

Clubs warned that ban on gas is no laughing matter

05/03/2007

Nightclubs and festivals that sell laughing gas (Nitrous Oxide) may face prosecution, LACORS, the Local Authorities Coordinators of Regulatory Services and the Medicines and Healthcare products Regulatory Agency (MHRA) have warned today.

Although the gas can be legally purchased and used for food related purposes (ie. whipping cream), the supply of Nitrous Oxide for inhalation (ie. recreational drug use) is strictly illegal, as it can only be supplied in this form by a registered pharmacist.

Vendors, who supply nitrous oxide for inhalation purposes or allow it to be supplied, are committing an offence under Section 52 of the Medicines Act 1968 of selling and/or supplying a pharmacy medicine not under the control of a pharmacist.

LACORS has written to councils across the UK, recommending that they warn nightclubs, festival organisers, and bars in their municipality of the status of Nitrous Oxide. Councils that find venues to be in breach of this warning would then report them to the MHRA, and potentially prosecute them.

Whilst the inhalation of Nitrous Oxide (laughing gas) may be perceived by some as ‘harmless activity’ – there are a number of health risks associated with its inhalation. The ‘rush’ users experience is caused by starving the brain of oxygen. This can cause the user to collapse and injure themselves when falling. Repeated inhalation increases the risk.

There are also long-term dangers to health (including bone marrow suppression, blood cell problems and poisoning of the central nervous system). These risks are likely to be exacerbated if the drug is combined with alcohol or other narcotics. The risks are particularly severe for pregnant women.

According to LACORS Chairman Cllr Geoffrey Theobald OBE, nightclubs and other public venues have an important duty-of-care to protect their customers.

“The recent inquest into the death of Daniel Watts from the West Midlands underlines to the community just how dangerous Nitrous Oxide can be when it is used inappropriately.

“Councils clearly have a mandate to protect the safety of the public, and notifying venues in their areas of the danger posed by Nitrous Oxide is an important part of that.

“We expect that the majority of venues once they get this warning will take steps to immediately withdraw this gas from public consumption.

“However to the small number that may not be warned, not only do you risk being prosecuted by your local authority, you are also risking the health and long term wellbeing of the public.

Mick Deats, Head of Enforcement and Intelligence at the Medicines and Healthcare products Regulatory Agency (MHRA) said, “The sale of nitrous oxide for medical use is strictly regulated and anyone selling the drug for recreational use, whether or not they have a licence, face prosecution. Nitrous oxide is Pharmacy status. Misuse of nitrous oxide carries serious health risks. A website selling nitrous oxide has been brought to our attention and we are currently investigating any possible breaches of the Medicines Act.”

Notes to Editors:

1. Consuming Nitrous Oxide at home poses the same short term and longer term risks to the health and safety of users and in fact there has been a case recently of a man accidentally asphyxiating himself by placing a bag over his head to inhale more N₂O, thereby depriving himself of oxygen.

2. LACORS aims to promote excellence in regulatory services. LACORS is a local government central body which seeks to make a major contribution to the development of high quality, consistent and coordinated local authority regulatory services across the UK.

3. The MHRA is the government agency responsible for ensuring that medicines and medical devices work, and are acceptably safe. No product is risk-free. Underpinning all our work lie robust and fact-based judgements to ensure that the benefits to patients and the public justify the risks. We keep watch over medicines and devices, and take any necessary action to protect the public promptly if there is a problem.

[Back](#)