



NEW YORK STATE SENATOR

Joseph P. Addabbo Jr.

## Senate Passes Addabbo Bill Prohibiting the Sale of Whipped Cream Chargers to Persons Under the Age of 21

SENATOR JOSEPH P. ADDABBO, JR. July 31, 2019

| ISSUE: **WHIPPITS, DRUG USE, ADDABBO, COMMUNITY HEALTH**

The New York State Senate passed S.5151, sponsored by NYS Senator Joseph P. Addabbo, Jr., prohibiting the sale of whipped cream chargers, also known as 'whippits, whippets, or whip-its' to persons under the age of twenty-one.

"Nitrous oxide is a legal chemical for legitimate professional use but when used improperly, it can be extremely lethal," said Addabbo. "Sadly, young people buy and inhale this gas to get 'high' because they mistakenly believe it is a 'safe' substance. We need to eliminate access to this dangerous substance for our youth."

The legislation was drafted by Addabbo, following complaints from constituents in his district, who complained of empty containers littering their community. Whipped cream chargers are filled with nitrous oxide which is often referred to as 'laughing gas' and popularly used as an over-the-counter inhalant because of its euphoric effects. Dental professionals use the chemical during oral surgery to relieve pain but it is highly addictive and has detrimental effects if used improperly. Under current law, a person who uses nitrous oxide for purposes of intoxication are guilty of a Class A misdemeanor.

Under this legislation, an entity found in violation of selling whipped cream chargers to persons under 21 would be subject to a civil penalty of up to \$250 for an initial offense and up to \$500 for each subsequent offense.

“The need to limit the access and sale of whippits became apparent after receiving constituent complaints about empty canisters on neighborhood streets,” Addabbo added.

“The piles of used whippits in our communities are not only an eye sore but also indicative of a significant nitrous oxide abuse problem. Studies indicate that younger people are most at risk when it comes to inhalants because they are inexpensive, easy to obtain, and may provide one of the easiest ways to get high. This legislation will not only help to clean up our neighborhoods but more importantly, seek to protect our youth from the dangers of such a lethal chemical.”

After passing the Senate, the bill went to the Assembly Consumer Affairs and Protection Committee, but was not voted on before session ended. Addabbo intends to pursue the passage of the same bill next year.

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#### RELATED LEGISLATION

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### 2019-S5151

- 
- Introduced
  - - In Committee Assembly
    - In Committee Senate

- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ◦ Passed Assembly
  - Passed Senate

- Delivered to Governor

- Signed By Governor

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Prohibits the sale of whipped cream chargers to persons under the age of twenty-one

April 11, 2019

In Assembly Committee

Sponsored by **Joseph P. Addabbo Jr.**

Do you support this bill?