furthermore, an important marketing tool for the tobacco industry (WHO, 2016). It has been proved (Anderson, 2011; Smith et al., 2017; Sutton & Robinson, 2004) that menthol cigarettes are appealing for women, adolescents, and occasional smokers, as well as non-smokers. From the tobacco industry's advertising and promotion, menthol cigarette smokers can also assume erroneously that menthol cigarettes are less harmful (Anderson, 2011). It has also been shown that the menthol cigarette ban contributes to changes in smoking behaviour (Cadham et al. 2020; Chaiton et al., 2020; Zatoński et al., 2020).

For these, as well as other reasons, the World Health Organization recommends in Article 9 and Article 10 of the Framework Convention on Tobacco Control (WHO, 2003) that characterising flavours be regulated on a legislative basis. Following the European Tobacco Products Directive 2014/40/EU, the sales of menthol cigarettes in all EU countries, including the Czech

Republic, were banned as of May 20, 2020. More information can be found in Kulhánek, Baptistová, and Sliž (2020). However, this ban does not apply to heated tobacco products (HTP). For the regulation of e-liquids for electronic cigarettes (ENDS), the decision is up to the individual EU Member States. As several studies suggest (Hiscock et al., 2020; Lee et al., 2021; Sultanto et al., 2019), it can be expected that smokers of menthol cigarettes will look for alternatives such as HTP or ENDS to continue using menthol flavours.

The Czech market was previously used by the tobacco industry as a test market for launching new products, especially HTP (Hejlová et al., 2019). In response to the menthol cigarette ban, the tobacco industry initiated an advertising and public relations campaign in the Czech Republic to promote alternative, menthol-containing products (such as HTP, ENDS, or nicotine pouches), which, however, are not subject to the same legislative regulation. These forms of advertising promotion and PR activities have not yet been sufficiently mapped. Nor is it clear whether or not they can influence the behaviour of smokers who prefer a menthol cigarette flavour. The aim of this study is to map and analyse the response of the tobacco industry to the ban on their marketing campaigns and media communications whose goal was to promote menthol-flavoured tobacco products in the Czech Republic.

● 2 MATERIALS AND METHODS

The qualitative research method of content analysis (Berelson, 1971) of websites, social media posts, and printed leaflets distributed at tobacco points of sale was used to evaluate these marketing campaigns. We also used qualitative discourse analysis for our exploratory research of the media content (Bergner, 2018). We focused on the narrative structures and framing which journalists used when reporting on the ban on menthol cigarettes (Entman, 1993).

2.1 Research sample

Marketing campaigns by the tobacco industry

We searched for marketing campaigns using non-systematic online research with a set of Czech keywords (menthol cigarettes, menthol tobacco products, menthol-flavoured tobacco, ban on menthol flavours). We also mapped the Czech website domains of the two tobacco companies that are dominant on the Czech market (Philip Morris – PM and British American Tobacco – BAT), as well as their official Czech social media accounts (Facebook and Instagram). Furthermore, we took samples of leaflets at selected points of sale (tobacconists and petrol stations), informing users about the upcoming ban on menthol flavourings. The final research sample consisted of a campaign website (N = 1), product websites (N = 3), online articles (N = 2), social media posts (N = 2), an online video (N = 1), a press release (N = 1), and leaflets (N = 2). The research on the online resources was conducted between April 1, 2020 and May 30, 2020. The research sample included the BAT website (www.ceskobezprichuti.cz) and the media content thereon, as

well as other linked websites. Furthermore, articles on the PMI website (<https://cz.iqos.com>) were included in the analysis, and so was all the attached media content (video, follow-up website). The sample also includes two examples of communication on Facebook and an advertising leaflet from a point of sale.

Media communication regarding the menthol tobacco flavouring ban

The dataset for the media content analysis consists of Czech and Slovak media outlets, including TV and radio stations and online news, as well as media, print newspapers, and magazines. The dataset was obtained from the Newton Media Media Archive¹, licensed for the Faculty of Social Sciences, Charles University. We analysed the data in the Newton Media Archive in the period between May 1, 2020 and June 30, 2020 using the Czech key phrase “menthol cigarettes”².

We found that 248 media articles had been published that mentioned “menthol cigarettes” in the Czech and Slovak media (N = 248). Out of the total of N = 248 articles, 231 articles were published in the Czech and 17 in the Slovak media. Because none of the media articles was labelled as “advertorial”, we consider all of them to have counted as editorial content (news, entertainment, opinion editorials, etc.). However, the editorial practice of labelling advertorial content in the Czech Republic is rather weak, and therefore we assume that probably a substantial part of the media content was either initiated by the public relations activities of tobacco companies or was covert advertising content (Hejlová, 2017, pp. 254–257).

2.2 Data analysis methods

Within this analysis, we use an exploratory approach that enables us to embrace the interdisciplinary nature of this research, covering the media studies, marketing communication and public relations, and the tobacco control fields.

For the analysis of both the media content (TV news, print and online media, etc.) and the marketing communication (websites, leaflets, out-of-home advertising) we employ an exploratory approach using qualitative content analysis (Macnamara, 2005; Altheide & Schneider, 2012; Berger, 2018). Of the many qualitative methods of textual analysis (such as semiotic, rhetorical, discourse analysis, etc.), we opted for discourse analysis (Van Dijk, 2015). On the basis of van Dijk’s (2015) discourse analysis methodology, we focus specifically on the use of language, identity, and meanings, and of the communication beliefs (frames and narrative structures within the texts). We also use Entman’s (1993) concepts of framing.

1 | Newton Media is a private company providing services for media analysis and media monitoring. The Faculty of Social Sciences of Charles University in Prague is fully licensed to access full-text research of all media content, including text versions of radio and television news reports, daily newspapers, magazines, etc. Newton Media monitors 1,726 print media outlets, 67 TV stations, 64 radio stations, and 5,210 online media in the Czech and Slovak Republics (Vujtechova, 2020) on a daily basis.

2 | Note that the phrase is the same both in Czech and in Slovak.

3 RESULTS

3.1 Marketing communication content analysis

3.1.1 Marketing communication by British American Tobacco – the “Czechia left without flavour!” campaign

On the basis of the analysis that was performed it was found that BAT conducted an integrated campaign with the aim of informing existing menthol cigarette smokers about the upcoming menthol cigarette ban and introducing alternative tobacco and nicotine products to them. The central point of the campaign was the website www.ceskobezprichuti.cz.

Visual elements of the website

When the website is loaded, it welcomes the user with bright menthol colours which turn grey after a short while. This graphic effect evokes a loss, and on the emotional level it leads from joy to sorrow, which is underlined by a tabloid press headline on a black background (*Figure 1*).

Texts and meanings

At the beginning, the website headline “*Czechia left without flavour!*” is refuted and menthol cigarette smokers are reassured that alternatives are available: “*A complete end to flavourings in Czechia is not real; menthol cigarettes and cigarettes with menthol capsules are going to be banned nonetheless. If you’re running out of stock, it’s high time that you researched the available alternatives which will enable you to enjoy the taste of menthol in future.*” The recipient is exposed to the “problem – solution” model of communication. The recipient is given the impression that there is an acute problem that needs to be solved, and is immediately offered a solution. The “*Available Alternatives*” button leads to three follow-up sections (two BAT product websites and an online quiz). The bottom part of this section of the website is where the age of the majority of nicotine product users is first mentioned, and the user is offered three options in this section.

“*... wide choice of flavours*” leads to the product site of Glo heated tobacco products (<https://myglo.cz/>)

“*... nicotine experience*” leads to the product site of Lyft (later renamed Velo) nicotine pouches (www.govelo.cz)

The third option was a quiz where users could select their taste preference in the individual areas, and they are offered the corresponding product (link to BAT product sites) (*Figure 2*).

In all of the above cases, it was necessary for the users to verify their age of majority (18 years of age), either by ticking a checkbox or by filling in their year of birth. For the online quiz, the age of majority had to be confirmed directly on the www.cesko-bezprichuti.cz website. In the case of links to product sites, the age verification was only on the target site with the specific tobacco or nicotine product. The textual analysis revealed differences between the Glo and Lyft/Velo product sites. The Glo site uses the more formal second person plural to address the reader, and the text itself is not emotive. The Lyft/Velo site used

Figure 1 | BAT microsite on menthol flavouring ban in the Czech Republic

INFORMACE PRO KOVÁŘE KONTAKT

ČESKO BEZ PŘÍCHUTÍ!

Konec příchutí v Česku není opravdový, zákaz prodeje mentolových cigaret a cigaret s mentolovou kapslí ale skutečně přišel.

Pokud se vám už tenčí zásoby, je načase prozkoumat dostupné alternativy, díky kterým se mentolu zříkat nemusíte.

DOSTUPNÉ ALTERNATIVY

KDY?

Konec prodeje mentolových cigaret je účinný v celé EU od 20. května 2020. Zakázán je prodej veškerých mentolových cigaret a cigaret s mentolovými kapslemi.

PROČ?

Zákaz vyplývá ze směrnice Evropského parlamentu a Rady 2014/40/EU ze dne 3. dubna 2014 o sblížení právních a správních předpisů členských států týkajících se výroby, obchodní úpravy a prodeje tabákových a souvisejících výrobků a o zrušení směrnice 2001/37/ES.

Tato směrnice byla transponována členskými státy EU do vnitrostátních právních řádů. V České republice k tomu došlo rozsáhlou novelizací zákona č. 110/1997 Sb., o potravinách a tabákových výrobcích a o změně a doplnění některých souvisejících zákonů (ZPřTV¹), spolu s vydáním nové prováděcí vyhlášky č. 261/2016 Sb., o tabákových výrobcích.

V důsledku této novely ZPřTV je v České republice účinností od 6. září 2016 zakázáno uvádět na trh cigarety a tabák určený k ručnímu balení cigaret s charakteristickou příchutí.

Charakteristickou příchutí rozumíme vůni nebo chuť jinou než tabákovou - takovou, kterou výrobku dodává přísada nebo kombinace přísad, zejména ovoce, koření, byliny, alkohol, cukrovinky, mentol nebo vanilka, a jež je rozzeňatelná před užitím tabákového výrobku nebo při něm.

S ohledem na tento zákaz zmizely ke dni 6. prosince 2016, tedy po skončení tříměsíční lhůty k dovozu, z trhu veškeré cigarety a tabák k ručnímu balení cigaret s charakteristickou příchutí – s výjimkou mentolu.

Jak je možné, že mentolová příchutí zakazu dočasně uniká? Protože jako jediná splnila podmínky pro ustátnění dočasné výjimky z výše uvedeného zákazu charakteristických příchutí, když v dané kategorii tabákových výrobků dosahovala objemu prodeje v celé Evropské unii nejméně 3%.

S účinností od 20. května 2020 je ale výjimka pro mentolovou příchutí ze ZPřTV vypuštěna a spotřebitelé již na trhu v České republice nemohou moči zakoupit žádné cigarety či tabák k ručnímu balení cigaret s mentolovou příchutí.

ALTERNATIVNÍ PŘÍCHUTĚ

Zákaz EU se vztahuje na cigarety a tabák k jejich ručnímu balení. Nežijí se zahraničních tabákových výrobků, v České republice ani e-cigaret, a nešijí se ani nikotinových saček bez obsahu tabáku. Všechny tyto varianty jsou dostupné v široké nabídce příchutí, která mimo klasické tabákové příchutě obsahuje i mentolové, ovocné a další.

JSEM UŽIVATEL NIKOTINOVÝCH VÝROBKŮ STARŠÍ 18 LET A NECHCI PŘIJÍT O...

... široký výběr chutí

... nikotinový zážitek

Nejste si jisti? Udělejte si

ZJISTIT VÍCE* **ZJISTIT VÍCE*** **NÁŠ KVÍZ****

*Tyto informace jsou určeny výhradně dospělým uživatelům nikotinových výrobků.
**Tento kvíz je určen výhradně dospělým uživatelům nikotinových výrobků.

ČÍSLO INFOLINKY:
800 610 610
Celkové náklady na spojení jsou pro zákazníka zdarma.
Infolinka je dostupná od pondělí do pátku 8.00 – 20.00, o víkendech 10.00 – 18.00

Tyto webové stránky byly vytvořeny společností British American Tobacco (Czech Republic), s.r.o., se sídlem Karolinská 654/2, Karlín, 186 00 Praha 8, IČO: 617 75 339, zapsanou v obchodním rejstříku vedeném Městským soudem v Praze pod sp. zn. C 35426.

BAT
BRITISH AMERICAN TOBACCO

Figure 2 | On-line quiz leading to BAT products

INFORMACE PRO KOVÁŘE KONTAKT

VYPLŇTE KVÍZ A ZJISTĚTE VAŠI ALTERNATIVU!

O CO NECHCETE PŘIJÍT? VYBERTE JEDNU Z MOŽNOSTÍ

výrazná chuť a jejich bohatý výběr

pravá chuť tabáku

dlouhotrvající chuť

O CO NECHCETE PŘIJÍT? VYBERTE JEDNU Z MOŽNOSTÍ

bez kouře se neobjeví

hlavní je pro mě nikotinový zážitek

O CO NECHCETE PŘIJÍT? VYBERTE JEDNU Z MOŽNOSTÍ

nikotin si chci dopřát pouze tam, kde se smí kouřit

nikotin si chci užít kdykoliv a kdekoliv bez omezení

ALTERNATIVA PŘÍMO PRO VÁS

ZPĚT

ČÍSLO INFOLINKY:
800 610 610
Celkové náklady na spojení jsou pro zákazníka zdarma.
Infolinka je dostupná od pondělí do pátku 8.00 – 20.00, o víkendech 10.00 – 18.00

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BAT
BRITISH AMERICAN TOBACCO

left without flavours! Modern tobacco alternatives bring a solution.”

The publication of the press release documents the framing of BAT's communication, as well as the purpose of the entire website. It is also an indication of wider public relations activities in this area. The press release causes the website to be perceived as more official and, together with the BAT logo, contact information, and hotline number in the website footer, confirms the BAT authorship.

3.1.2 Marketing communication by Philip Morris – website articles and leaflets at points of sale

PMI responded to the menthol cigarette ban with their HTP product IQOS. Compared to BAT, their communication was much more concise. The content analysis was conducted with an article titled “Heated tobacco not subject to menthol ban” in the News section of the IQOS website (<https://cz.iqos.com/cs/mentol>) and with the IQOS HEETS leaflet retrieved from a point of sale.

Article on IQOS website: “Heated tobacco not subject to menthol ban.”

The article implies that IQOS supports the regulation measures and offers flavoured alternatives in the form of HTP to existing smokers who wish to continue smoking. The online article features a video (1.3 minutes) where five anonymous people

a friendly language which corresponded to the younger target groups. Users are addressed with the less formal second person singular.

The website www.ceskobezprichuti.cz included in the “Press” section a press release by the BAT company with the following headline: “Is this the end of menthol cigarettes? Czechia won't be

Figure 3 | IQOS promotional video on the PMI website on the menthol cigarette ban

IQOS

PRODUKTY VYZKOUŠEJTE OBCHOD PODPORA NOVINKY IQOS CLUB

Podívej se, co o IQOS říkají bývalý kuřáci mentolu.

Uživatelé IQOS se s námi podělili o svoje zkušenosti s přechodem na IQOS a řekli nám, co na IQOS nejvíce oceňují.

Vyzkoušela jsem snad všechny příchutě HEETS a nejvíce mi vyhovují ty mentolové.

(IQOS users) talk about the advantages and flavours of the product. The sharing of personal experience by ordinary people (testimonials) is an effective marketing technique which archetypally builds upon the direct experience of a person close to the recipient (Figure 3).

The tone of the video speaks in favour of IQOS products. At the end, the video includes a call to action (www.vyzkousejiqos.cz). When visiting the website, users receive a code, “IQOSMENTOL”, which entitles them to a discount on the purchase of HTP. This motivates them to take action (i.e. purchasing and trying the product).

IQOS leaflet from a point of sale

Next, we analysed a PMI leaflet (a four-page A6 printed folding leaflet) about HEETS tobacco heatsticks for IQOS. The leaflet reports on the menthol cigarette sales ban (Figure 4).

The entire leaflet uses blue and green colours which evoke a feeling of freshness. The front page includes the dominant motif of tobacco heatstick packages with three different flavours. The headline “No more menthol in cigarettes, except for HEETS” is complemented with a brief text on the European Directive on the ban on menthol flavourings in EU countries. Under this paragraph there is another one stating in a smaller font: “IQOS is not risk-free and is intended exclusively for adult smokers.” Pursuant to the legislation on the regulation of tobacco advertising, there is a health warning at the bottom of the leaflet: “The Ministry of Health warns: smoking causes cancer.” The warning text is also included on the three remaining pages of the leaflet. The second page presents the benefits to the recipient of the product that is being promoted. The title “Fresh taste and a better choice for your health” sets up the framing of the text that follows, which presents IQOS as a “better” alternative to cigarettes. According to the subtitle, IQOS produces 95% less harmful substances than traditional cigarettes. There is also a note (*) saying that

this does not necessarily mean that the harm level drops by the same percentage. The mid-portion of the visual section includes an IQOS device with a case and a HEETS package. All visual elements are in turquoise, which matches the background with the same colour tone. Next to these graphics, there are three paragraphs with other product attributes and the corresponding icons. The health aspect is emphasised again: “A complete switch to IQOS means fewer risks to your health than if you continue smoking.” The reader is addressed with the more colloquial second person singular throughout the leaflet, which evokes a closer, more intimate relationship in communication. The bottom of the page includes the www.IQOSVEDA.cz link, where the recipient can find more information. The phrase “IQOS věda” (IQOS Science) is attractive and adds relevance and legitimacy to the information given and claims made on the page. The phrase implies that the information and claims will be based upon scientific evidence. The third page of the leaflet is an incentive to purchase the device: a 60-day money back guarantee, and a discount code/voucher. This section also includes contact information (Figure 5).

The last page of the leaflet presents menthol tobacco heatsticks. The offer is supported by the following statement: “85% of adult menthol cigarette smokers who purchased IQOS have replaced cigarettes with IQOS.” This statement helps to dispel any fear in menthol cigarette smokers. Individual flavours are presented in a range of freshness and taste characteristics, such as mint aroma, spicy cooling aroma, and aroma with citrus taste tones.

3.2 Media communication discourse analysis

In the full dataset (N = 248), only 17 articles were detected by the media search engine as fully disclosed advertorials. That implies that the vast majority of the articles (N = 231) was considered to be editorial journalistic content. The majority of the

Figure 4 | Front page of the PMI leaflet on the menthol cigarette ban, as retrieved from a point of sale



content was published in online media (30 out of 231 editorial articles). For comparison, for the same period in the previous year (between May 1, 2019 and June 30, 2019), no article mentioning menthol cigarettes was published in any type of media. This rapid increase in interest indicates that journalists and bloggers were reporting on the fact that the European Union has banned the sale of menthol cigarettes in the Czech Republic.

When we analysed the content in more detail, we found that the interest of journalists in the fact that menthol flavours were to be withdrawn from the market was probably often sparked by the public relations activities of tobacco companies. Some content indicates that the media published ready-made press releases. For example, numerous media published the news under the headline: “The ban on menthol cigarettes has started today” or a slightly modified version, mentioning the simple fact of the end of sales in the headline (Hitrádio City Brno, May 20, 2020 or Hitrádio Vysočina, May 20, 2020). Other media highlighted that menthol cigarettes were used by 14% of smokers. Identical headlines were used in media produced by different publishers, such as the newspapers Lidové noviny (Mladá fronta DNES) and the magazine Týden (Empresa Media), which indicates that the news was simply reproduced from the Czech Press Agency with no alterations. This news report includes quotations from the CEOs of both of the two dominant tobacco companies, PMI and BAT. Both CEOs state that consumers would switch to heated tobacco products as an

Figure 5 | A range of heated tobacco menthol flavours in the PMI leaflet



alternative to the banned menthol-flavoured cigarettes (Týden magazine, May 18, 2020).

When we look at the use of language, which is important in sense-making and the establishment of meanings, we find that many articles use words which portray the ban on menthol cigarettes as the loss of a favourite product, saying good-bye, almost mourning (“Menthol cigarettes are a goner this week! Is there any replacement?”, G.cz, May 18, 2020). As a positive “ending” to the story, there is the “welcoming” of the new product, which is menthol liquids in HTPs. To explore the more detailed and sophisticated nature of persuasive communication in media, we used the concept of framing. In the articles that we analysed, we categorised three narrative frames: the dominant narrative frames of (1) loss and gain and (2) repressing freedom, and an alternative narrative presenting (3) menthol flavour as a danger.

In the first narrative frame, loss and gain, the story reports the loss of people’s “favourite” menthol cigarettes, which is altered by the gain of “menthol HTPs”. Smokers are portrayed as pitiable consumers who lost their favourite product because of the EU directive. This frame is represented in the articles and headlines, which connect the ban directly to the EU regulation, such as “The end of menthol cigarettes. No more menthol cigarettes to be sold either in Czechia or in the EU” (Lidovky, May 20, 2020) or “No more menthol cigarettes. Menthol cigarettes are banned both

in Czechia and elsewhere in the EU as of today” (Benešovský deník, May 20, 2020). This narrative frame of loss is based on the powerful psychological effect of loss aversion (Tversky & Kahnemann, 1991), which affects rational decision making. For example, the online version of the well-known weekly Reflex published an article called “No more menthol cigarettes, mojito survives. A survey revealed that Czechs and Slovaks enjoy “minty” flavours” (Reflex.cz, May 4, 2020). The very same article (including the headline) was published on the same day on the website of the respected travel magazine Lidé a země (slightly abridged – excluding the final paragraph). Both articles use the framing of “popular menthol flavours”, quoting an independent consumer research study by the NMS Market Research Company that 69% of Czechs enjoy “menthol” flavour. The narrative continues to quote historical characters who preferred menthol flavours, such as Aristotle or Alexander the Great, to build up the story that menthol is desirable and wanted, thus implying that if a regulation bans the sale of menthol, it will cause harm and unpopularity among consumers. The unabridged version of this article in Reflex includes a solution for those who want to avoid the loss (switching to the new alternatives, such as ENDS and HTP). The article literally mentions the argument of “less harm than cigarettes, as proved by many experts and studies” (Reflex.cz, May 4, 2020). We can conclude that this article represents the narrative structure and framing which sheds a good light on tobacco producers who are trying to deliver a favourite product despite the obstacles they may have to overcome, and therefore adopts the communication aims of the tobacco corporations.

The second narrative frame, the story, frames fighting a losing battle for consumer freedom. This narrative repeats the well-established frame of smoking as a fight for freedom, which was set up in tobacco advertising in the late 1920s by the public relations counsellor Edward Bernays. Also, portraying the EU as a villain which bans something that consumers want and enjoy corresponds to the general unpopularity of the European Union as an organisation among Czechs (European Commission, 2020). For example, an online server published an opinion by the Czech Senator Václav Krása, who said: “I’m a non-smoker, and yet I can’t come to terms with the fact that the EU has banned menthol cigarettes. I just don’t understand who gave the EU the right to ban such a thing. We are indeed just a province. Next, they can impose a ban on fruit beers which are, just like menthol cigarettes, more popular among young people. What is the EU going to ban next?” (Parlamentnilisty.cz, May 23, 2020).

The third narrative, which represents menthol cigarettes as a danger, was published only by a minority of media, such as the public service broadcaster Czech Television or the Refresher.cz online magazine. Therefore, we term this narrative alternative, because it is in clear contradiction of the vast majority of the texts. This journalistic content follows the narrative structure of “fighting a danger” and frames it in a positive manner as consumer protection, such as “Menthol cigarettes are banned in the European Union. The ban should prevent especially children from smoking” (May 20, 2020) or “They’ve been banned for the sake of children! And for the sake of harmful substances in lungs” (Aha, May 5, 2020). These articles do not cite tobacco company representatives, but rather the statements of Czech healthcare professionals.

● 4 DISCUSSION AND CONCLUSION

In this article, we performed a content analysis of tobacco industry marketing campaigns and media communication discourse analysis in response to the ban on menthol flavourings in cigarettes in the Czech Republic which came into force in May 2020.

In the first stage of the research, we identified forms of communication by the two dominant tobacco companies on the Czech market (PM and BAT). From the forms of communication point of view, we discovered product pages with an integrated campaign, a series of posts on social networks, and articles on the tobacco companies’ websites, as well as leaflets at points of sale. The aim of the communication was primarily to inform the recipients of the upcoming change in the legislation and to promote menthol flavourings in alternative tobacco and nicotine products (HTP, ENDS, nicotine pouches). In these campaigns, the tobacco industry presented its portfolio of novel products while using the “problem – solution” communication model. In the second stage of the research, we categorised three frames which constitute the narrative structure of the texts: (1) loss and gain, (2) repressing freedom, and (3) menthol flavour as a danger. The first two frames represented the ban on menthol cigarettes as a loss and drawback for consumers, and offered a solution in the form of menthol-flavoured HTP products in order to gain an advantage. These frames were dominant across all media platforms. The second frame focused on representing the EU as a villain, an institution which imposes sanctions on people’s favourite tobacco products against the will of consumers, and repeated the connection between smoking and freedom. Those two frames were often complementary. The third frame is in clear opposition and it was represented by a minority of the texts that were analysed. It frames the ban on menthol cigarettes as consumer protection, specifically protection against the potential commencement of smoking in children.

Menthol flavours are among the most frequently used types of characterising flavours (WHO, 2016). According to the WHO (2018), menthol cigarettes form up to 10% of the global cigarette market. The value of the European menthol cigarette market in 2020 amounted to EUR 9.7 billion (Gretler, 2020). Therefore, with the comprehensive ban on characterising tobacco flavours in the EU, the tobacco industry is losing a significant market share. However, as has been proved, and not only by our study, the ban on menthol flavours has been used by the tobacco industry as an opportunity to promote other products in their portfolio. For example, in the United Kingdom the tobacco industry launched menthol-flavoured products (menthol capsules and filters sold separately, i.e. without a tobacco product, and cigarillos with a menthol capsule) which did not fall within the regulatory framework for the menthol cigarette ban (Hiscock et al., 2020). The tobacco industry can be expected to focus on menthol flavours, especially in their HTP products. According to a study conducted by Sutanto et al., (2019) menthol flavours were preferred by up to 41% of existing adult HTP users. Similarly, Lee et al. (2021) found in their study that current adolescent menthol cigarette users have greater awareness of HTP and are more frequent HTP users than smokers of combustible cigarettes without menthol flavouring. Therefore, characterising flavourings should be

regulated in accordance with international recommendations (WHO, 2016, 2018), including the flavourings used in novel tobacco products, as well as the advertising and promotion of these products. The public health benefits of such a measure are unequivocal. The results of a review conducted by Cadham et al. (2020) show decreasing levels of cigarette sales and an increase in quit attempts among current smokers in countries where menthol cigarette flavours were banned. Longitudinal studies in Canada and Europe proved a slight decrease in the prevalence of use of characterising tobacco flavours (Zatoński et al., 2020) and increasing interest in smoking cessation in both occasional and daily smokers of menthol cigarettes (Chaiton et al., 2020). Previous tobacco control measures, such as the introduction of health warnings on tobacco packaging and the smoking ban in public places, have contributed in the Czech Republic to raising awareness of smoking-related harms, slightly reducing daily cigarette consumption, and increasing the motivation of smokers to quit (Červenková, 2017; Kulhánek et al., 2019). The menthol cigarette ban represents a new opportunity to strengthen tobacco control and improve public health in this country. On the other hand, the regulation of tobacco advertising, promotion, and sponsorship should be extended in the Czech Republic as the WHO recommends (Kulhánek et al., 2019), Especially in the case of indirect promotion such as marketing communication on the internet (e.g. influencer marketing), as described by Hejlová et al. (2019). The regulation of novel products such as HTP and nicotine pouches is also a major challenge for tobacco control measures.

This study features both a number of strengths and a few limitations. It is the first study of its kind in the Czech Republic to respond to the change in legislation resulting in the ban on menthol cigarettes on the Czech market. The study was conducted by an interdisciplinary team and in cooperation with experts on marketing. We have employed a multi-method approach consisting of two lines of research (the analysis of communication campaigns run by the tobacco industry, and the analysis of communication in the media). The weakness of this study is the framing concept, which is often criticised as being vague or difficult to prove. For this reason, we have extended the methodological framework to include content analysis too. The sample of campaigns that were analysed can be considered limited. In the case of posts on social networks, only selected samples were used for the analysis, with an emphasis on the qualitative rather than the quantitative level of research.

This study brings evidence that the tobacco industry used the ban on menthol flavourings as a communication opportunity, and therefore conducted a sophisticated communication campaign in the Czech Republic. During this campaign, media content represented the ban on menthol cigarettes in a way which mostly represented the views of the tobacco industry and promoted their new products, such as heated tobacco, electronic cigarettes, or nicotine pouches.

Authors' contributions: MS and AK conducted the mapping and analysis of marketing communication on the internet and social networks and at points of sale. DH processed the analysis of communication in the media. AB and AK conducted the literature review and drew up the theoretical background for this study. DH, MS, and AK participated in the evaluation and interpretation of the results. All of the authors participated in the writing of the manuscript and approved the final wording thereof.

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