

Draft Regulations on the Sale and Import of Products Containing Nitrous Oxide

Legal basis: Act of 11 June 1976 No. 79 relating to the control of products and consumer services (Product Control Act) §§ 4 and 12a

Chapter 1: Introductory Provisions

Section 1. Purpose

The purpose of this regulation is to prevent health damage resulting from the use of products containing nitrous oxide.

Section 2. Scope

This regulation applies to the import and sale of products containing nitrous oxide in Norway.

Section 3. Definitions

“Products containing nitrous oxide” means: a container primarily containing N₂O, not intended for medical purposes, and which may pose a health risk.

“Consumer” means: a natural or legal person not primarily acting as part of a business activity.

“Sale” means: making products containing nitrous oxide available, whether for payment or free of charge.

Chapter 2: Restrictions on the Sale of Products Containing Nitrous Oxide

Section 4. Prohibition on Sale for Intoxicating Purposes

It is prohibited to sell products containing nitrous oxide for the purpose of intoxication.

Section 5. Age Limit

It is prohibited to sell products containing nitrous oxide to persons under the age of 18.

Section 6. Quantity Restrictions on Sales to Consumers

It is prohibited to sell more than 17 grams of nitrous oxide per day to a single consumer.

However, it is permitted to sell more than 17 grams per day to licensed motorsport participants when the nitrous oxide is to be used in motorsport.

Section 7. Requirements to Monitor Compliance with Sales Restrictions

Sellers of nitrous oxide must have an age verification system that effectively ensures the buyer is at least 18 years old.

For sales exceeding the quantity limit in section 6, first paragraph, the seller must verify that the buyer is a business operator registered with a valid organization number in the Central Coordinating Register for Legal Entities, and that the nitrous oxide is not being purchased with the intention of selling or using the gas for intoxication purposes.

For sales under section 6, second paragraph, the seller must verify that the consumer is a licensed motorsport participant, and that the nitrous oxide is not being purchased with the intention of selling or using the gas for intoxication purposes.

Section 8. Import of Products Containing Nitrous Oxide

Consumers are prohibited from importing products containing nitrous oxide into Norway.

As part of commercial activity, products containing nitrous oxide may only be imported by a business operator with a valid organization number in the Central Coordinating Register for Legal Entities, and who does not import the nitrous oxide with the intention of selling or using the gas for intoxication purposes.

Products containing nitrous oxide may only be imported by persons over the age of 18.

Chapter 3: Supervision, Enforcement, Sanctions, etc.

Section 9. Supervision

The Norwegian Directorate of Health supervises compliance with the requirements under this regulation.

Section 10. Orders to Remedy Unlawful Conditions and Closure of Illegal Activities

In the event of violations of sections 4 to 7, the Directorate of Health may order that the unlawful condition be remedied, or that the illegal activity cease or be closed.

Section 11. Coercive Fines

The Directorate of Health may impose coercive fines pursuant to section 13 of the Product Control Act to ensure compliance with this regulation.

Section 12. Administrative Fines

The Directorate of Health may impose administrative fines on those who violate sections 4 to 8.

Administrative fines for legal entities shall not exceed 15 times the National Insurance basic amount (G). For natural persons, the fine shall not exceed 2 times the basic amount.

In determining the amount of the fine within these limits, the Directorate may consider:

- a) the preventive effect of the fine
- b) the severity and duration of the violation
- c) the degree of fault

- d) the offender's financial capacity
- e) benefits gained or that could have been gained from the violation
- f) any previous violations of this regulation

Section 13. Entry into force

This regulation enters into force (*date*).