

SENATE, No. 858

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

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

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



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

3

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

6

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.

16

17 2. This act shall take effect immediately.

18

19

20

STATEMENT

21

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.”