

119TH CONGRESS
1ST SESSION

S. 289

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

JANUARY 29, 2025

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

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”.

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

8 (a) IN GENERAL.—Any consumer product containing
9 a high concentration of sodium nitrite shall be considered

1 to be a banned hazardous product under section 8 of the
2 Consumer Product Safety Act (15 U.S.C. 2057).

3 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion shall be construed to—

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

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

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

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

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

9 (d) EFFECTIVE DATE.—This section shall take effect
10 90 days after the date of enactment of this Act.

○