

EXHIBIT 6

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BUSINESS

Puff Bar Has Overtaken Juul as the Favorite E-Cigarette for Teens

About 11% of high-school students said they used e-cigarettes; most prefer fruity flavors and disposable devices



New survey results could inform a pending decision on which e-cigarette products will be allowed to remain on the U.S. market.

PHOTO: ERIK S. LESSER/EPA/SHUTTERSTOCK

By [Jennifer Maloney](#) [Follow](#)

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Disposable vaporizers are now the most popular type of e-cigarette among middle- and high-school students, overtaking reusable devices like Juul, according to new federal data. And the most commonly used brand—Puff Bar—is one that [has remained on the market despite an order](#) by the Food and Drug Administration last year to halt its U.S. sales.

About 11% of U.S. high-school students—an estimated 1.7 million children—said they had used e-cigarettes at least once in the past 30 days. The data are based on a national survey conducted online between Jan. 18 and March 21.

Last year, [about 20% of U.S. high-school students](#), or about three million, said they had used e-cigarettes at least once in the past 30 days. The annual study is conducted by the FDA and the U.S. Centers for Disease Control and Prevention, which said changes in methodology this year because of the pandemic made it difficult to compare with prior years.

The most commonly used flavors among young people were fruit, candy and desserts, mint and menthol, according to the survey. More than half of young e-cigarette users said they used disposable devices. Some 26% of high-school vapers said they used disposable brand Puff Bar, which [was followed in popularity](#) by Reynolds American Inc.'s refillable Vuse brand with 11%, Smok with 10% and Juul with 6%. Among middle-school e-cigarette users, 30% reported that their usual brand was Puff Bar.

“Youth usage of Vuse products is unacceptable, and we will continue investigating how youth are accessing our products,” a Reynolds spokeswoman said. Vuse is intended for adults and remains “an important option for those adult smokers seeking an alternative to cigarettes,” she said.

Juul Labs Inc. in 2018 landed in regulators' crosshairs when its sleek, flash-drive-shaped vaporizers became a teen status symbol. It has been the most commonly used e-cigarette brand among U.S. high-schoolers for the past three years. Under pressure from regulators and facing investigations into its marketing practices, Juul halted most of its U.S. advertising, shut down its [Facebook](#) and Instagram accounts and stopped selling all of its flavors in the U.S. except for tobacco and menthol. It remains the top-selling e-cigarette brand in the U.S. but has lost market share to Vuse and others.

Joe Murillo, Juul's chief regulatory officer, said that the company had undertaken a reset. “While millions of adult smokers have converted to our products from cigarettes, we will only be trusted to provide alternatives to adult smokers if we continue to combat underage use,” he said.

Puff Bar's sales jumped in early 2020 when federal restrictions barred the sale of sweet and fruity e-cigarette refill pods like those of industry leader Juul Labs Inc. Because Puff Bar devices couldn't be refilled, the FDA's initial flavor restrictions didn't apply to them. Underage vaping dropped after those restrictions were implemented, but disposable e-cigarette use among children and teens jumped.

In July of last year, [the FDA ordered the company](#) to halt its sales, saying its products [hadn't been authorized by the agency](#).

The brand stopped sales on its website but continued selling in retail stores with flavors such as Watermelon, Blue Razz and Lemon Ice. Puff Bar resumed sales on its website in February of this year, saying it had changed its ingredients and now used nicotine that wasn't derived from tobacco. The change might allow it to sidestep the FDA.

The FDA since last year has been concerned about Puff Bar's popularity among youth, an agency spokeswoman said. She added that the agency is considering how to address Puff Bar and a number

of other brands claiming that their products contain synthetic nicotine and therefore don't fall under the FDA's jurisdiction.

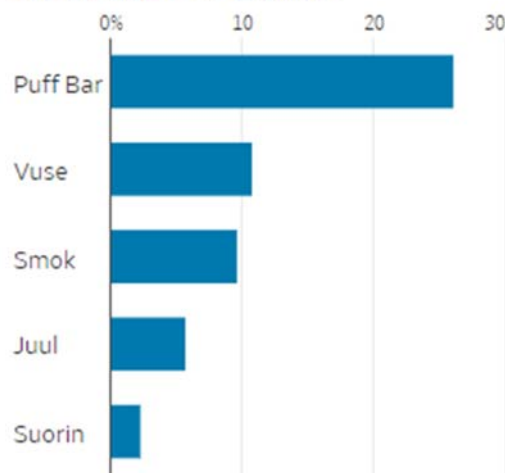
It isn't clear who owns the brand. Puff Bar didn't immediately respond to an emailed request for comment.

This year's survey was the first to be fully conducted during the Covid-19 pandemic. Because of the changes in the way the survey was conducted this year, the results aren't comparable to findings from previous surveys. Students this year answered questions through an online survey from their classrooms, homes or other locations. Before the pandemic, the survey was conducted in person in school classrooms.

Health officials said a significant number of young people vaped this year despite the fact that many were learning remotely and might have had less access to e-cigarettes from friends or classmates. Some 2.8% of middle-school students, or an estimated 320,000, reported e-cigarette use in the past 30 days.

Teen Choice

Preferred brand among U.S. high-school students who use e-cigarettes



Source: Food and Drug Administration; Centers for Disease Control and Prevention

"These data highlight the fact that flavored e-cigarettes are still extremely popular with kids," said Mitch Zeller, director of the FDA's Center for Tobacco Products.

The results could inform the FDA's pending decisions on [which e-cigarette products](#) it will allow to remain on the U.S. market. Some lawmakers and public-health groups have called on the agency to ban all e-cigarette flavors other than tobacco.

Among the FDA's decisions so far, the agency has ordered off the market more than a million flavored products—including vaping liquids with flavors such as apple crumble, cola and cinnamon toast cereal—saying the manufacturers hadn't provided sufficient evidence that their products benefited adult smokers to an extent that outweighed their potential appeal to young people.

Write to Jennifer Maloney at jennifer.maloney@wsj.com

<https://www.wsj.com/articles/puff-bar-has-overtaken-juul-as-the-favorite-e-cigarette-for-teens-11633021209>