

# STATE OF NEW YORK

5151

2019-2020 Regular Sessions

## IN SENATE

April 11, 2019

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to prohibiting the sale of whipped cream chargers to persons under the age of twenty-one

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The general business law is amended by adding a new section  
2 399-ii to read as follows:

3 § 399-ii. Sale of whipped cream chargers. 1. For purposes of this  
4 section, the term "whipped cream charger" shall mean a steel cylinder or  
5 cartridge filled with nitrous oxide (N2O) that is used as a whipping  
6 agent in a whipped cream dispenser, and is commonly referred to as a  
7 whippit, whippet, nossy, nang, Johnson or charger.

8 2. No person, corporation, partnership, limited liability company,  
9 firm or any other business entity doing business within this state shall  
10 sell or offer for sale a whipped cream charger to any person under the  
11 age of twenty-one.

12 3. Any person, corporation, partnership, limited liability company,  
13 firm or any other business entity that violates the provisions of this  
14 section shall be subject to a civil penalty of not more than two hundred  
15 fifty dollars for an initial offense and not more than five hundred  
16 dollars for the second and each subsequent offense.

17 § 2. This act shall take effect on the thirtieth day after it shall  
18 have become a law.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD10269-01-9