

## RESOLUTION NO. 25-158

### RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADDRESSING THE SALE, DISTRIBUTION, AND USE OF NITROUS OXIDE IN MENDOCINO COUNTY

WHEREAS, nitrous oxide, commonly known as laughing gas, is a colorless non-flammable gas that is used medically as an anesthetic and analgesic, and is also used commercially in food preparation, most notably as a propellant in whipped cream canisters; and

WHEREAS, the recreational use of nitrous oxide has become increasingly common and is associated with serious health risks, including physical and mental health disorders, neurological damage, accidental injury, and in some cases, death; and

WHEREAS, nitrous oxide is classified as an inhalant, a type of volatile substance that produces chemical vapors which, when inhaled, can induce a psychoactive or mind-altering effect; and

WHEREAS, sufficient inhalation of nitrous oxide can produce anesthesia, unconsciousness, belligerence, apathy, impaired judgment, impaired functioning in work or social situations, and physical symptoms such as nausea and vomiting; and;

WHEREAS, high-dose exposure may lead to confusion, delirium, dizziness, drowsiness, slurred speech, lethargy, depressed reflexes, general muscle weakness, and stupor; and

WHEREAS, nitrous oxide is often sold in small canisters commonly referred to as "whippets," which are readily available at smoke shops and some retail locations; and

WHEREAS, California Penal Code Section 381b makes it a misdemeanor offense, punishable by up to six months in county jail and a \$1,000 fine, to possess nitrous oxide with the intent to inhale it for the purpose of achieving intoxication or a high; and

WHEREAS, California Penal Code Section 381c makes it a misdemeanor to sell or furnish nitrous oxide to a minor; and

WHEREAS, California Penal Code Section 381d makes it a misdemeanor for any person to dispense or distribute nitrous oxide for any purpose if it is known, or should be known, that it will be used for recreational purposes and such use results in great bodily injury or death; and

WHEREAS, the Mendocino County Board of Supervisors recognizes that the unregulated sale and misuse of nitrous oxide is a growing concern, particularly among youth, and poses a direct threat to public health and safety; and

WHEREAS, Mendocino County seeks a coordinated response to reduce the availability and abuse of nitrous oxide by incorporating enforcement, education, and community collaboration.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby supports the Mendocino County Department of Health Services, Public Health in addressing the illicit sale, distribution, and use of nitrous oxide through public education initiatives, and in developing a local ordinance to further regulate the sale of nitrous oxide canisters, including but not limited to, requirements for age verification, point-of-sale restrictions, and retailer education.

The foregoing Resolution introduced by Supervisor Cline, seconded by Supervisor Norvell, and carried this 23<sup>rd</sup> day of September 2025, by the following vote:

AYES: Supervisors Cline, Mulheren, Haschak, Norvell, and Williams  
NOES: None  
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE  
Clerk of the Board

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JOHN HASCHAK, Chair  
Mendocino County Board of Supervisors

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Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

*APPROVED AS TO FORM:*  
CHARLOTTE E. SCOTT  
County Counsel

BY: DARCIE ANTLE  
Clerk of the Board

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Deputy