

YOUTH POISONING PROTECTION ACT

APRIL 24, 2025.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GUTHRIE, from the Committee on Energy and Commerce,
submitted the following

R E P O R T

[To accompany H.R. 1442]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 1442) a bill to ban the sale of products with a high concentration of sodium nitrate to individuals, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 1442, the Youth Poisoning Protection Act, was introduced by Representative Trahan on February 18, 2025, and referred to the Committee on Energy and Commerce. H.R. 1442 bans the sale of high-concentration sodium nitrite to individuals by adding such products to the list of banned hazardous products in the Consumer

Product Safety Act (15 U.S.C. 2057). H.R. 1442 does not ban the sale of sodium nitrite for business-to-business sales or sales to universities and schools for the purpose of education and research.

BACKGROUND AND NEED FOR LEGISLATION

Sodium nitrite is a substance that is generally used to cure meat and can be used medically to reverse cyanide poisoning. Swallowing a spoonful of sodium nitrite dissolved in a cup of water is likely to lead to a rapid death, and it is approximately 100 times more lethal than other poisoning methods used with suicidal intent.¹ Sodium nitrite causes hypotension, or low blood pressure, and methemoglobinemia, which inhibits the ability of blood to carry oxygen.

Amazon stated that it stopped selling the chemical to home consumers and offers it only on its Amazon business marketplace.² Still, online suicide assistance forums provide detailed instructions and real-time guidance on how to die by suicide using sodium nitrite. These sites are responsible for a sharp increase of deaths by sodium nitrite ingestion in the past few years, a trend expected to continue.³ Data from the National Poison Data System shows a rise in self-poisonings using sodium nitrite in the United States since 2017.⁴ Experts emphasize that high-concentration sodium nitrite is only appropriate for commercial purposes—not individual or household use.⁵

Sodium nitrite has a wide variety of valuable and important commercial and industrial uses. Large amounts of sodium nitrite are used by the chemical and pharmaceutical industries. Sodium nitrite has uses in the industrial production of organonitrogen compounds. Sodium nitrite enables manufacturing of certain dyes and rubber products, and it is also used in metallurgy applications, such as phosphatizing and detinning. Sodium nitrite is also used as a corrosion inhibitor, an industrial grease additive, and in cooling and heat transfer systems. It is also used as an emergency medication in certain poisoning cases. This legislation does not affect access to or use of sodium nitrite in any of these commercial and industrial uses, including small business uses.

The Act seeks to address this consumer harm with a narrowly tailored prohibition on sale of consumer products that contain sodium nitrite at concentrations greater than 10 percent, which precludes consumer access to Consumer Product Safety Act-regulated products. The 10 percent threshold allows consumer products with small or de minimis residuals of sodium nitrite, which do not otherwise present a safety concern, to be sold.

The prohibition applies only to a “consumer product,” which is defined in the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)), and thus expressly does not apply to products exempted from the definition, including but not limited to Federal Food, Drug, and

¹ Sean D. McCann, *et al.*, *Rising Incidence and High Mortality in International Sodium Nitrite Exposures Reported to U.S. Poison Centers*, *Clinical Toxicology* (Mar. 31, 2021).

² Kaustuv Basu, *Chemical Used in Suicides Faces Sales Ban Under Proposed Law*, *Bloomberg Law* (June 22, 2023).

³ Yub Raj Sedhai, *et al.*, *The use of sodium nitrite for deliberate self-harm, and the online suicide market: Should we care?*, *The Medico-Legal Journal* (June 2022).

⁴ See Note 1.

⁵ Commonwealth of Australia, *Delegate’s final decision and reasons for decision—sodium nitrite* (Joint ACMS-ACCS #28, June 2021).

Cosmetic Act-regulated foods and food additives, and drugs, devices, or cosmetics.

H.R. 1442 is needed to ensure that sodium nitrite is no longer accessible to consumers at a percentage greater than 10 percent. There are no known consumer products that need to contain sodium nitrite at this level. At the same time, H.R. 1442 will preserve access to sodium nitrite for businesses and educational institutions.

COMMITTEE ACTION

On September 27, 2023, the Subcommittee on Innovation, Data, and Commerce held a hearing on H.R. 4310.⁶ The hearing was entitled, “Proposals to Enhance Product Safety and Transparency for Americans.” The Subcommittee received testimony from:

- Kathleen Callahan, Owner, Xpertech Auto Repair;
- Scott Benavidez, Chairman, Automotive Service Association;
- Steven Michael Gentine, Counsel, Arnold & Porter, LLP;
- John Breyault, Vice President of Public Policy, Telecommunications and Fraud, National Consumers League; and
- David Touhey, Certified Venue Expert, Principal, Connett Consulting (IAVM, Fix the Tix Coalition member, former president of venues, Monumental Sports); and Adjunct Professor of sports management, Georgetown University and George Washington University.

On April 8, 2025, the full Committee on Energy and Commerce met in open markup session and ordered H.R. 1442, without amendment, favorably reported to the House by a record vote 50 yeas and 1 nay.

COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Committee to list the record votes on the motion to report legislation and amendments thereto.

⁶This legislation was introduced in the 118th Congress as H.R. 4310.

**COMMITTEE ON ENERGY AND COMMERCE
119TH CONGRESS
ROLL CALL VOTE # 2**

BILL: H.R. 1442

AMENDMENT: Final Passage

DISPOSITION: Agreed to, by a roll call vote of 50 yeas and 1 nay.

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Guthrie	X			Mr. Pallone	X		
Mr. Latta	X			Ms. DeGette	X		
Mr. Griffith	X			Ms. Schakowsky	X		
Mr. Bilirakis	X			Ms. Matsui	X		
Mr. Hudson	X			Ms. Castor	X		
Mr. Carter (GA)	X			Mr. Tonko	X		
Mr. Palmer	X			Ms. Clarke		X	
Mr. Dunn	X			Mr. Ruiz	X		
Mr. Crenshaw				Mr. Peters	X		
Mr. Joyce	X			Mrs. Dingell	X		
Mr. Weber	X			Mr. Veasey	X		
Mr. Allen	X			Ms. Kelly	X		
Mr. Balderson	X			Ms. Barragán			
Mr. Fulcher	X			Mr. Soto	X		
Mr. Pfluger	X			Ms. Schrier	X		
Mrs. Harshbarger	X			Ms. Trahan	X		
Mrs. Miller-Meeks	X			Ms. Fletcher	X		
Mrs. Cammack	X			Ms. Ocasio-Cortez	X		
Mr. Obernolte	X			Mr. Auchincloss	X		
Mr. James	X			Mr. Carter (LA)	X		
Mr. Bentz	X			Mr. Menendez	X		
Mrs. Houchin	X			Mr. Mullin	X		
Mr. Fry	X			Mr. Landsman	X		
Ms. Lee				Ms. McClellan	X		
Mr. Langworthy	X						
Mr. Kean	X						
Mr. Rulli	X						
Mr. Evans	X						
Mr. Goldman	X						
Mrs. Fedorchak	X						

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OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII, the Committee held a hearing and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY,
AND TAX EXPENDITURES

Pursuant to clause 3(c)(2) of rule XIII, the Committee finds that H.R. 1442 would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII, at the time this report was filed, the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not available.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to ban high-concentration sodium nitrite to individuals by adding such products to the list of banned hazardous products in the Consumer Product Safety Act (15 U.S.C. 2057).

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of H.R. 1442 is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or the most recent Catalog of Federal Domestic Assistance.

RELATED COMMITTEE AND SUBCOMMITTEE HEARINGS

Pursuant to clause 3(c)(6) of rule XIII, the following hearing was used to develop or consider H.R. 1442:

- On September 27, 2023, the Subcommittee on Innovation, Data, and Commerce held a hearing on H.R. 4310. The hearing was entitled, “Proposals to Enhance Product Safety and Transparency for Americans.” The Subcommittee received testimony from:
 - Kathleen Callahan, Owner, Xpertech Auto Repair;
 - Scott Benavidez, Chairman, Automotive Service Association;
 - Steven Michael Gentine, Counsel, Arnold & Porter, LLP;
 - John Breyault, Vice President of Public Policy, Telecommunications and Fraud, National Consumers League; and

◦ David Touhey, Certified Venue Expert, Principal, Connett Consulting (IAVM, Fix the Tix Coalition member, former president of venues, Monumental Sports); and Adjunct Professor of sports management, Georgetown University and George Washington University.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. At the time this report was filed, the estimate was not available.

earmark, limited tax benefits, and limited tariff benefits

Pursuant to clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 1442 contains no earmarks, limited tax benefits, or limited tariff benefits.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

Section 1 allows the Act to be cited as the “Youth Poisoning Protection Act.”

Section 2. Banning of products containing a high concentration of sodium nitrite

Section 2 requires any consumer product containing a concentration of ten or more percent by weight of sodium nitrite be considered a banned hazardous product under section 8 of the Consumer Product Safety Act. This section also defines key terms and sets and effective date of 90 days after enactment.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

This legislation does not amend any existing Federal statute.