

**ASSEMBLY, No. 4617**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED OCTOBER 18, 2018

**Sponsored by:**

**Assemblywoman JOANN DOWNEY**

**District 11 (Monmouth)**

**SYNOPSIS**

Prohibits sale of food and beverage products prepared with liquid nitrogen.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning liquid nitrogen and supplementing Title 24 of  
2 the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. a. A person shall not sell or offer for sale in this State any  
8 food or beverage product that is prepared with liquid nitrogen.

9 b. A person who violates this section shall be liable to a civil  
10 penalty of not less than \$250 for the first violation, not less than  
11 \$500 for the second violation, and not less than \$1,000 for the third  
12 and each subsequent violation. The civil penalty shall be sued for  
13 and collected by the Commissioner of Health pursuant to the  
14 "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10  
15 et seq.) in a summary proceeding.

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17 2. This act shall take effect immediately.

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STATEMENT

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22 This bill prohibits the sale of food and beverage products  
23 prepared with liquid nitrogen, also known as "dragon's breath."

24 Under the bill, a person is prohibited from selling or offering for  
25 sale any food or beverage product that is prepared with liquid  
26 nitrogen. A person who violates this provision is liable to a civil  
27 penalty of not less than \$250 for the first violation, not less than  
28 \$500 for the second violation, and not less than \$1,000 for the third  
29 and each subsequent violation.

30 The bill provides that the penalty is to be sued for and collected  
31 by the Commissioner of Health pursuant to the "Penalty  
32 Enforcement Law of 1999."