

Treat 'vaping' like tobacco

From the Desk of
Rep. Phil Barnhart



Few Oregonians, at least those of the adult variety, would dispute the need for state lawmakers to join 27 other states across the country in barring minors from purchasing electronic cigarettes. But a proposal to make the devices subject to Oregon's indoor smoking ban is a tougher call.

In Oregon, e-cigarettes are not subject to age or usage restrictions or, for that matter, the tobacco taxes that apply to traditional cigarettes (taxes are a subject for another day). While all of the people testifying at a House hearing last Wednesday supported banning the sale of e-cigarettes to minors, merchants and users of the devices strongly opposed a broader bill, sponsored by Rep. Phil Barnhart, D-Eugene, that would also ban the indoor use of the products in most public places and workplaces.

For the uninitiated, e-cigarettes are battery-powered devices — often designed to look like regular cigarettes or cigars — that turn nicotine-laced liquids into vapor that is inhaled by users. The liquids, which come in often exotic flavors, do not contain the tar that is the main cause of smoking-related cancers, and e-cigarettes are typically marketed as a tool to help smokers to reduce their nicotine intake or even quit smoking entirely.

E-cigarette users and sellers, as well as the owners of trendy new vapor lounges cropping up around the state, argue that banning use of the devices, or "vaping," in public spaces would unfairly limit use of a product that is helping people to quit cigarettes. They rightly note there is so far no scientific evidence that the exhaled vapor poses a serious health threat to other people as secondhand tobacco smoke does.

But supporters of the broader ban hold the upper hand in this debate, and the ban on minors purchasing the devices is a no-brainer.

The share of teens who use e-cigarettes doubled in 2012 from the previous year, according to a recent survey by the U.S. Centers for Disease Control and Prevention. The products' flavored vapors (chocolate and "cherry crush" are examples), coupled with advertising that clearly targets young people, partially explain why the e-cigarette business is rapidly growing among young people. A bigger attraction is the use of nicotine in the devices. Nicotine is highly addictive, and studies have shown that the adolescent brain is especially susceptible to the substance. Researchers for the CDC and the Food and Drug Administration have warned that e-cigarettes may serve as a gateway for teens into tobacco use.

There's a public health argument for banning the use of e-cigarettes in enclosed public spaces. While the effect of e-cigarettes on people inhaling second-hand vapor isn't yet known, the FDA has cautioned that e-cigarettes contain many chemicals and tiny particles that can become embedded in the lungs, just as regular cigarettes do. The German Cancer Research Center concluded that harm to secondhand inhalers is possible because of the presence of metals and toxic chemicals, albeit at levels well below those of tobacco cigarettes.

But the most compelling argument is more subtle, and arises from the need to protect the integrity of the indoor smoking ban. Each smoke-free space has been hard-won, but once gained it enjoys strong support from a public that has come to value a haze-free environment. Allowing vapers to continue using their devices in public buildings, restaurants and the like would be a step backward, creating an atmosphere in which not only vaping is tolerated, but one in which smokers might seek to reassert their right to puff away in indoor public places.

If research some day shows that secondhand vapor poses no risk, lawmakers could someday remove or modify a ban. But for now, the Legislature should not only bar minors from purchasing e-cigarettes, but also ban their use in public spaces.