

State of Louisiana
Office of Alcohol and Tobacco Control

JEFF LANDRY
GOVERNOR



RICHARD NELSON
SECRETARY

ERNEST P. LEGIER, JR.
ATC COMMISSIONER

August 1, 2024

ADVISORY: 2024 LEGISLATIVE CHANGES

**NITROUS OXIDE, also known as “Laughing Gas, Poppers, or Snappers”
ARE PROHIBITED IN ALL ATC PERMITTED LOCATIONS**

Dear ATC Permit Holders:

During the 2024 Regular Legislative Session, several amendments passed that affected the alcohol, tobacco and consumable hemp industries. In an effort to ensure permit holders are aware of these changes, the following update is being provided; however, it is highly recommended that businesses review the law in its entirety to ensure a complete understanding of the changes in the law.

ACT 248 – Amends the law and tasked the ATC with regulating nitrous oxide.

Prior to August 1, 2024, it was prohibited for any person to inhale, ingest, use or possess any compound, liquid or chemical which contains butyl nitrite, isobutyl nitrite, secondary butyl nitrite, tertiary butyl nitrite, mixtures containing butyl nitrite, isobutyl nitrite, secondary butyl nitrite, or tertiary butyl nitrite, nitrous oxide, commonly known as "laughing gas" or any amyl nitrite, commonly known as "poppers" or "snappers". Violators can be penalized up to \$500 or imprisoned up to six months, or both.

Effective August 1, 2024, Act 248 amended prior law by prohibiting **any entity, business, or corporation** to produce, manufacturer, possess, sell, or otherwise transfer nitrate oxide (aka poppers, snappers, whippits etc.” Any person or business found in violation of the law may be subject to felony charges that may impose up to one year and up to \$2500 fine. The law also provides authority for the ATC to conduct any investigation as necessary to regulate and enforce the provisions of present law concerning nitrous oxide as well as authorizes the agency to promulgate rules and regulations for the enforcement of the law.

ATC remains committed to ensuring the public health and safety of consumers as well as supporting businesses in the tobacco, alcohol and consumable hemp industries by providing relevant information to permittees who can ensure that their businesses have the requisite knowledge of products they may offer for sale and adhere to all applicable laws, rules and regulations. Businesses and individuals who have questions or concerns may contact the agency for guidance by emailing ATC-Attorneys@atc.la.gov.