

NY Times.com

Vapors and Emotions Rise at Hearing on E-Cigarettes

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Published: December 4, 2013

A woman in a skintight dress lounged in the front row of the City Council chamber on Wednesday, sucking on an electronic cigarette and blowing out sweetly scented clouds, as if she were at a nightclub. Other people in the crowd of about 200 did the same, puffing on devices like a red-tipped cigarette clone, a green glass hookah and something that looked like a black pencil with a glowing blue tip.

Unlike smoke from regular cigarettes, which would have formed a fetid smog over the room, the plumes from these cigarettes left only the most fleeting impression before evaporating. The point of the theatrical provocateurs seemed to be that e-cigarettes were innocuous and legal, and should stay that way.

But John LaSorsa, 16, a student at Tottenville High School on Staten Island, was not buying it. He swatted away the clouds, before testifying in favor of a bill that would [add electronic cigarettes to the ban](#) on smoking in most public places in New York.

“My nose and throat burns,” Mr. LaSorsa testified. “I have an extreme [headache](#) right now because I’ve been sitting behind them smoking electronic cigarettes.”

In a city where the technocratic mayor prides himself on making decisions based on the evidence, the proposed ban produced one of the most scientifically vague and emotionally charged health committee hearings in recent memory. Anyone who used the word “smoke” or “smoking” to refer to electronic cigarettes, which typically contain [nicotine](#), was instantly corrected by audience members hissing “Vapor!” and “Vaping!”

The health commissioner, Dr. Thomas A. Farley, said electronic cigarettes were such a recent invention that he could not say whether they were hazardous to the health of those smoking them or those who might breathe in secondhand vapor. He said that they do put out fine particles and chemicals, and “I certainly can’t guarantee that that is safe.”

He said the problem with e-cigarettes was that they made smoking socially acceptable, and that they were a “bridge” for people who went back to smoking regular cigarettes.

“Does it help people quit, or does it help people not quit?” Dr. Farley asked, rhetorically.

Then Dr. Farley indulged in a bit of theater himself, fishing around in his shirt pocket, saying, “Just to give you an idea, I’ve got one here somewhere,” before pulling out an electronic cigarette that he pronounced “indistinguishable” from a real one. He and other supporters of the ban say [e-cigarettes confuse people](#) like bartenders and restaurant owners who have to enforce the existing smoking ban, making that ban harder to enforce. Advocates of e-cigarettes argued they had helped many people stop smoking regular cigarettes, including — based on a show of hands — most of the audience. E-cigarettes, which use a battery to vaporize a nicotine solution, have grown in popularity based on a perception that they are a safer smoking alternative.

Dr. Gilbert Ross, executive director of the American Council on Science and Health, which he said received some funding from the e-cigarette industry, told the committee that the proposed law was “hyper-regulatory, and it really will accomplish nothing except to make other former smokers return to toxic cigarettes.”

Spike Babaian, an owner of [VapeNY](#), an e-cigarette store in Manhattan and Queens, said that equating regular and electronic cigarettes was silly. “We don’t ban water because it looks like vodka,” she said. Councilman Peter F. Vallone Jr. of Queens demurred. “I’m watching puffs of vapor go up in this room — it is confusing, and I smell it.” He said he had not decided how to vote.

Councilman James F. Gennaro of Queens, [the prime sponsor of the bill](#), said the time to regulate electronic cigarettes was now. “I’m just not willing to wait for Big Tobacco to completely take over the electronic cigarette industry, and then you’ll get nothing out of Washington, because people are bought and paid for,” he said.

If the bill is not passed this month, several of its strongest advocates — the Bloomberg administration; the Council speaker, Christine C. Quinn; and Mr. Gennaro — will be out of office, leaving its fate under a new administration uncertain.

A version of this article appears in print on December 5, 2013, on page A33 of the New York edition with the headline: Vapors Rise at City Hearing on E-Cigarettes.

<http://www.nytimes.com/2013/12/05/nyregion/vapors-and-emotions-rise-at-hearing-on-e-cigarettes.html?ref=nyregion&r=0>