

# Macomb County law enforcers urge parents to talk to their teens about vaping

## Law enforcers urge parents to talk to their teens about vaping

- Gina Joseph and Natalie Broda  
MediaNews Group Sunday, October 6, 2019  
@ginaljoseph on Twitter



The new law banning the sale of flavored electronic cigarettes aimed at stopping the rising number of teens from vaping is now in effect. According to a report by the Surgeon General 3.6 million American adolescents use e-cigarettes and vape. Photo from Flickr/Vape360.com



Macomb County Sheriff Anthony Wickersham address questions about the new flavored e-cigarette ban and how it will be enforced during a press conference Wednesday. Also present were Dale Dwojakowski, Sterling Heights police chief, left, Macomb County Prosecutor Eric Smith and Clinton Township Police Chief Fred Posavetz. GINA JOSEPH - THE MACOMB DAILY



Macomb County Prosecutor Eric Smith explains to the crowd of media gathered for Wednesday's press conference how the new flavored e-cigarette ban will be enforced. Also present were Dale Dwojakowski, Sterling Heights police chief, left, Macomb County Sheriff Anthony Wickersham and Clinton Township Police Chief Fred Posavetz. GINA JOSEPH - THE MACOMB DAILY

Macomb County law enforcement leaders made it clear this week that the governor's executive order to ban the sale of flavored electronic cigarettes is now in effect.

Violators are warned.

Anyone who does not comply with the law, aimed at stopping the growing number of vaping users under the age of 18, is guilty of a misdemeanor and could face 6 months in jail or a fine of not more than \$200, said Macomb County Prosecutor Eric Smith, who joined Macomb County Sheriff Anthony Wickersham, Clinton Township Chief of Police Fred Posavetz and Sterling Heights Police Chief Dale Dwojakowski at Wednesday's press conference.

"We don't want to put anyone out of business but we also don't want it in the hands of kids," said Smith, who wholeheartedly supports the ban as a prosecutor and as the parent of a 14-year-old high school student.

His child has seen teens vaping at school, in bathrooms and on the bus, said Smith. Parents have also reported seeing children in middle school vaping.

"As a parent I am fully aware of the vaping epidemic," he said. "This is the first step in stopping it."

"She cut right to the problem and where the kids are getting it," Smith said of the governor's ban.

## **The law**

On Sept. 3, Gov. Gretchen Whitmer ordered the Michigan Department of Health and Human Services (MDHHS) to create emergency rules banning the sale of flavored vaping products in retail stores and online.

Only tobacco-flavored products will be allowed for sale. The order also included new rules on the marketing of vapor products, banning the use of words like "clean," "safe" or "healthy." The U.S. Food

and Drug Administration enacted similar marketing regulations in 2016 when it warned vapor product manufacturer JUUL Labs Inc. to change its advertising.

"I'm proud that Michigan has been a national leader in protecting our kids from the harmful effects of vaping," Whitmer said. "For too long, companies have gotten our kids hooked on nicotine by marketing candy-flavored vaping products as safe. That ends today. This bold action will protect our kids and our overall public health."

The ban was enacted on Oct. 2 and will stay in effect for 180 days. It can be extended for six months. The MDHHS has also filed a request to make the ban permanent.

"In the past few years, we've seen an explosive increase in the number of Michigan kids exposed to vaping products," Dr. Joneigh Khaldun, the state's chief medical executive and chief deputy director for health at MDHHS, said.



Sterling Heights Police Chief Dale Dwojakowski talks about the new flavored e-cigarette ban in effect and the importance of parents talking to their teens about vaping during a press conference held by Macomb County law enforcement leaders. GINA JOSEPH - THE MACOMB DAILY

"This is a public health crisis. These products can contain harmful chemicals that put our kids' health at risk. I'm looking forward to working with Governor Whitmer to mitigate these effects and keep our kids healthy," Khaldun said.

## **Young users**

E-cigarettes are not new. They've been around for more than a decade but vaping rates have skyrocketed recently, especially among American adolescents.

Nationwide the number of e-cigarette users in middle and high school has increased 900% from 2011-15. From 2017 to 2018, e-cigarette use spiked 78% among high school students and 48% among middle school students, according to the Michigan Department of Health and Human Services. E-cigarettes are now the most frequently used tobacco product among teens, with some 3.6 million middle and high school students reported to be regular users.

"We're very concerned," said Charlene McGunn, executive director of the Chippewa Valley Coalition for Youth and Families, especially since a Michigan Profile for Healthy Use survey last year showed

that more than one-third of eleventh-graders in Chippewa Valley Schools reported vaping in the past month.

McGunn said her group does a lot of work in keeping track of trends and this has been on their radar for a while.

"Studies have shown that teens who vape are four times more likely to start smoking than their peers who don't smoke, and we're concerned that this trend will create another generation of smokers," McGunn said.

## **The issue at hand**

Electronic nicotine delivery systems have evolved since the mid-2000s. The device consists of a tank holding vapor oil, or e-liquid, with a cotton coil. The coil soaks up a liquid that is heated by an atomizer to produce the vapor. Some vaping devices are small and disposable, like JUUL pods. Larger devices consist of a lithium battery cartridge and interchangeable tanks that allow the oil to be heated at a higher wattage.

The oil is made of four ingredients:

- Propylene glycol, a colorless and odorless synthetic liquid with alcohol-like properties that absorbs water, according to Mayo Clinic News Network. The [FDA](#) has recognized it as "generally safe" for use in food (although in this case its being inhaled),
- [Vegetable glycerin](#), a food and cosmetics additive,
- Chemical flavorings,
- Nicotine. E-liquids can have varying levels or no nicotine added.

According to the [American Lung Association](#), there are 600 ingredients in cigarettes that, when burned, create more than 7,000 chemicals, 69 of which are known to cause cancer.

"Technically, all vape juice is made of the same stuff," said Christopher Bacho, CEO of Troy-based The Vapor Shoppe. "What's changed is the amount of technology inside a vaping module today compared to 10 years ago. They're more regulated with overheating protections."

Bacho owns nine vapor shops around the metro Detroit area that sell oils, devices, coils and other vaping accessories. He's run the business with his two brothers since 2014.

He wasn't surprised, he said, when Michigan's flavored oil ban was announced.

"Myself and others in the industry have been preparing for this. We follow the FDA guidelines and are always watching what's happening in other places. We've been preparing for a worst-case scenario," he said.

As a distributor of vapor oils, also called e-liquids or vape juice, Bacho said his shops only sell large or national brands.

"I'm mainly looking for if the oil was manufactured in a clean environment. We don't carry small brands like some local shops, but that isn't because we don't trust the product. We just want to make sure the brand is going to stick around for our customers," he said.

But the state ban itself has caused confusion in the industry, as nearly all vape oils are made with a sweetener to cut down on the bitterness of ingredients when heated into vapor. Even most tobacco-flavored products contain a regular sweetener or flavors such as vanilla or butterscotch.

There's also confusion surrounding the wording of the ban.

"From my understanding, we're allowed to sell oils that are flavored and don't have nicotine in them, but we're not doing that. We're not taking any chances," Bacho said. "It's one of those things that's a head scratcher. Some official language from the state says 'flavored e-cigarettes' are included but the actual ban says 'flavored nicotine vapor product'."

Bacho said he and others in the industry are currently awaiting new tests and potential regulations from the FDA on chemical flavoring, expected to be completed by next summer.

"This is life and politics, every industry gets hit with things like this sooner or later, I'm hopeful it will all clear up," Bacho said. "Everyone is going to try and protect their own industry. Big tobacco would do anything to protect their turf."

## **The lung disease outbreak**

Michigan's flavored oil ban followed recent lung injury cases in 46 states. A total of 1,080 confirmed and probable cases, including 12 deaths, have been reported to the federal Center for Disease Control and Prevention in Atlanta. Nearly two-thirds of the patients are between the ages of 18 and 34. About 16% are under age 18.

On Friday, Oct. 4, the state health department announced the first death in Michigan relating to the reported cases of lung injury. The patient was an adult male. No other information on his identity was released. A total of 30 confirmed or probable cases have been reported in the state since August, ranging in ages from 16 to 67.

"We are saddened to announce a death associated with this outbreak," Khaldun said. "To protect public health, we urge people to consider refraining from vaping until the specific cause of the vaping-related severe lung injuries being reported nationwide has been identified. To help with this investigation, we are reminding health care providers to report patients that may have this condition to their local health department."

Health officials began investigating cases over the summer. In September, they learned that many patients were using products containing THC, the psychoactive component of marijuana, in their e-cigarette or vaping modules, according to a CDC fact sheet.

In a study of 514 patients, about 77% reported vaping THC products in the 30 days prior to their first symptoms. Roughly 36% reported only vaping with THC products.

Only 16% of patients reported using exclusively nicotine products.

The CDC has been unable to connect a single product or substance to the illnesses, stating: "The specific chemical exposure(s) causing lung injuries associated with e-cigarette product use, or vaping, remains unknown at this time."

But in September, around the same time researchers discovered the THC connection, a Wisconsin man was arrested and accused of manufacturing counterfeit vaping cartridges loaded with THC oil, according to the [Associated Press](#).



Examples of the types of vaping products available were displayed for the understanding of Community Action Coalition students in the L'Anse Creuse Public Schools district.

Photo courtesy of L'ANSE CREUSE PUBLIC SCHOOLS

Prosecutors claim that 20-year-old Tyler Huffhines and 10 employees filled 3,000 to 5,000 cartridges per day that were then professionally packaged and sold for \$16 each. He started the operation in 2018. It's currently unknown if products from the illegal business are linked to the reported outbreak.

## **The industry**

The aforementioned FDA crackdown on Juul's marketing of e-cigarettes as a safer alternative to smoking in 2016 set the precedent in the U.S. vaping industry. Most recently, Juul and five other [vaping companies](#) have been ordered to provide information to the Federal Trade Commission on how they're marketing vapor products.

The commission is claiming it wants to "better understand" how vapor products are sold and promoted. The other companies involved are: R.J. Reynolds Vapor Company, Fontem US, Logic Technology Development, Nu Mark and NJOY. Company materials dating back to 2015 will be under review.

Internationally however, the products are treated as a government-supported smoking cessation tool.

Public Health England, the U.K.'s public health entity, has been researching the effects of vaping since 2014. In a study which commissioned independent evidence reviews from leading U.K. researchers, it was found that the use of vapor products is 95 percent safer than smoking.

Researchers based that finding on:

- The fact that the harmful constituents in cigarette smoke, like carcinogens, are either absent or below 5% of smoking doses in vapor products
- The main chemicals that comprise vapor products haven't been associated with any serious risk
- While some flavorings and constitutions could pose a long term risk, that risk stands at about 5%

The most recent Public Health England report from 2018 continues to support the original researcher's findings. Along with the U.K., the New Zealand Ministry of Health and Canada's public health department have recognized vaping as an alternative to smoking, though none call it "safe."

The New England Journal of Medicine reported this February that in a randomized trial of 886 participants the use of e-cigarettes was more effective for smoking cessation than nicotine-replacement therapy.

## **Educating parents**

While the long-term effects of vaping in adults are still under review, there's plenty of research on how nicotine use can impact brain development in youngsters. Nicotine consumption in an adolescent can damage parts of the brain that control attention, mood, learning ability and impulse control. Nicotine can also change the way brain synapses function in youth.

"In the absence of robust regulation by the FDA, we know shockingly little about the health impact of e-cigarettes being widely marketed to youth and adults," Nancy Brown, CEO of the American Heart Association, said. "The recent outbreak of respiratory illnesses associated with e-cigarette use has only added to the uncertainty and increased the need for immediate action. What we do know is nicotine is highly addictive and has adverse effects on the developing brain, and flavors strongly appeal to youth."

Cheryl Phillips, a program coordinator at the St. Joseph Mercy Health Exploration Station in Canton, sees it every day. She speaks about vaping to nearly 22,000 middle and high school students in metro Detroit every year.

"I'm getting more and more calls from schools to come speak, it's almost daily," Phillips said. "I talk to them about how some studies show that when flavor agents are heated up, they can be toxic to the human body. We're concerned about these kids getting hooked on nicotine."

Phillips said she's personally in support of the state ban, in hopes that it might completely eliminate middle school usage.

"They get introduced to this by high school kids. Middle school kids like the taste of candy, of bubblegum," she said.

Dwojakowski, the Sterling Heights police chief who is also a parent, said what's most important right now, being vaping is so rampant, is for parents to educate themselves. Once they know their facts they can start a conversation with their children.

"I know you can get it but let's talk about it," Dwojakowski said as an example.

Schools are also likely to make vaping a topic of discussion.

"We've created a lesson on vaping that's been introduced into our health classes. We've also created information for parents who want to know more about it," McGunn said.

Both are aimed at stopping kids from vaping.

"It is a very concerning phenomenon and there's a lot going on, not just here but across the nation, and people are struggling to stay ahead of it," McGunn said.