Question for oral answer O-000046/2025
to the Commission
Rule 142
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Subject: Ban on the sale of nitrous oxide to the general public

On 16 November 2025, the lifeless body of a 17-year-old woman was found surrounded by around thirty canisters of nitrous oxide in France. A few days earlier, a man named Mathis was killed by a driver under the influence of this substance. These tragedies are not isolated incidents. According to *Santé publique France*, 92 % of reported users consume this substance in large quantities, and half use it daily, using industrial canisters diverted from their intended purpose of medical or culinary use.

Across the EU, the recreational consumption of nitrous oxide is rising sharply. Its health effects are severe: asphyxiation, loss of consciousness, burns, psychological disorders, anaemia, or damage to the spinal cord in cases of repeated use. The Commission is aware of these risks, and has classified it as toxic to one or more target organs following repeated or prolonged exposure (STOT-RE-1) under the CLP Regulation[1].

Annex XVII of the REACH Regulation[2] makes it possible to list all restrictions applicable to the manufacture, placing on the market and use of certain hazardous substances, mixtures or articles within the EU. Under Articles 68 et seq of the REACH Regulation, the Commission may add a substance to this annex, after opinions from the European Chemicals Agency, whenever the manufacture, use or placing on the market of substances poses an unacceptable risk to human health or the environment that requires action at EU level. In this case, the uncontrolled sale of canisters to the general public creates an unmanageable and unacceptable risk to human health and to road safety across Europe, with a significant environmental impact linked to the waste generated by these canisters.

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1 Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, ELI: http://data.europa.eu/eli/reg/2008/1272/oj).

2 Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1, ELI: http://data.europa.eu/eli/reg/2006/1907/oj).

In the light of the public-health emergency and the increasing number of fatal accidents, can the Commission commit to promptly proposing the addition of nitrous oxide to Annex XVII to the REACH Regulation, in order to prohibit its placing on the market for the general public?

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