STATE OF NEW YORK

7430

2019-2020 Regular Sessions

IN ASSEMBLY

May 3, 2019

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Consumer Affairs and 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:

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

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

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

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

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

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

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