

Calendar No. 477

118TH CONGRESS
2D SESSION**S. 2233**

To ban the sale of products with a high concentration of sodium nitrite to individuals, and for other purposes.

 IN THE SENATE OF THE UNITED STATES

JULY 11, 2023

Ms. DUCKWORTH (for herself and Mr. VANCE) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

AUGUST 1, 2024

Reported by Ms. CANTWELL, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To ban the sale of products with a high concentration of sodium nitrite to individuals, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Youth Poisoning Pro-
5 tection Act”.

1 **SEC. 2. BANNING OF PRODUCTS CONTAINING A HIGH CON-**
 2 **CENTRATION OF SODIUM NITRITE.**

3 (a) **IN GENERAL.**—Any consumer product containing
 4 a high concentration of sodium nitrite shall be considered
 5 to be a banned hazardous product under section 8 of the
 6 Consumer Product Safety Act (15 U.S.C. 2057).

7 (b) **DEFINITIONS.**—For purposes of this section:

8 (1) **CONSUMER PRODUCT.**—The term “con-
 9 sumer product” has the meaning given that term
 10 under section 3(a)(5) of the Consumer Product
 11 Safety Act (15 U.S.C. 2052(a)(5)).

12 (2) **HIGH CONCENTRATION OF SODIUM NI-**
 13 **TRITE.**—The term “high concentration of sodium ni-
 14 trite” means a concentration of 10 or more percent
 15 by weight of sodium nitrite.

16 (c) **EFFECTIVE DATE.**—This section shall take effect
 17 90 days after the date of enactment of this Act.

18 **SECTION 1. SHORT TITLE.**

19 *This Act may be cited as the “Youth Poisoning Protec-*
 20 *tion Act”.*

21 **SEC. 2. BANNING OF PRODUCTS CONTAINING A HIGH CON-**
 22 **CENTRATION OF SODIUM NITRITE.**

23 (a) **IN GENERAL.**—Any consumer product containing
 24 a high concentration of sodium nitrite shall be considered
 25 to be a banned hazardous product under section 8 of the
 26 Consumer Product Safety Act (15 U.S.C. 2057).

1 **(b) RULE OF CONSTRUCTION.**—*Nothing in this section*
 2 *shall be construed to—*

3 (1) *prohibit any commercial or industrial pur-*
 4 *pose in which high concentration sodium nitrite is*
 5 *not customarily produced or distributed for sale to, or*
 6 *use or consumption by, or enjoyment of, a consumer;*
 7 *and*

8 (2) *apply to high concentration sodium nitrite*
 9 *that meets the definition of a “drug”, “device”, or*
 10 *“cosmetic” (as such terms are defined in sections*
 11 *201(g), (h), and (i) of the Federal Food, Drug, and*
 12 *Cosmetic Act (21 U.S.C. 321(g), (h), and (i))), or*
 13 *“food” (as defined in section 201(f) of such Act (21*
 14 *U.S.C. 321(f))), including poultry and poultry prod-*
 15 *ucts (as such terms are defined in sections 4(e) and*
 16 *(f) of the Poultry Products Inspection Act (21 U.S.C.*
 17 *453(e) and (f))), meat and meat food products (as such*
 18 *terms are defined in section 1(j) of the Federal Meat*
 19 *Inspection Act (21 U.S.C. 601(j))), and eggs and egg*
 20 *products (as such terms are defined in section 4 of the*
 21 *Egg Products Inspection Act (21 U.S.C. 1033)).*

22 **(c) DEFINITIONS.**—*For purposes of this section:*

23 (1) **CONSUMER PRODUCT.**—*The term “consumer*
 24 *product” has the meaning given that term under sec-*

1 *tion 3(a)(5) of the Consumer Product Safety Act (15*
2 *U.S.C. 2052(a)(5)).*

3 (2) *HIGH CONCENTRATION OF SODIUM NI-*
4 *TRITE.—The term “high concentration of sodium ni-*
5 *trite” means a concentration of 10 or more percent by*
6 *weight of sodium nitrite.*

7 (d) *EFFECTIVE DATE.—This section shall take effect*
8 *90 days after the date of enactment of this Act.*

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