

E-Cigarette Battery Explosions Are Leaving Users Disfigured

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Via America's Lawyer: [Mollye Barrows](#), Legal Journalist for The Trial Lawyer Magazine, explains why more than 100 lawsuits have been filed after e-cigarettes exploded on users.

Transcript:

Peter:

Tobacco smokers have been switching over to E-cigarettes as a better alternative for their health and many believed it was until the devices starting to explode in their mouths and pockets.

Joining me to talk about this is legal journalist for Trial Lawyer Magazine, Mollye Barrows. Mollye, thanks for coming.

Mollye:

Yes, thanks for having me Peter. This is a crazy story.

Peter:

It really is. Now, there's about 100 lawsuits filed so far I think by our current counts. Tell us a little bit about what's going on. What's the allegations in the lawsuits?

Mollye:

Yeah, so they've have been a number of lawsuits filed over this particular incident and so you're having explosions in people's pockets, you're having explosions when they use them. These are just some of the allegations that are coming out in these lawsuits and the problem seems to be the batteries. They're overheating, they're exploding whether somebody's using it or perhaps the battery comes into contact if it's loose in your pocket with some change or something like that.

It's causing severe burns. One woman had dental problems after one exploded when she was using it. Another guy had to have part of his finger amputated along with tongue surgery after exploded while he was using it. And still yet, another guy had a battery explode in his pocket and it caused severe burns, which included skin grafts and all these other issues that he had to have multiple surgeries just to repair the damage and that was in his pants pocket of his leg.

So, you're having serious problems with these and there's, of course, some debate as there always is over who is at fault.

Peter:

Yes, of course 'cause I'm sure the lawsuits that are filed, I mean, who are the defendants? Are they admitting responsibility, are they fighting the allegations? What's the status of the litigation?

Mollye:

They are, so, you're seeing some lawsuits that are filed strictly against the manufacturers and when it comes to the manufacturers, they're predominantly the ones that these lawsuits are being targeted by these lawsuits along with distributors as well as others that market the product because they're basically saying some of these folks that are filing the lawsuits again, going back to the batteries, that the batteries are the issue. That they know that these batteries are defective in some cases and that they're allowing them to be distributed or to go onto the market or allow people to use them regardless knowing what the dangers are.

You're talking about 500 companies worldwide that are selling these products and that's about a seven billion dollar a year industry so with so much money at stake and so many of these batteries coming from China, there's some question as to how in these lawsuits, how well made these batteries are and perhaps there's just not enough oversight from the manufacturer to the distributor to weed out some of these bad batteries.

Peter:

Is it typically the batteries? Is that the cause that we're finding, it's the batteries over and over again?

Mollye:

Yes, well, that's what it seems to be pointing to a good bit of the time. Now, is that the case every single time? There's still some debate about that, but, most of these injuries it seems like are being caused when the battery explodes and it is a painful thing because I can imagine that it would be. It's filled with battery acid, basically, these batteries are overheating, they're exploding and it's spilling 'cause they're Lithium Ion batteries and they're spilling chemicals onto your skin and obviously that's gonna cause a lot of damage as well as property damage, not only to your body, but somewhere, there's some video, in fact, floating around of a guy on a bus. So you see these other people sort of backing away around him or if that happens in your home and you set something else on fire. Those are some of the dangers that are occurring.

You're talking about 243 reports generally that have been made about these exploding cigarettes since 2007. It's not an epidemic, per se, but these lawsuits are coming pretty regularly because so many more people are using these electronic cigarette devices.

Peter:

It's not an epidemic, but, you'd think because of the close proximity to your face and the types of damages you can get in that area, which is, scary to say the least that you would think that this would have all been tested beforehand.

Mollye:

Isn't that always the case?

Peter:

Yeah. Exactly.

Mollye:

Yeah. So, they're trying to take a look at what these procedures are, how these bad batteries, if that is the case, are being allowed to get in there and as you might imagine some of the manufacturers are saying those that are commenting on this, some of these lawsuits are still pending and they're not commenting.

Peter:

I mean, is there really any signs to demonstrate or prove that the E-cigarettes are safer or not safer necessarily, but, healthier than traditional tobacco or smoking a regular cigarette?

Mollye:

Yeah, it's interesting 'cause they've really only been on the market for about 10 years, so, there isn't a lot of data available for research to determine just how healthy or how much safer health wise these E-cigarettes may be to regular, traditional smoking of cigarettes, but, some of the data that I did find is that you're talking about 20+ chemicals that are combusting in your lungs when you smoke a regular cigarette and a lot of those have tight connections to the carcinogens or cancer causing chemicals or have a relationship with cancer. Now, you have a far fewer amount of chemicals that are coming in when you vape, so, as what they call it, the process of vaping, because basically, you're heating up chemicals whether it's nicotine and some sort of flavoring and something else to help that do what it needs to do to get into your lungs.

So there's fewer chemicals, but, they don't know how safe it really is.

Peter:

The word healthy kind of seems like an oxymoron when you're smoking anyway it's like a fat-free hot dog, so to speak.

Mollye:

Right, it may not be as bad for you, but, that doesn't sound as good on an ad.

Peter:

All varying degrees of "healthy" right?

Mollye:

Right, exactly. These manufacturers, of course, that a lot of these explosions are not their fault. The ones that have gone to court. They're basically saying, hey, it's user error. It could be that you've allowed this battery to overcharge or you used a USB port that overheated it or you just didn't know what you were doing.

It'll be interesting to see as these cases continue, what these juries rule whether for or against these plaintiffs that are bringing these allegations to the court because, again, only 243 claims since in about 10 years, but still, those people that are injured, like you said,

they were putting it to your face. You wanna be able to feel comfortable that your habits, whether they're healthy or not aren't gonna lead to worse problems.

Peter:

Right, disfiguration or whatever. Molly, thanks very much for coming. I appreciate your time and thank you for continuing to shed a spotlight on this, thank you.