

Preparing for Future Class Actions against Vaping Magnates: Juul Labs, Vype, etc., etc.



Photograph of Vype brochure available in Ottawa on July 22, 2019 © 2019 SAQOTU Inc.

by Andee White, CFA, BBA (July 22, 2019)

A week ago, my comments about vaping received so many positive reactions on LinkedIn that I decided an analysis of the business model was required. After a look at the legislation and a few shops in Canada and United States of America (“USA”), perhaps we need a few lobbyists too. Then again, what do they actually accomplish?

Background

While at a Tim Horton’s in Cheektowaga, New York, USA, I read a comment on LinkedIn about vaping:

The CEO of America's bestselling e-cigarette, Juul Labs, has a message for parents: “I’m sorry.” Federal data shows nearly 21% of high school students vaped last year, prompting the Food and Drug Administration to declare teen vaping an “epidemic.” Juul has attempted to dissuade teen use of its products by shutting down its social media accounts and nixing fruity flavors, but that hasn’t stopped the criticism.

Well, I had done a little research into the disgusting product that is vaping. So, I added a comment to this post:

Associates of Imperial Tobacco are looking for “biodegradable product” supply for vaping ingredients. I was quickly cut off when I posed as a supplier in search of their selection criteria. What the heck are they planning to add to these “oils”? I was just worried about pharmaceuticals (e.g. ridilin, lithium) getting in there.

Then I added:

Apologetic, Juul Labs? I doubt it: I have seen those displays at convenience stores and gas stations. I may not be able to prove intent; but, proving negligence should be fairly easy. We should start photographing those child-directed, marketing displays, video-taping our children purchasing/using these products and compiling stories of behavioural change and addiction NOW. I have a 13-year old son and 11-year old daughter who are both beautiful and easily influenced. I will do this on my own; however, a class action might shut these monsters down for good. Feel free to message me if you are interested.

Then, I added this:

The company name is Nerudia. Attached is the e-mail thread. I just set up my folder where I will store all of my evidence.

Then, I looked up from my coffee and saw a vape store across the street:

(00:49) <https://www.youtube.com/watch?v=p6cENgh6wI8>

Then, I went to visit the vape store:

(01:00) <https://www.youtube.com/watch?v=iaKOExyC88M>

Then, I spoke to the staff:

(03:07) <https://youtu.be/sQzVm5MW93g>

Then, I took a quick peek at Juul Labs' financial overview:

- Revenues per employee of \$2.8 million? WOW!
- Latest round of funding brought in \$12.8 billion! WOW!

“Hey, Juul Labs! Why do you need so much in funding, huh?”

Is it because you are selling your products at a loss to gain market share? Or, do you provide financing for Wet Vapes, and/or other e-cigarette vendors/franchisees?

Here is the link to your “I’m sorry” article, Juul Labs: <https://www.cnbc.com/2019/07/13/as-juul-deals-with-teen-vaping-epidemic-ceo-tells-parents-im-sorry.html>

And, by the way, you did not pull those products over six months ago. Why not?

Here is what I saw in Ottawa, Ontario yesterday:

Vype sells fruit-flavoured nicotine; marketing message is “[tobacco kills but e-cigarettes are ok]”:
(00:40) <https://youtu.be/LMoqz4BgDLk>

Same as above but in a different location: (00:25) <https://youtu.be/c749qkRtx-0>

Same as above, plus a look at the glossy brochure: (01:54) https://youtu.be/sx_GlQ6sbco

Same as above, with evidence that fruit-flavoured nicotine cartridges are being retailed:
(00:53) <https://youtu.be/Lzo7wbM9j7M>

High Tea Leaf: I thought it was flavours for e-cigarettes; however, it was a display of this company’s flavoured rolling papers ... including chocolate: (00:40) <https://youtu.be/xbND7dDr3rw>

Uncertain whose product it is: there are flavours for bonges available too. (Placed very close to a Vype display, one has to ask: is hashish and/or THC oil now sold in Vype cartridges?)
(00:41) <https://youtu.be/SsGVbM3wfss>

Confirmation that High Tea Leaf sells flavoured rolling papers: (00:31) https://youtu.be/aJ9aT_Tgx-g

A couple of days ago I learned about Itsaflavor. In this video you can see how flavours are now sold separately from the tobacco product: (00:43) <https://youtu.be/gpQyc4XLNO8>

Therefore,

“Mr. Burns, CEO of Juul Labs: I do not believe you?”

I do not intend to single you out: clearly, this is a pending class action against the entire industry: Juul, Vype, Logic, Itsaflavour, High Tea Leaf and, perhaps, Zippo too.

Ummm, Vype? Are you aware that when one types “Vype” into the search engine Bing, they are brought to a website selling Vitavype products? (00:59) https://youtu.be/L9YH_b9LBc8. Perhaps, you might like the July 18, 2019 LinkedIn article: “Amazon is a Monster Company that is Out of Control” by Andee White, CFA, BBA.

The Legislation

In Canada, section 8 of the Electronic Cigarettes Act, 2015 was supposed to have been amended to address the problems associated with electronic cigarettes that are flavoured and appeal to children.

Well,

- a) That was NINE months ago: why has the legislation not come into force yet?
- b) What does “prescribed as prohibited” mean and why is that not defined in the Act? and
- c) All the manufacturers did to skirt that amendment was separate the flavours from the tobacco: like buying a scoop of ice cream and a cone and then assembling it themselves, our children are still buying an ice cream cone.

**“Children are still buying flavoured
electronic cigarettes!”**

The Risk of Physical Injury

For those who have chosen to vape, please be careful. I found this warning buried in the TOC (“Terms and Conditions”) section of Wet Vapes' website:

<https://www.wetvapes.com/terms-and-conditions-of-use>

(As I still am not able to communicate directly with my two children due to the child abduction by my narcissistic ex-husband through the corrupt Children’s Aid Society of Ottawa, would someone please pass along this article to Sean Kiska and Cate Kiska of Ottawa, Ontario, Canada and their friends? I would really appreciate your help.)

I have included the warning as the final page to this article. It includes a link to Bing search engine results when would types in “e-cigarette explodes”.

The Need for Lobbyists

What is the point of having lobbyists if the result is legislation that is not put into force in a timely manner and/or ignored and/or “worked around”.

“Our children are not stupid.”

I think that we should show them how they are being manipulated by Big Tobacco and get them to help us prepare the legal documents for the class action that is headed their way.

THE WARNING

Caution: When working with Li-ion cells, they are very sensitive to charging characteristics and may explode if mishandled.

User should have enough knowledge on Li-Ion rechargeable batteries in charging, discharging, and assembly before use.

Put the batteries in fire-proof container.

Never leave batteries unattended when charging or while in use.

Do not put batteries on wood surface or carpet when charging. Make sure to charge in Fire-Proof container.

Correct, Rechargeable Batteries should only be used. Non Rechargeable batteries that are used, then charged, create a safety hazard. Do not use or charge NON RECHARGEABLE Batteries in any Devices.

We are not responsible for damage of any modification to the batteries in form or shape.

We are not responsible for any damage caused by misuse or mishandling of Li-Ion batteries.

Wet Vapes inc will not be held liable or responsible for the use and/or misuse of its products, which include, but are not limited to electronic cigarettes, Li-Ion batteries, and/or eLiquid. Customers and Users should use at their own risk.

Here is the result on Bing when I searched "e-cigarette explodes": <https://www.bing.com/search?q=e-cigarette+explodes&form=EDGTCT&q=PF&cvid=302bd271e3fa4640a906259c334d9884&refig=772dd444cea44ce7c7de58ec6c879af9&cc=US&setlang=en-US&elv=AY3%21uAY7tbNNZGZ2yiGNjfMcVOFSZBgOLOr%21SA33EsN0JXeLKqSXhoN9Th37hCZFnLXl1avmg4FpYvMU4WABdrfxj%21ncrKVlte5FHeITZ24&PC=LCTS>

#USA #Canada #Electronic Cigarettes #E-Cigarettes #Vaping #Juul #Vype #Logic #Itsflavor #Zippo #High Tea Leaf #Amazon #PFI #SAQOTU #Andee