

119TH CONGRESS
2D SESSION

S. _____

To regulate compressed air dusters to prevent inhalant abuse.

IN THE SENATE OF THE UNITED STATES

Mr. WYDEN (for himself, Mr. BLUMENTHAL, and Mr. PADILLA) introduced
the following bill; which was read twice and referred to the Committee
on _____

A BILL

To regulate compressed air dusters to prevent inhalant
abuse.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Duster Inhalation Pre-
5 vention Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) AEROSOL DUSTER PRODUCT.—The term
9 “aerosol duster product” means a product that uses
10 a pressurized canister filled with gas or liquified gas

1 to create a stream of gas hydrofluorocarbons or
2 similar propellants that is primarily used to dislodge
3 or remove dust and debris.

4 (2) BASE PERIOD.—The “base period” with re-
5 spect to aerosol duster products means the average
6 monthly manufacture or import volume for any
7 month within the 13-month period immediately pre-
8 ceding the date of enactment of this Act.

9 (3) COMMISSION.—The term “Commission”
10 means the Consumer Product Safety Commission.

11 (4) RECREATIONAL INHALATION.—The term
12 “recreational inhalation” with respect to a person
13 means knowingly inhaling aerosol duster propellants
14 to become intoxicated or impaired.

15 (5) STOCKPILE.—The term “stockpile” means
16 the manufacturing or importing of aerosol duster
17 products at a rate greater than 105 percent of the
18 rate at which such products were manufactured or
19 imported during the base period for the manufac-
20 turer or importer.

21 **SEC. 3. CLASSIFICATION AS A HAZARDOUS PRODUCT.**

22 (a) IN GENERAL.—The Commission shall declare
23 1,1-difluoroethane (HFC-152a), 1,1,1,2-tetrafluoroethane
24 (HFC-134a), or any derivative product of HFC-152a or

1 HFC-134a to be hazardous substances under the Federal
2 Hazardous Substances Act (15 U.S.C. 1261 note).

3 (b) BANNING OF DUSTERS.—An aerosol duster prod-
4 uct, or other aerosol product, shall be a banned hazardous
5 substance under the Federal Hazardous Substances Act
6 (15 U.S.C. 1261 note) if such product contains more than
7 18 mg of one or more of the hazardous substances de-
8 scribed in subsection (a).

9 (c) PROHIBITION.—In implementing this section, the
10 Commission shall ensure that a manufacturer does not
11 stockpile aerosol products banned under subsection (b).

12 (d) ADDITIONAL PROPELLANTS.—The Commission
13 may by regulation promulgated in accordance with section
14 553 of title 5, United States Code, add additional harmful
15 propellants that are used for the recreational inhalation
16 of gas from compressed air dusters to the hazardous sub-
17 stances described in subsection (a) if the Commission de-
18 termines such addition to be appropriate.

19 (e) LIMITATION.—Nothing in this Act shall apply to
20 drugs regulated by the Food and Drug Administration.