

NJ Lawmaker Seeks To Limit Electronic Cigarettes

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PARAMUS, N.J. (AP) — A northern New Jersey lawmaker wants to extend current limits on the availability of tobacco cigarettes to apply to electronic cigarettes to prevent them from being embraced by children.

State Assemblywoman Connie Wagner said she's concerned electronic cigarettes are being marketed to children because they offer flavors like chocolate, banana and strawberry and could serve as a gateway to real cigarette use. The Democrat from Paramus intends to introduce a bill in the Legislature subjecting them to the same restrictions as pipes and regular cigarettes after the Nov. 3 gubernatorial election.

"It's dangerous," Wagner said, noting that electronic cigarettes have been found to contain harmful chemicals. "I have to make sure our children are protected."

Electronic cigarettes look like the real thing but don't contain tobacco. Instead, they employ a metal tube with a battery that heats up a liquid nicotine solution. Users inhale and exhale the resulting water vapor, which looks a bit like tobacco smoke.

Wagner's bill would prohibit their use in public places and workplaces. Offenders would face a \$250 fine for their first violation, \$500 for the second and \$1,000 the third time.

Wagner said she can almost guarantee the bill will be challenged by electronic cigarette companies if it becomes law. The industry is already locked in a legal battle with the Food and Drug Administration, which is trying to regulate electronic cigarettes as drug delivery devices.

Bergen County Freeholder Vernon Walton, who appeared Tuesday with Wagner at a press conference outside Paramus High School, said he plans to introduce a resolution Wednesday night at the county level banning electronic cigarettes immediately in county parks, county buildings and county vehicles. Bergen County has more than 900,000 residents and is located across the Hudson River from upper Manhattan.

Oregon and Suffolk County, N.Y., are also trying to ban electronic cigarettes.

The FDA said in July that it found cancer-causing ingredients in electronic cigarettes, despite manufacturers' claims the products are safer than tobacco cigarettes. Testing of products from two leading electronic cigarette companies, including Smoking Everywhere, turned up several toxic chemicals. One of them was a key ingredient in antifreeze.

Matt Salmon, president of the Washington, D.C.-based Electronic Cigarette Association, has expressed concerns about the FDA study, noting that the toxic chemicals it highlighted also are present in toothpaste, vitamins, mouthwash and food coloring. He said the electronic cigarette industry supports legislation limiting its products to adults.

"Traditional cigarettes, and their harmful chemicals and secondhand smoke, were the products for which public smoking bans were originally and rightfully intended," Salmon said, adding that the bans have been beneficial to public health. "The same cannot be said for the idea of extending bans to electronic cigarettes."

The electronic cigarette industry has grown into a more than \$100 million a year business since the devices were brought to the U.S. about two years ago, according to the Electronic Cigarette Association. The reusable sticks, which typically cost \$75 to \$100, are made mostly in China. The first ones were produced about five years ago.

Electronic cigarettes are not a safe alternative to regular cigarettes, according to Russell Sciandra, a tobacco policy specialist with the American Cancer Society.

"We don't know anything about them - that's the problem," Sciandra said. "We don't know what's in these things."

Ray Story, Smoking Everywhere's chief of operations, said electronic cigarette companies are in the difficult position of being targeted by both the American Cancer Society and U.S. tobacco industry. The whole point of the product is to allow smokers to do their thing without bothering those around them with secondhand smoke, he said, and it's ironic that the FDA is trying to subject electronic cigarettes to tighter standards than the tobacco cigarettes they replace.

Sunrise, Fla.-based Smoking Everywhere sold about 600,000 electronic cigarettes in its first year in 2007, generating annual revenue in excess of \$30 million.

"At the end of the day, it's a far safer product than traditional cigarettes," Story said.

On the Net:

Electronic Cigarette Association: <http://www.ecassoc.org>

American Cancer Society: <http://www.cancer.org/docroot/home/index.asp>

Smoking Everywhere: <http://www.smokingeverywhere.com>