

A new phenomenon has reached our generation before the facts and dangers have even surfaced. More and more studies are being done on the effects of vaping, even though for some, it's already too late. Stories of people dying from lung diseases related to vaping are flooding newspapers, and commercials spreading the dangers of vaping are becoming increasingly prominent. From a *halachic* perspective, can vaping possibly be permitted, and if so, what are the transgressions that might apply?

Vapes, also known as e-cigarettes, contain many ingredients that are harmful to the body. Nicotine, which is also the addictive ingredient in regular cigarettes, is present in vapes and has negative effects such as the possibility of causing an increase in blood pressure, heart rate, and a narrowing of arteries, as well as increasing the risk of a heart attack. In vapes, solvents are used to dissolve either nicotine or sometimes marijuana-derived compounds, such as tetrahydrocannabinol (THC) or cannabidiol (CBD). THC is the chemical in marijuana responsible for its intoxicating effect, and has been implicated in many of the recent illnesses reported nationwide. E-cigarettes produce an aerosol by heating the e-liquid inside with metal coils. These coils can be composed of a variety of substances including an alloy of iron, chromium, and aluminum, termed kanthal, or a combination of nickel and chromium. The visible aerosol, or cloud, produced by vapers is generated by glycerin, a product made from vegetable oil. The sweeteners in e-cigarettes include sucralose and ethyl maltol [1].

Many of these ingredients are approved by the FDA; however, that designation only refers to when those compounds are consumed in food. Perhaps the most dangerous part of e-cigarettes is the unknown. It is unclear whether some other toxic chemicals or pesticides have found their way into the e-liquid, or whether heating e-liquids leads to the formation of compounds not yet documented [1].

The unknown factor of the dangers of vaping potentially opens a *halachic* leniency. If the true dangers are unknown, then it falls under the category of "*shomer peta'im HaShem*" (*Tebillim* 116:6), which translates as, "God protects the simple person." This principle means that if there isn't concrete evidence of the danger of something, even if there are theories of

its ability to harm, it cannot be *halachically* prohibited. Rabbi Moshe Feinstein applied this concept to smoking cigarettes [2]. However, when more scientific evidence emerged about the dangers of smoking, many rabbis, such as the Tzitz Eliezer, Rabbi Eliezer Yehuda Waldenberg, a prolific *halachic* decisor in Jerusalem, concluded that there was a widespread awareness of the risk of smoking, and so *shomer peta'im HaShem* no longer applied in the case of smoking [3].

The same conclusion of "*shomer peta'im HaShem*" with regard to smoking can also be applied to vaping. Although vaping has only recently become popular, many of its negative effects have already shown themselves in users. Vaping harms the body's immune system and generates many toxic chemicals, such as formaldehyde and acetaldehyde. Vapers show some of the same lung disease symptoms as people who smoke, such as smoker's cough [4]. In the summer of 2019, there were over 215 life threatening illnesses reported related to vaping [5]. Hundreds of patients, usually previously healthy adults, were showing up to the emergency room with serious respiratory damage [6]. Studies are showing that even vaping a couple of times can be harmful to the lungs [4]. While the cancerous effects of smoking can appear many years after the person started smoking, recent cases have proven that the fatal cost of vaping can surface soon after the person starts vaping. With this new information, it is impossible for vapers to be protected under "*shomer petai'im HaShem.*"

In addition, vaping could be *halachically* prohibited on the grounds of "*ve'nishmartem ma'od et nefshotechem,*" (Deuteronomy 4:15), which means "you should exceedingly guard your health." The Rama stated that even a *safek sakana*, the possibility of danger, fell under that prohibition (*Shulchan Aruch, Yoreh De'ah* 116:5). Therefore, even if vaping only causes an increased risk in various respiratory diseases, that risk falls under a *safek sakana*, which one is obligated to prevent.

Conversely, perhaps there is a situation where vaping could be *halachically* permitted. An example might be someone who uses vaping for the purpose that it was originally developed: as a healthier alternative to smoking cigarettes. A particular benefit of vaping is that there is a 99% reduction of formaldehyde and

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carbon monoxide in secondhand vapor compared to that generated from combustible cigarettes [7]. This reduction in noxious vapors almost completely eliminates the problem of secondhand smoke. A study in the *New England Journal of Medicine* noted that e-cigarettes were nearly twice as likely to enable a person to quit smoking than nicotine replacement therapy [8]. However, there is a *halachic* precedent of not permitting a lesser prohibition in order to prevent a major prohibition [3]. Thus, even though vaping is better for a smoker than smoking combustible cigarettes, it cannot be *halachically* allowed on these grounds. The other question that comes into play is whether someone who vapes is under the status of *oneis*, someone acting without free will (*Avodah Zara* 54a), because they become addicted to nicotine. When asked if the principle of “*oneis rachmana patrei*” (an *oneis* is exempt from punishment) would *halachically* allow someone to continue smoking without consequences, the Chofetz Chaim stated that the person was not an *oneis* when he began smoking and therefore was responsible for his sin (*Likutei Ma’amarim* 13). However, if a smoker used vaping to help quit smoking, then when the person started smoking he was not considered an *oneis*, but when he switched to vaping, he was already reliant on nicotine, placing him under the *oneis* status. Therefore, there is room to say that it is permissible within *halacha* for someone to begin vaping solely to quit smoking.

While vaping may have been innovated for smokers, a significant percentage of its users are actually teenagers who have never smoked before. According to the Centers for Disease Control and Prevention and the Food and Drug Administration (FDA), one in four high schoolers and one in ten middle schoolers vape [9]. Teenagers are drawn to the various flavors contained in e-cigarettes, and studies found that these flavors can actually increase the toxicity of the e-cigarette. A study testing the effects of flavors in electronic nicotine delivery systems found that, most notably, menthol, coffee, and strawberry-flavored aerosols significantly reduced cell viability and metabolic activity compared to air controls [10]. Young children have an extra risk involved; nicotine has a negative impact on their still-developing brains [1]. As a precaution, the FDA recently banned e-cigarettes flavored with anything except menthol in order to reduce their appeal to young children [5]. Teenagers are also more likely to experiment with the use of e-cigarettes, which can be even more dangerous. To get the biggest “hit” of

nicotine from each puff, teenagers may remove the outside cover from the e-cigarette and use an eyedropper to drip the liquid directly in. This action, called “dripping,” causes the e-cigarette to reach a higher temperature and creates a bigger vapor cloud along with a bigger “hit” to the throat. About one in four vapers try dripping [5]. The Biblical obligation of “*lo ta’amod al dam re’echa*” (Leviticus 19:16) requires parental figures and teachers to educate children and teenagers on the dangers of vaping. Furthermore, an underage vaper violates American law, and since the Jewish law of “*dinab de’malchei dinab*” (*Bava Batra* 54b) requires one to follow the laws of the land, that minor child is violating *halacha* as well.

New research and studies are continuously being performed to learn more about vaping’s detrimental health effects. As more risks and diseases are uncovered and more fatalities occur, it has become apparent that there are *halachic* ramifications to harming oneself through the use of e-cigarettes. Not only is a Jew required to educate those around him from the verse “*lo ta’amod al dam re’echa*” (Leviticus 19:16), but based on the verse “*lifnei iver lo titen michshol*” (Leviticus 19:14), which translates as “do not put a stumbling block in front of a blind person,” a Jew is obligated to be active in preventing the manufacturing of e-cigarettes before they get into the hands of those who fail to understand their threat. Is it not enough for us to understand the danger and refrain from vaping ourselves; rather, we have a higher responsibility to educate others.

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