

## Brown should heed warnings: E-cigs aren't benign

By the Editorial Board

Californians take for granted that bars, restaurants and other workplaces are smoke-free, thanks to legislation that took effect 20 years ago.

But in much of the state, [particularly in the Central Valley](#), it's perfectly legal to suck on battery-operated cigarettes and exhale toxic vapors that can affect the health of co-workers and patrons. That needs to change.

Sen. Mark Leno, D-San Francisco, is carrying legislation to treat e-cigarettes the same as tobacco cigarettes by banning their use in workplaces, including bars. That's no small task.

Major tobacco companies, which own e-cigarette brands, have imposed on malleable legislators to kill past attempts to regulate the electronic nicotine delivery devices. Knowing that money speaks to politicians, tobacco companies spent more than \$3 million on California campaigns in 2013 and 2014.

Gov. Jerry Brown, who has accepted \$162,000 in tobacco money in recent campaigns, is a national voice on the environment. Surely his interest in clean air should extend to bars where working people increasingly have to decide between keeping their jobs and inhaling toxic vapor. He ought to take a stand in favor of [Leno's bill, SB 140](#).

Brown's new state health officer, Dr. Karen Smith, makes clear that although e-cigarettes are not as well researched yet as tobacco cigarettes, secondhand vapor, like secondhand smoke, contains unacceptable levels of carcinogens. "We know it is bad. We know it contains toxic substances," Smith said in an interview with an editorial board member.

Leno has support for his bill from some influential groups including the California Medical Association and Service Employees International Union-United Healthcare Workers.

But most groups that backed the ban in the 1990s are missing in action now. The California Labor Federation, the California Hospital Association and the California Restaurant Association all took early and courageous stands in favor of the smoking ban 20-plus years ago. They should engage again.

E-cigarettes, which have been on the market for eight years, employ the slick marketing techniques that worked so well for tobacco cigarettes, especially among adolescents: free samples, sweet flavors, celebrity testimonials and product placement on shows watched by their coveted demographic, young people. Insipid ads for the leading nicotine inhaler company, blu eCig, are all over television aimed at young adults. The pitchman seems so sincere, so honest, so hip. It's big business.

Lorillard, the nation's third-largest cigarette company, bought blu for \$135 million in 2012. Reynolds American, the nation's second-largest cigarette company, is buying Lorillard for \$27 billion, and is [selling some brands, including blu, to a British tobacco company](#) for \$7 billion. In the last legislative session in Sacramento, blu paid \$211,000 for lobbying.

To counter the impact, California is spending [\\$7 million on a statewide ad campaign](#) intended to show young people that [tobacco companies are manipulating them](#) by getting them to vape. The ads are powerful, if late.

In 1993, the U.S. Environmental Protection Agency declared that secondhand smoke was a leading cause of cancer in nonsmokers. That gave momentum to anti-smoking advocates and legislators who pushed through the workplace smoking ban.

This year, the California [State Health Officer issued a report saying e-cigarettes](#) “emit at least 10 chemicals that are ... known to cause cancer, birth defects or other reproductive harm.” The report said that in 2014, more teens used e-cigs than tobacco cigarettes. Consumption tripled among people 18 to 29.

Public health experts say young people who become hooked on nicotine delivered by battery-operated devices ultimately will turn to smoking. “Comprehensive steps taken now can prevent a new generation of young people from becoming addicted to nicotine, avoid future health disparities and avert an unraveling of California’s approximately \$2 billion, 25-year investment in public health efforts to prevent and reduce tobacco use in California,” the report said.

In 1994, then-Gov. Pete Wilson and the legislators who voted to impose the original workplace ban concluded that workers shouldn’t have to choose between inhaling carcinogenic fumes and keeping their jobs. Brown and the Legislature face the same question now. How they respond will say much about their commitment to public health.

This isn’t about vapers’ rights. Adults can do as they please. But as the saying goes, other people’s rights end at our noses. The rest of us should not be expected to breathe the fumes of other people’s addictive and toxic vice.

[Americans for Nonsmokers Rights](#) reports that 61 California cities have ordinances restricting e-cigarettes. Among the cities that don’t:

- Sacramento
- Elk Grove
- Stockton
- Modesto
- Fresno
- Visalia
- Bakersfield