



## FDA Decision to Regulate E-Cigarettes Worries Sellers

5-6-16

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“This would be your traditional, tube-style vaporizer,” said Eric Weingartner. Weingartner sells vaporizers, e-cigarettes and hundreds of flavored e-liquids at his Eatontown shop, [New Jersey Vapors](#). Customers can choose how much nicotine they want in the product.

Business is smoking hot, but Weingartner claims the [FDA](#)’s decision to regulate his industry will kill it. “This is just another incidence of the government putting their hands in the pockets of small businesses and basically trying to over-regulate an industry out of existence,” he said.

That’s about 280 shops in New Jersey. The FDA rules would bring the industry under the same intense regulatory oversight as tobacco products, and restrict access to teens in particular.

“Right now there is no federal regulation of e-cigarettes whatsoever. That’s why we call the marketplace for e-cigarettes the Wild, Wild West,” said Mitch Zeller, director of the [FDA Center for Tobacco Products](#). “E-cigarettes are tobacco products. E-cigarettes contain nicotine. Nicotine is addictive.”

The government expressed deep concern over vaping among teens. Some 2.5 million middle and high school kids vape at least once a month, according to the [CDC](#). “Between 2011 and 2015, the percentage of high school students who smoked e-cigarettes has skyrocketed over 900 percent,” said [U.S. Health and Human Services Secretary Sylvia Burwell](#).

“Our product is an adult product and we intend to sell it to adults who are looking for a better alternative to traditional cigarettes,” Weingartner said.

“I don’t think it’s really a real cigarette because I used to smoke cigarettes a lot, and I vape now and it seems actually a lot more healthier than a cigarette,” said vaper Amanda Bofill.

New Jersey already bans the sale of e-cigarette products to people under 19 years of age. But critics point to e-liquids flavored like cereal and well-known candies as evidence the industry markets to teens.

So why all the flavors that are candy flavored? “I’m in my middle 40s. I like candy. I like watermelon, I like strawberry, I like cereal flavor. It gives you options,” Weingartner said.

“We do hope the FDA acts swiftly to restrict the flavorings of these products so that young people are not attracted to them,” said Karen Blumenfeld, executive director of NJ GASP. Advocates like NJ GASP hail the FDA regulations, which take effect in 90 days.

Weingartner says small businesses can’t afford to comply.

“If it was not on the market before 2007, it now has to go through pre-market approval, which costs roughly \$1 million per item. Within the next two to three years, 99 percent of these products will not be on the market,” he said.

Weingartner says he anticipates national vaping groups will file litigation to block or modify the regulations. If they don’t, he fears, his business could go up in smoke.

<http://www.njtvonline.org/news/video/fda-decision-regulate-e-cigarettes-worries-sellers/>