



AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.

S. 2233

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

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

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

1 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion 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,
6 or use or consumption by, or enjoyment of, a con-
7 sumer; 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
17 U.S.C. 453(e) and (f))), meat and meat food prod-
18 ucts (as such terms are defined in section 1(j) of the
19 Federal Meat Inspection Act (21 U.S.C. 601(j))),
20 and eggs and egg products (as such terms are de-
21 fined in section 4 of the Egg Products Inspection
22 Act (21 U.S.C. 1033)).

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

24 (1) CONSUMER PRODUCT.—The term “con-
25 sumer product” has the meaning given that term

1 under section 3(a)(5) of the Consumer Product
2 Safety Act (15 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
6 by weight of sodium nitrite.

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