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UPDATED: Health officials bust vendors, promoters at N.J. e-cigarette convention for indoor vaping

EDISON — "Vape Expo NJ" this weekend drew roughly 1,200 vendors and electronic cigarette enthusiasts, as well as local and county health officials who fined the expo hall manager, the event promoters and nearly 70 sellers about \$50,000 for violating the state's indoor smoke-free air law.

Edison and Middlesex County health officials wrote 66 citations against vendors over the course of the weekend for allowing customers to vape inside the the New Jersey Convention and Exposition Center, said Jay Elliot, director for the township Division of Health and Human Services.

Health officials also issued 27 summonses each against expo hall owner and Ape Expo NJ 2015 promoters Andy Balogh and Don Miller, Elliot said.

"At my request they shut the doors at 4 p.m. (Sunday) - it was scheduled until 8 p.m. - to address gaping by the attendees at the event," Elliot said Sunday night.

Balogh announced Saturday night he intended to pay the fines for anyone who was cited for vaping indoors, according to a video posted on the Vape Expo NJ 2015 Facebook page.

In 2010, New Jersey was the first state in the country to ban "vaping" in public by expanding a law barring indoor smoking at restaurants, bars and other public places to include e-cigarettes.

On Saturday, Balogh said he intended to challenge the fines, arguing health officials were mistakenly applying the law to what is a private building he had leased out for the three-day show. "The township signed off. They knew there would be" vaping, he said.

Elliot disagreed. Although the expo hall is a private building, "We were assured this was a private trade show."

"It was effectively open to the public," Elliot said, as long as patrons paid the \$10 entry fee, vendors paid \$25, and signed a document saying they were joining a "club" called the Vape Expo NJ 2015.

"We worked with them for a couple of days, and I won't say no effort was made," Elliot said, noting that an outdoor vaping area was added Saturday at the health department's request. "But it's out of control. Bottom line, it's just not working."

Joseph Cascio, the expo hall general manager, said he thought the promoters cleared everything with the township. When informed of the violations, he said he tried to do his part by handing out and posting flyers warning people not to vape indoors.

"We acted right away," Cascio said. "We put sampling tables outside."

E-cigarettes are battery-operated devices that deliver nicotine in the form of water vapor. They have been marketed as a healthier alternative to smoking tobacco cigarettes because they do not contain the carcinogens associated with burning tobacco. But the long-term effects are unknown. E-cigarette cartridges contain nicotine, making them just as addictive as tobacco products, as well as other chemicals not yet evaluated by the U.S. Food and Drug Administration.

According to a May 2014 article in the medical journal, *Circulation*, e-liquids usually contain propylene glycol, (a chemical used to absorb extra water and maintain moisture in certain medicines, cosmetics, or food products) glycerin, nicotine and flavorings.

People who paid the entry fee and joined the club signed a 2-1/2-page disclosure form that held the club organizers harmless from "any injury, health concerns" associated with vaping nicotine products, including an "increase in heart rate and blood pressure...dizziness, nausea and stomach pain." Expo employees signed a similar "onsite work agreement," according to a copy of the document.

State Sen. Joseph Vitale (D-Middlesex), one of the sponsors of the indoor smoking ban, showed up after receiving a call from Karen Blumenfeld, director of GASP, Global Advisors on Smokefree Policy, saying the event was marketed online as an indoor vaping opportunity.

There is no private club or membership exemption in the state smoke-free air law, Blumenfeld said.

The promoter told vendors that customers were allowed to test products containing "zero nic" or no nicotine on the expo hall floor, Vitale said. "He's wrong. It's more than just vapor. There are other chemicals to worry about," he said.

A thick fog of candy-smelling smoke hung in the air inside the cavernous hall filled with rows of tables and elaborate displays of nicotine "juice" and vaping paraphernalia such as "tanks" or atomizers that resemble ornate pens and hold larger amounts of liquid. There was a DJ stand, pole dancers and neon lights. As word spread late Saturday afternoon that health officials were issuing \$250 fines for people who vaped indoors, some vendors and patrons started to pack up and leave.

Balogh, the event promoter and a Whitehouse resident, said many vendors are demanding refunds. Some "verbally attacked" his partner and threatened to sue.

Fines for violating the indoor smoke-free act are \$250 for the first offense, \$500 for the second offense and \$1000 for a third offense and subsequent violations, according to the law.

"If we had any idea this was going to happen, we would never have gone to Edison," he said.

Balogh said he got involved with the vaping industry after his mother survived lung cancer and switched from tobacco to e-cigarettes. "The vaping industry is getting a black eye, and it's not right. This is a way for people to get off tobacco."

Jon Clouser, a nicotine "juice" manufacturer from Virginia Beach, stood outside the hall and discouraged people from going inside. Without being able to test products before buying them, it wasn't worth their time he said.

Clouser said he made the trip to support the rapidly growing industry and learn more about the business. But by 5 p.m., he was ready to leave. "We are going to find some local shops and buy from them."

http://www.nj.com/healthfit/index.ssf/2015/07/local_health_department_busts_vendors_promoters_at.html